

Decision Ref No:

EX.189/09

Subject Matter:

LAND AT MORTON

(With the consent of the Chairman, and in accordance with Rule 15 of the Access to Information Procedure Rules, this item has been included on the Agenda as a key decision, although not in the Forward Plan)

The Joint Acting Director of Development Services and Head of Economy, Property and Tourism submitted report DS.80/09 seeking authority and funding to prepare and submit an outline planning application for the development of a district retail centre on land in the ownership of the City Council at Morton.

The Joint Acting Director set out for Members the reasons for the submission of an outline application, commenting that the Morton District Centre was the only Local Plan allocation that would provide for a major foodstore in Carlisle. The Council therefore controlled a very valuable piece of land where there were commercial reasons to ensure that the value was protected and maximised.

He added that the capacity for convenience spend in Carlisle was limited and it was important that the Council secured an outline planning approval that clearly established the scale and composition of any retail district centre prior to any decisions being made on the future development of the site. Although the cost of securing a planning approval was considerable, advice received from the Council's property advisors suggested that planning certainty was essential if the optimum value of the site was to be secured.

The Joint Acting Director informed Members that the impact on value, either negatively from failure to achieve a consent or positively by value increase from achieving a consent, was significantly greater than the actual costs of the application. He added that the Council was also working with the Church Commissioners to progress the separate application for housing development at Morton, and it was felt that progress on a high quality district centre, including a foodstore, would benefit that development and support the overall implementation of the Morton Masterplan. The Council's outline planning application would comprise a foodstore, mixed commercial use, reservation of land for a 'park and ride' facility and associated infrastructure.

He explained the limitations of the Council securing planning consent, pointing out that owing to the application and effect of the Town and Country Planning General Regulations 1992 (S1 1992/1492) any grant of planning permission obtained by the Council in respect of its own land at Morton could only be implemented by the Council. Further, any such consented development could only be used or operated by the Council rather than a third party foodstore operator.

The Joint Acting Director advised that the Council did not have the capacity or specialist knowledge necessary to prepare such an application and it was therefore recommended that Montagu Evans was retained to manage the process and prepare the submission as an extension of the current asset management work already being undertaken for the Council. It was further recommended that the Executive authorise the use of Council Procedure Rule 4 (2) (b) to permit the seeking and award of a tender from a single supplier in respect of the proposed planning application.

In conclusion he reported that the cost of the planning application was budgeted at £260,000, broken down into work around project management; planning specialists

including public consultation; commercial input on uses and components; architects; transportation and environmental evaluations; legal and statutory fees (£30,000). £70,000 could be found from existing budgets, leaving a net balance of £160,000 to be found (excluding the statutory fees of £30,000 payable to the planning authority). The Executive was therefore recommended to seek the release of that budget from the Council in order to expedite the process.

The Economy Portfolio Holder referred to the review of the Property Portfolio Options which had been ongoing for some time, and which had highlighted the need for the Council to give consideration to the manner by which it dealt with its property assets. She emphasised that the Council's role was one of caretaker, adding that the residents of Carlisle would expect the authority to take appropriate action to maximise the potential of its land assets. She fully supported the submission of an outline planning application for the development and moved the Officer's recommendations.

The Leader endorsed the Portfolio Holder's comments. He added that, like any responsible landowner, the City Council had a duty to secure best value from its land assets. The land in question was designated in the Local Plan for the proposed use and he too supported the submission of an outline planning application.

Decision:

1. That the City Council submit an outline application for the development of a district retail centre on land in its ownership at Morton.
2. That the Executive requests the City Council to release a net budget of £190,000 to fund the preparation and submission of the planning application.
3. That the Executive authorises the use of Council Procedure Rule 4(2)(b) to permit the seeking and award of a tender from a single supplier in respect of the proposed planning application.

Key or Non-Key Decision:

Key

Key Decision Ref:

KD.034/09

Portfolio:

Economy / Finance

Who made decision:

Executive

Date:

02-Oct-09

Reports and Background Papers considered:

None

Reasons for Decision:

To ensure that the value of the Council's land asset is protected and maximised and also to support the Council's aspirations for the implementation of the Morton Masterplan

Summary of Options rejected:

None

Interests declared

None

Date published

06-Oct-09

Urgent decision not subject to call in

No

Consent of Chairman/ Deputy Chairman of Council to Urgency:

Not applicable

Deadline for call-in:

5.00 pm 13 October 2009

Implementation date if not called-in:

14 October 2009

Relevant Overview and Scrutiny Panel: Environment and Economy; and Resources Overview and Scrutiny Panels

Call-in notified to and date notified:

Approved for implementation on:
