

CABINET

Harbour Band Arena 7 October 2008

Report of Corporate Director (Regeneration)

PURPOSE OF REPORT				
To seek authority to use Northwest Development Agency funds to deliver a regeneration project to clear the Harbour Band Arena adjacent the Midland Hotel and lay it out as open space for the amenity of the public				
Key Decision	<input checked="" type="checkbox"/>	Non-Key Decision		Referral from Cabinet Member
Date Included in Forward Plan	September 2008			
This report is public				

RECOMMENDATIONS

- (1) That Cabinet authorises the Corporate Director (Regeneration) to deliver a project to clear the Harbour Band Arena and lay it out as open space for the amenity of the public.
- (2) That Cabinet authorise the Head of Financial Services to revise the Capital Fund General Programme as appropriate to provide for this project subject to there being nil additional capital or revenue implications for the Council.

1.0 Introduction

- 1.1 Cabinet has authorised the Corporate Director (Regeneration) to bring forward for delivery projects that fit to the Council's regeneration framework. This report is to seek authority to deliver one such project and to make proper provision for this in the Council's budgeting.

2.0 Proposal Details

- 2.1 The central promenade area (CPA) is of critical importance to Morecambe. The Council owns a large part of this area and has entered into a development agreement with Urban Splash Ltd whereby this developer has an option to take forward a redevelopment of this area (subject to certain conditions including securing a satisfactory planning permission). The Harbour Band Arena is a part of this area. It comprises 3,133 sq m of land immediately adjacent to the Midland Hotel and at the entrance to the Stone Jetty.

- 2.2 The site is presently in a parlous derelict and eyesore condition. It detracts considerably from the setting of the grade II * Listed Midland Hotel, impairs peoples' experience of the hotel and enjoyment of the Stone Jetty and certainly does not contribute positively to the commercial viability of the new hotel business. In sum, it presents a poor image of the town to people and is undoubtedly prejudicial to the sustained and concerted efforts by the Council and others to regenerate Morecambe.
- 2.3 Urban Splash propose that as part its development of the CPA this site be transformed into "Seaside Square", an open space of the highest quality which can be a focal point not just on the Promenade but for the town as a whole. The timing of any such CPA development is, however, uncertain. Urban Splash can only proceed when it has secured the necessary planning consents and met all relevant conditionality under its agreement with the Council. Also, Seaside Square involves major changes to electricity servicing which can only be achieved as part of a full development of the CPA. There must therefore be some risk that it may be some time before Urban Splash can deliver Seaside Square, if at all.
- 2.4 The City Council as landowner has the legal ability to step in and undertake remedial action to, at least for the interim, remedy the poor appearance of the site. Council officers have been liaising closely with both Urban Splash and the Northwest Development Agency (NWDA) to see what might be done.
- 2.5 Officers propose a treatment of the area sufficient to remove the dereliction and lay out the area as a simple, predominantly grassed open space with some seating and lighting. Planning Services' Engineering Team has prepared a draft scheme. This is attached to this report.
- 2.6 Given that the Council's ability to fund capital works is limited officers approached the NWDA and have convinced it of the need for urgent action - primarily in support of the Midland project. Subject to contract, the NWDA has offered to fund 100% of the Council's cost in undertaking project works up to a maximum sum (at this stage it is anticipated this will be confirmed at £225,640).
- 2.7 The project works will involve:
- Demolishing all buildings (other than the electricity sub-stations);
 - Getting rid of remaining services in the buildings;
 - Grubbing-up the entire area and crushing all material for fill;
 - Importing topsoil and turfing the area over.
 - Maintenance of the area (i.e. grass cutting)
 - Re-rendering the existing wave reflection wall to complement the material used on the Midland Hotel;
 - High quality seating along this wall;
 - New dwarf wall between the promenade that provides access to the Stone Jetty and the beach;
 - High quality lighting.
- 2.8 The Council granted Conservation Area consent for the works (which include building demolitions) in February 2008. No further statutory permissions are required.
- 2.9 The Council could client manage the works from Planning Services' Engineering Team. The Council has an established contracting partner for civil construction works in the West End that can be extended to cover for the proposed project works. The partner was procured using the Constructing Excellence principle incorporating for a

quality price assessment. The contract list was drawn up from the NWDA Lot 6 Constructor – Regeneration and Development Consultancy Partner panels and subject of an OJEU Contract notice ID 2006 – 01287. The Council should be able to deliver the works within a three-month period if utilising this contractor partner.

- 2.10 Officers have secured arrangements for maintenance of the finished space that will give no additional revenue implications for the City Council. Urban Splash has advised it will maintain the grass area utilising existing contract arrangements for the care of lawned areas at the Midland Hotel. The Council can maintain the seawall, lighting and seating from within its existing budget for maintenance of TERN public art / installations on the Promenade. It should be noted that in the event Urban Splash do later proceed and deliver Seaside Square the only element of the Council project works that will be sacrificed is the lawn.
- 2.11 Delivery of the project works will not prejudice the ability of Urban Splash to ultimately deliver in full its proposed “Seaside Square”, involving a much more intensive and creative design approach to the area.

3.0 Details of Consultation

- 3.1 The principle of laying out this area as open space has been the subject of extensive consultations / public engagement first by Urban Splash as part of its bringing forward the CPA redevelopment proposals and latterly by the Council via planning consultations concerning the applications submitted by Urban Splash. Officers have consulted on the detail of this proposal with key stakeholders including the NWDA, Urban Splash and United Utilities.

4.0 Options and Options Analysis (including risk assessment)

Options

- 4.1 This is to accept the NWDA funding offer and to undertake the works as soon as possible. It utilises existing expertise in the Council’s Engineering team who have vast experience of undertaking works on Morecambe seafront. There are certain financial risks to the Council given that any expenditure in excess of the NWDA maximum sum would need to be met by the Council. The Head of Planning Services is, however, confident the Engineering Team can manage the project so the risks are properly mitigated and that the project will achieve value for money.
- 4.2 To not accept the NWDA funding offer and therefore to not deliver the project.

Analysis

- 4.2 Option 1 removes factors that worsen peoples’ experience and enjoyment of both the Midland hotel and the Stone Jetty and helps maximise the positive impact of the Midland Hotel on investment in central Morecambe. Option 2 poses no direct risks to the Council but would be to pass up a significant opportunity to deliver a project that would secure real environmental improvements at, potentially, no costs to the Council. It would mean the condition of the old fairground site would continue to impact negatively on peoples’ experiences and impressions and could only impair both the ongoing viability of the Midland hotel business and perceptions of the town more generally including those of potential investors. This potentially puts at risk further investment in central Morecambe and undermines other regeneration

schemes. How long the Harbour Band Arena would otherwise continue in its present eyesore condition is open to question. There is of course a prospect that Urban Splash can bring forward its proposed CPA redevelopment relatively quickly and, as part of this deliver Seaside Square but there is also significant chance that this scenario may not materialise. Whatever, this option would leave a prominent eyesore in place for a longer period than as per option 1 with the consequential problems as identified in this report.

5.0 Officer Preferred Option (and comments)

- 5.1 To deliver the project as per Option 1 offers the Council an excellent opportunity to remedy a long-standing environmental problem, support the Midland Hotel and help sustain the regeneration of the town. Given the NWDA financial support this option offers real value for money to the Council.

6.0 Conclusion

- 6.1 The Harbour Band Arena is in a very poor condition. Its appearance presents a negative impression to people otherwise enjoying the transformed Promenade and the facilities and ambience of the restored Midland Hotel. This project presents the Council with an externally funded opportunity to remedy the present eyesore condition of the site and lay it out as a simple open space available for public enjoyment. The Council could manage the project from Planning Services and deliver the works within a three month contract period.

RELATIONSHIP TO POLICY FRAMEWORK

The project fits to the Council's regeneration strategy and emerging regeneration framework. The Council is presently engaged in partnership regeneration work across the town including with Communities England and the NWDA in the West End, with the NWDA, Heritage Lottery Fund and Urban Splash on the Midland / Morecambe Townscape Heritage Initiative projects and with Urban Splash for the CPA redevelopment.

It is consistent with the objectives of the Regional Economic Strategy (ref RES 95 and 119), the Morecambe Action Plan, Lancaster and Morecambe Vision Board and the NWDA objectives. As part of the Council's arrangements for managing external funds, the project has been internally appraised in order to consider local strategic fit, value for money, deliverability and risks. The recommendation to Cabinet arising from this process is to approve the project, subject to availability of external funding and funders' normal requirements. If approved, the project will be monitored by the Council's Programmes Office in line with standard processes for management of externally funded processes.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

Community safety implications: the Harbour Band Arena is presently accessible to the public but its surfacing is in many places unsatisfactory. The project will improve the condition of the site and light it to the benefit of public safety.

The finished area of open space will be a safe, pleasant area open to everybody and there are no adverse diversity, equality or human rights impacts.

The project will contribute positively to UK sustainable development via the environmental improvement it will effect and the opportunities it will give for social activity i.e. as a place for meeting and for quiet enjoyment.

FINANCIAL IMPLICATIONS

The NWDA offer of funding (subject to contract) means the project might be delivered without any recourse to Council funding provided that total project costs are managed within the budget made available from the NWDA. The Council's Capital Fund General Programme will require revision to provide for the project costs and funding; this is presented for Cabinet's consideration, rather than officer's delegations. The project raises no additional revenue implications for the Council.

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has been consulted and has no further comments to add.

LEGAL IMPLICATIONS

Legal Services have been consulted and have no observations to make on the preferred option and shall provide, if approved, legal support in preparation of any contractual documentation required to deliver this option.

MONITORING OFFICER'S COMMENTS

Deputy Monitoring Officer has been consulted and has no further comments

BACKGROUND PAPERS

Planning Services Files

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