

## Agenda Item

**Executive Board**

**01 September 2010**

**10/1016**



## Seaton Regeneration Update

### Exempt Information

Para 3 Schedule 12A information relating to the finance or business affairs of any particular person

### Summary

Further to the Seaton Regeneration update reports considered by the Executive Board on 15 July and 02 December 2009, this report provides an update on the progress this year and requests that Members authorise the recommendations submitted to further the programme.

### Recommendation

- 1) That Members welcome the progress that has been made towards the delivery of the Council's longstanding commitment to comprehensive regeneration in Seaton
- 2) That Members authorise the release of funding towards the appointment of a Town Manager in advance of the funding anticipated through the capital receipt and 106 match funding from Tesco stores Limited in the sum of £15,000
- 3) That Members retrospectively endorse the submission of the planning application for the Visitor Centre Scheme
- 4) That Members refuse the Town Council's request to be transferred land at the Underfleet at this time

#### a) Reasons for Recommendation

The reasons for reaching the recommendations are set out in the main body of the report.

#### b) Alternative Options

Options are considered in the main body of the report.

### c) Risk Considerations

If the forward funding is not made available, the Town Council will lack sufficient comfort from East Devon District Council to proceed with the appointment of a Town Manager at this time. There is a risk that if for any reason the development agreement with Tesco does not proceed, there will be a gap of £15,000 in the LABGI budget.

### d) Policy and Budgetary Considerations

Policy and budgetary considerations are considered within the main body of the report.

#### Positive Impact Overall

Affordable Homes.  
Thriving Economy.  
Safe Environment.  
Green Environment.  
Young People.  
Inspirational Council.

### e) Date for Review of Decision

Not applicable

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## 1 General Update

- 1.1 The complexity of issues surrounding the Land Agreement, 106 agreements, the delivery of the Visitor Centre scheme and the work required by Tesco in assembling the necessary information to submit a planning application to carry out the temporary engineering operations required to import fill material to raise levels into the regeneration area, has meant that the anticipated timetable for key milestones reported to Members in December 2009, has slipped. An amended timetable is set out below. The timetable also provides an indication around the capital amounts to be paid to the Council under the Development Agreement (i.e. the land agreement rather than any planning related contributions).

|                  |   |
|------------------|---|
| July 2010        | Planning application submitted by TSL to carry out temporary engineering operations to import approximately 300,000m <sup>3</sup> to raise levels on Seaton Regeneration area by an average of 2 metres |
| August 2010      | Planning Application submitted by EDDC for the development of the Visitor Centre Scheme   |
| September 2010   | Completion of 106 agreement and grant of outline planning permission for the Seaton Regeneration Area   |
| September 2010   | Entry into a conditional agreement for the grant of easement by EDDC to TSL ( <b>£100,000 capital receipt</b> )   |
| September 2010   | Development Management Committee to consider TSL's engineering operations application and EDDC's Visitor Centre application   |
| January 2011     | Infill preliminary works commence   |
| March/April 2011 | Infill works carried out and completed  |

|                   |   |
|-------------------|---|
| Spring 2011       | Sheep's Marsh transferred from TSL to EDDC for further expansion of Axe Wetlands (same time as completion of access easement) |
| Early summer 2011 | Supermarket, pedestrian link, visitor centre and associated works commence ( <b>£1,700,000 capital receipt</b> )              |
| Late Autumn 2011  | New public realm pedestrian access works completed ( <b>£155,000 capital receipt plus £10,000 commuted sum</b> )              |
| Christmas 2011    | Supermarket opens   |
| Winter 2011/12    | Visitor Centre opens  |

## 2.0 Town Centre Manager

- 2.1 As outlined in the reports to the Executive Board in November 2008 and December 2009, Town Centre activity in Seaton is currently experiencing significant challenges to its vitality. While proposals for regeneration will strengthen town centre activity in the medium to longer term, in the short term, retailers and other traders face difficult trading conditions. These issues are not uncommon in towns undergoing a period of transition. The task of the Town Manager will be to keep traders informed of developments affecting the town, to facilitate co-operative action on marketing and other measures to promote trade and to provide a focus for wider community engagement.
- 2.2 The Seaton Regeneration Board will oversee partnership working in relation to the Town Manager proposal, based upon the successful model working in Exmouth. The Town Council has now evaluated the town management arrangements in place for Exmouth. These discussions have progressed to the point at which a job description and person specification have been drafted to frame the appointment of a Town Manager by Seaton Town Council. However, because of the limited nature of their accommodation at Seaton Town Hall, the Town Council is currently exploring the possibility of housing the project in alternative (vacant) town centre premises.
- 2.3 Seaton Town Council has committed a budget of £52,000 to the Town Manager project. A contribution of £45,000 has been committed by Tesco Stores Limited (TSL) through their Section 106 planning agreement. East Devon District Council has also agreed funding support in the sum of £45,000. The expectation is that these contributions will facilitate delivery of the Town Manager project over a period of at least three years. In recent discussions with the Town Council it has been suggested that a part time appointment (24 hours or three days per week), might be a useful way of extending both the life of the project and of ensuring that sufficient funding is available for project work.
- 2.4 In the event that the capital receipt arising from the completion of the conditional granting of an easement by the Council to Tesco Supermarkets Ltd and the completion of the Section 106 agreement has not occurred before the end of the current financial year, it would be possible to progress the Town Manager appointment by using funds available from within the Council's LABGI economic development budget. As has been seen, Seaton Town Council's Town Manager budget is already in place but they are unwilling to advertise the post until they can be confident that funding from the other sources referred to is also available. It is therefore suggested that LABGI funding in the sum of £15,000 (equivalent to half the combined 106 and Council contributions due in any full year) is paid to Seaton Town Council in advance so as to facilitate early progress with the Town Manager appointment. This concept is along similar lines to the recommendation authorised to enable forward funding on the Visitor Centre scheme. It would also allow the Town Council to progress their plans to identify and secure alternative office accommodation for the project which has become necessary following the Council's decision to allow Seaton's Voice community group to occupy the remaining available office accommodation at Seaton Town Hall.

### 3.0 Visitor Centre

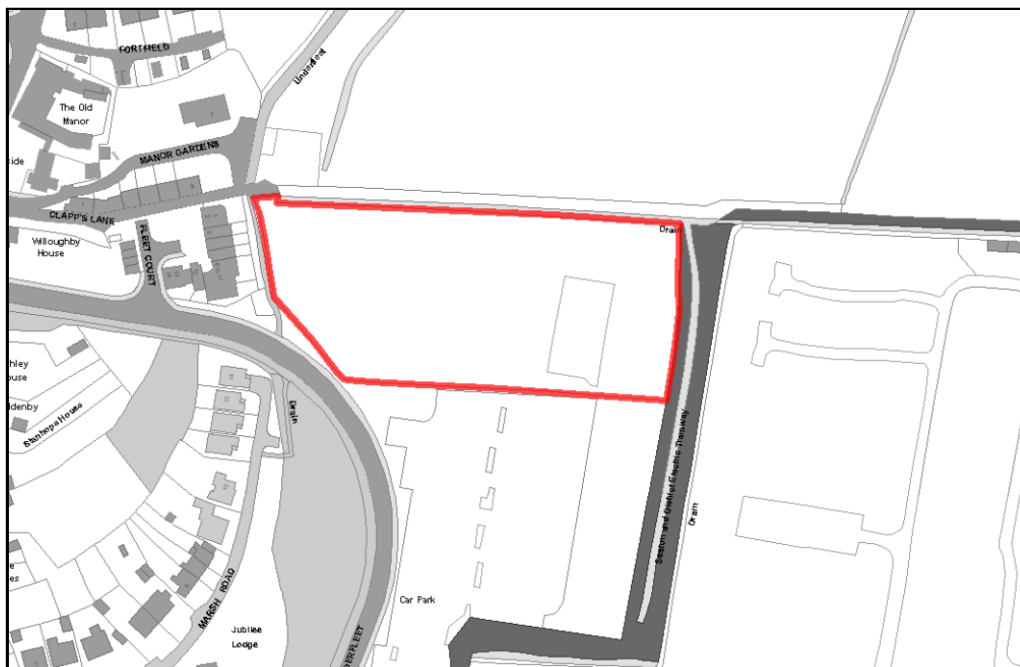
- 3.1 Further to Portfolio Holder consent in February 2010 to borrow £43,286 from the LABGI fund against the capital receipt anticipated for the property deal negotiated with Tesco in the sum of £1.955 million, Devon County and the Council have fronted the £86,500 pre-application costs required to submit a planning application for the Visitor centre scheme.
- 3.2 The Visitor Centre scheme is very much part of the overall regeneration plans for Seaton. Subject to a property transaction with Tesco, the Council has committed to the development of the scheme on Council owned land and a contribution of £1.83 million. It is important that planning permission be sought for the scheme as once a planning permission is in place, it will be easier for the Visitor Centre Trust to carry out fund raising and finalise their business plan.
- 3.3 In addition, owing to the way that the property transaction with Tesco has been agreed, there are benefits to be had in the form of assistance with pre-development works if the Council is ready with a scheme at the same time that Tesco commence construction works. This includes the provision of fill material required, the creation of the new car park access (design and works), demolition of the former TIC building and provision of public realm works to provide continuity from the pedestrian link up towards the scheme.
- 3.4 The scheme submitted 10 August 2010 is for a building with a floor area of approximately 865m<sup>2</sup>, half of which is currently anticipated to be devoted to exhibition and interpretation. Members formal authority is being sought for the submission of this application. The scheme proposed is one which is currently estimated to come within the existing budget. The budget includes not only the £1.83 million committed by the Council, but also £500,000 from Devon County Council, and the pre-development works to be undertaken by Tesco.



- 3.5 The Visitor Centre scheme is currently suffering some set backs: the Exmouth & Seaton Jurassic Interpretation Board originally set up to oversee the delivery of the centre, is no longer fit for purpose and has been dissolved. Subsequently, there is no identified operator at this time. Council officers are working with Devon County and the Jurassic Coast World Heritage Team to address this issue.
- 3.6 There is also an aspiration for a cycle hub being included within the Visitor Centre scheme. Owing to budgetary constraints, the hub has not been included in the first phase of the scheme. However, an area is clearly zoned on the plans for future expansion as and when further funding sources are identified. In the meantime, discussions are currently underway with others to try and enable this element of the scheme to be brought forward sooner rather than later.

## 4.0 Land at Underfleet

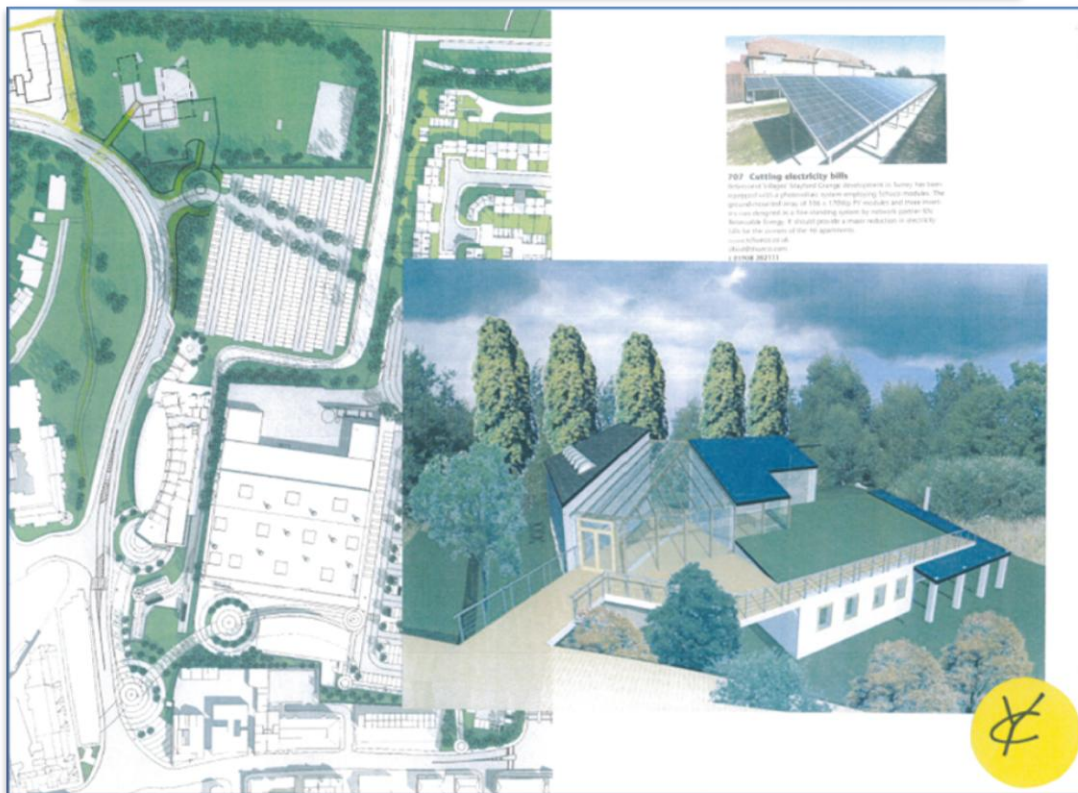
4.1 Seaton Town Council have requested that the land owned by the Council and currently leased to the Town Council, be transferred at nil charge. The area of public open space is currently used for the provision of a play area, a kick about area and skatepark and is the only such facility in the town centre. The area of land is shown outlined red in the plan below.



4.2 The Town Council current lease the area of land from the Council at no charge and are currently holding over on an expired lease. The lease provides that at present, the land is to be used only as a general amenities area (including a picnic and play area). It is recommended that the Town Council be requested to continue to hold over on this lease until such time that a clear plan for the future of the land has been established.

4.3 In addition, the SYNC project (Seaton Youth and community) now have ambitions to bring forward youth and community facilities on the land and, rather than the project being led by the Town Council to bring forward improved youth facilities at Elizabeth Road Playing Fields, (the land the Council has given to them for this purpose – see Seaton Regeneration Update 15 July 2009.)

4.4 The SYNC project is now exploring development on the Underfleet. The sketch below outlines the sort of scheme envisaged, along with the architect's impression providing an idea as to how the building might be arranged. Advice from the Council's 106 Officer, and the Engagement and Funding Officer has been provided to the SYNC project that more work with the youth in the town will need to be undertaken to consider broader location issues, rather than be considering specific site options at this time.



4.5 The SYNC Underfleet project harbours ambitions such as a youth cafe and chill out space, a youth nightclub and performance venue, youth music projects including recording facilities, an editing suite, dance studio, box office, vocational training and placements, private consulting rooms, and changing rooms.

4.6 At present, the project is underfunded: The Town Council has undertaken to borrow £500,000 to provide improved youth facilities and the Council has gifted land at Elizabeth Road Playing Fields for this purpose. The Council have also committed to use £80,000 of the capital receipt from the land agreement with Tesco, towards the improved facilities at Elizabeth Road. In addition, some of the SYNC plans would currently appear to be in direct competition with the aspirations of Seaton's Voice (whom the Council are looking to look to lease the Town Hall) and the Visitor Centre Scheme.

- 4.6 In addition, there are currently two projects identified under section 106 funding for this area of land. These include potential improvements to the skate park and a BMX course. There is also in excess of £50,000 available through section 106 funding at present to improve play facilities within the vicinity, the spending of this is subject to a public consultation process that is taking place at this point in time. If the land is gifted to the Council, the community based projects could be obstructed. The Stop Line Way cycle path will also need access over this land.
- 4.7 The land provides an important link between the Wetlands and the Regeneration Area and is the only informal play and sports space in the town centre at present. It is therefore recommended that until such time as a clear plan for this area is established, the area is considered in the context of the cycle route, potential section 106 sports and play projects, and the opportunity taken to consider the area as a tourist attraction and interpretative tool to link between the Wetlands and the Visitor Centre. It is therefore recommended that the Town Council be requested to continue to hold over on their existing lease and work with the Council and Devon County to ensure that the best possible outcome for Seaton can be achieved on this land. It is envisaged that up to £3,000 could be used from the LABGI budget to visually interpret the agreed outcome in the form of a masterplan.

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### **Legal Implications**

Members should be aware that there can be no final certainty that monies will be received from Tesco until the outstanding planning issues have been resolved, and there is therefore some risk in advancing monies against anticipated receipts otherwise as this is a status report and the continuing issues are being regularly monitored by Legal Services there are no further comments required at this stage

### **Financial Implications**

The financial implications are included in the report. It should be stressed that, should the agreement with Tesco not proceed, there will be a shortfall of £15,000 in the LABGI budget.

### **Consultation on Reports to the Executive**

### **Background Papers**

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Karime Hassan Ext 2735  
Corporate Director

Executive Board  
01 September 2010