

Executive Board

26 July 2021

DEVELOPMENT OF SITE 4, BURRY PORT

Recommendations / key decisions required:

The Executive Board is asked to approve the disposal of Site 4, Burry Port, through an open procurement procedure, to enable the delivery of a commercial leisure led scheme.

It is recommended that the Council disposes the land, through an open procurement procedure, to deliver a commercial leisure led development scheme and that delegated authority is granted to the Head of Regeneration, in consultation with the Executive Board Member for Resources, to negotiate and document appropriate terms for the sale of the land

Reasons:

- To promote and facilitate development of the land, held by the Council and Welsh Government, as part of the Llanelli Waterside Joint Venture, to support the regeneration aspirations for Burry Port.
- The regeneration of this site is key to the delivery of the Burry Port masterplan, providing a mix of commercial leisure uses that will add to the economic well-being of Burry Port and to the leisure and tourism offer of the town.
- To create over 100 new jobs, with the total number dependent on the final scheme.
- To generate a capital receipt for the Llanelli Waterside Joint Venture fund.

Relevant scrutiny committee to be consulted NO

Exec. Board Decision Required YES

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr. David Jenkins
(Executive Board Member for Resources)

Directorate:

Name of Head of Service:

Jason Jones

Report Author:

Katie Crane-Davis

Designations:

Head of Regeneration

Asset Management Surveyor

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EXECUTIVE SUMMARY

EXECUTIVE BOARD

26TH JULY 2021

DEVELOPMENT OF SITE 4, BURRY PORT

Background Information

The development site of 2.8 acres, shown in the document in Appendix 1, is a key element of the Council's regeneration aspirations for Burry Port and forms part of the Burry Port Masterplan. The ultimate objective of the Masterplan is to ensure the future wellbeing of Burry Port and its surrounding areas by creating residential, leisure and employment developments, which will promote Burry Port as a place to visit, live and work in. The document in Appendix 1 sets out additional background information regarding the subject site and the Council's wider Burry Port Masterplan aspirations.

The site benefits from outline planning permission (reference no. S/30597) for 'Commercial leisure development comprising a mix of retail, hotel, pub/restaurant and residential uses'.

The Council and Welsh Government Joint Venture wish to retain an element of control over the quality and delivery of the development, to ensure that the scheme is aligned with the outline planning permission and wider regeneration aspirations for Burry Port. As this will need to be reflected in the contractual terms and the cost of works are likely to exceed the public procurement threshold of £4,733,252, we have been advised by the Council's Legal Section, that the transaction falls under the scope of the Public Contracts Regulations 2015 and requires an open procurement procedure to select the developer.

The Council could decide not to sell the site at this time but due to the timeframes set out within the outline planning applications, it is advised that a disposal is progressed. A Reserved Matters application with details of the proposed scheme will need to be submitted by November 2022. Alternatively, the Council could decide to proceed with a land transaction rather than sale via Public Procurement, but this would mean that once sold, the Council would have no control over the delivery of the scheme, other than via the planning process.

The Development

Development proposals should have full regard to the site's prominent position within the marina, providing sufficient character to create a place with its own identity but also benefiting the current and proposed facilities within the harbour and Millennium Coastal Park.

The development must create added value, complimenting the offerings of the town centre and contributing to the vitality and viability of the Burry Port area, including job creation, and promoting tourism. Proposals will need to include an appropriate mix of land uses consistent with the planning permission and aspirations for the site.

Recommendations

The subject land forms part of the Burry Port Masterplan. The Council's Acquisition and Disposal of Property Policy requires Executive Board approval for the disposal of Strategic land.

It is recommended that the Council disposes the land, through an open procurement procedure, to deliver a commercial leisure led development scheme and that delegated authority is granted to the Head of Regeneration, in consultation with the Executive Board Member for Resources, to negotiate and document appropriate terms for the sale of the land.

DETAILED REPORT ATTACHED?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report:

Signed: Jason Jones

Head of Regeneration

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	YES	NONE	YES	NONE	YES

1. Policy, Crime & Disorder and Equalities

The development scheme will contribute towards the Goals and Ways of Working within the Well-being of Future Generations Act and the Council's Well-being Objectives. The site will support the retention and creation of jobs, including apprenticeships and training opportunities, through the development. The scheme will add to the economic well-being of Burry Port and to the leisure and tourism offer of the town, whilst also striving to create a resilient and sustainable community.

The development of Site 4, in conjunction with the wider masterplan for Burry Port, will encourage urban living and utilisation of local offerings. The proximity of the site to the Millennium Coastal Path will encourage residents to utilise the local facilities to improve their health and wellbeing.

The Council will seek to maximise community benefits through the procurement process.

The Well-being of Future Generations Act Goals and Ways of Working and the Council's Well-being Objectives will be considered in further detail, as part of the procurement procedure.

The delivery of the site also supports the Carmarthenshire Economic Recovery and Delivery Plan (April 2021) and Carmarthenshire County Council's Transformations Strategy which identifies six key transformational projects, including Carmarthenshire Coastal Belt and Burry Port

2. Legal

As the Council and Welsh Government Joint Venture would want to retain an element of control over the quality and delivery of the development and the cost of works are likely to exceed the public procurement threshold of £4,733,252, we have been advised by the Council's Legal Section, that the transaction falls under the scope of the Public Contracts Regulations 2015 and requires an open procurement procedure to select the developer.

The disposal of the land will require appropriate legal documentation that will need to reflect the specific terms of sale to be agreed via the procurement process, ensuring the Council's best interests are maintained.

3. Finance

The disposal of the land will provide a capital receipt for the Llanelli Waterside Joint Venture to support further regeneration of South Llanelli.

5. Risk Management Issues

A risk analysis will be carried out, as part of the procurement requirements, to identify risks associated with the delivery of the scheme, with controls in place to ensure development objectives are met within appropriate timescales.

In addition to this, the Council's Principal Risk Officer will be asked to advise on minimum levels of indemnity for Employers Liability Insurance, Public Liability Insurance including Products Liability and Professional Indemnity, to be included within the Procurement and Legal documentation.

6. Physical Assets

If disposal of the site is approved, a commercial leisure led development scheme will be delivered by a private sector developer, to support the aspirations of the Burry Port Masterplan. Future management and maintenance of the site will be the responsibility of the developer.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Jason Jones

Head of Regeneration

1. Scrutiny Committee

n/a

2. Local Member(s)

Local Members have been regularly updated on proposals that form part of the Burry Port Masterplan. Further consultation is currently being carried out in relation to Site 4.

3. Community / Town Council

n/a

4. Relevant Partners

Meetings with the Llanelli Waterside Joint Venture Partner, Welsh Government, are held regularly to monitor progress and agree actions.

5. Staff Side Representatives and other Organisations

n/a

**EXECUTIVE BOARD PORTFOLIO
HOLDER(S) AWARE/CONSULTED**

Yes

Include any observations here

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THERE ARE NONE