

Sovereign Street Bridge – Transfer of land on southern bank of River Aire

Date: July 2021

Report of: Land and Property

Report to: Director of City Development

Will the decision be open for call in? ☐ Yes ☒ No

Does the report contain confidential or exempt information? ☒ Yes ☐ No

What is this report about?

Including how it contributes to the city's and council's ambitions

- The City Council was successful in securing funds from the Getting Building Fund for the Grey to Green programme. The programme combines four interrelated investments which will make the city centre greener and more attractive; helping to unlock major commercial and residential development across South Bank and the centre of Leeds. New public realm will be created and pedestrian and cycle connectivity improved, particularly with the construction of the proposed Sovereign Street bridge.
- This report relates to the Sovereign Street bridge, in particular the transfer of land from Asda to the City Council and, seeks Authority to Spend to meet the land transfer costs which form the subject of this report.
- The bridge will connect the city centre from Sovereign Street to the South Bank at Meadow Lane. Land in private ownership both sides of the river is required for construction of the bridge. This report relates to land on the southern bank of the river and recommends terms for the transfer of the land from Asda to the City Council. The land currently owned by Asda is used as part of their staff car park and also includes advertising hoardings in place.
- The project contributes to inclusive growth; reducing health inequalities and supporting active lifestyles; delivering sustainable infrastructure; making Leeds the best city for children and young people to grow up in; making Leeds the best city to grow old in; providing inclusive spaces for communities; improving the quality of lives and growing the economy through cultural and creative activities.

Recommendations

- It is recommended terms for the transfer of the land be approved and that Authority to Spend from within the existing Capital Programme, Capital Scheme No. 32875/000/000 on the land transaction costs between the City Council and Asda is approved.

Why is the proposal being put forward?

- 1 It is proposed the City Council takes a transfer of land from Asda on the terms detailed in the confidential appendix to facilitate construction of the proposed Sovereign Street bridge. Taking the land into the Council's ownership will enable the Council to construct the bridge and an area of public realm, making it available for public use. The land is shown on plan ref 19301AA. The report also seeks Authority to Spend from within the existing Capital Programme the sum detailed in the confidential appendix to the report on the land transaction costs between the Council and Asda.
- 2 The Director of City Development should note that the Council's Executive Board at its meeting in April 2021 approved the design proposals for the Sovereign Street Bridge and, the submission of a planning application for the Bridge, together with Authority to Spend of £3.7m as the allocated funding for the project within the existing Capital Programme.

What impact will this proposal have?

Wards Affected: Hunslet & Riverside (Cllr Elizabeth Nash, Cllr Mohammed Iqbal, Cllr Paul Wray)

Have ward members been consulted? ☒ Yes ☐ No

- 3 Transfer of the land will have a positive impact on the Ward as it will enable construction the Sovereign Street bridge.

What consultation and engagement has taken place?

- 4 Ward Members have been consulted on the overall bridge construction project, including the associated land transfers from private owners to the City Council. Most recently Members were advised in April 2021 that a planning application for the bridge would be submitted. Planning permission for the Bridge has now been secured. It is not considered necessary to consult Ward Members in relation to the transfer of land from Asda to the Council as it is a matter very much associated with construction of the bridge.
- 5 The Executive Member Resources has received regular updates, supports construction of the bridge and on 28 July 2021 was advised of terms for the transfer of the land from Asda. Support for the project continued.

What are the resource implications?

- 6 Construction of the bridge is a fully funded capital project, being part of the Grey to Green Programme. The Programme has a total expenditure of £12.2m; £8.6m coming from the Getting Building Fund, and the balance from a combination of s.106 monies and capital receipts. Executive Board on 21 April 2021 approved funding for the four Grey to Green projects. Funding for consideration payable on transfer of the land from Asda to the Council will be funded from within the existing capital programme provision as approved at Full Council February 2021.

What are the legal implications?

- 7 Under Part 3, Section 3E(g) of the Council's Constitution (Officer Delegation Scheme (Executive Functions)) the Director of City Development has authority to discharge any function of the Executive in relation to Asset Management.

- 8 The Chief Officer Asset Management and Regeneration, Head of Asset Management and Deputy Head of Land and Property have authority to take decisions in relation to Asset Management as delegated in the Director of City Development's sub delegation scheme.
- 9 The proposal constitutes a Significant Operational Decision and is therefore not subject to call in.
- 10 The information contained in the Appendix to this report relates to the financial or business affairs of a particular person, and of the Council. This information is not publicly available from the statutory registers of information kept in relation to certain companies and charities. It is considered that since this information was obtained through one to one negotiations for the purchase of the land/property referred to then it is not in the public interest to disclose this information at this point in time. Also the release of such information would or would be likely to prejudice the Council's commercial interests in relation to and undermine its attempts to acquire by agreement similar properties in the locality in that owners of other similar properties would be aware about the nature and level of consideration which may prove acceptable to the Council. It is considered that whilst there may be a public interest in disclosure, much of this information will be available from the Land Registry following completion of the purchase and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time. It is therefore considered that this element of the report should be treated as exempt under rule 10.4.(3) of the Access to Information Procedure Rules.

What are the key risks and how are they being managed?

- 11 The land currently in Asda ownership is required for siting of the bridge. Without the freehold ownership, or other interest granted, the Council would not be able to construct the bridge. Terms have been approved by the Asda Board can be recommended for approval. The risk of not having the land transferred to the Council's ownership is considered to be extremely low as Asda is supportive of the bridge being constructed, the Asda Board has approved terms and solicitors are instructed.

Does this proposal support the council's 3 Key Pillars?

☒ Inclusive Growth

☒ Health and Wellbeing

☒ Climate Emergency

- 12 Construction of the bridge supports the three Key Pillars as reported to Executive Board on 21 April 2021.

Options, timescales and measuring success

a) What other options were considered?

- 13 Alternative arrangements to take an interest in the land were explored with Asda. It was agreed between officers the land would be transferred to the Council's ownership.

b) How will success be measured?

- 14 That the land will be transferred to the Council's ownership on the terms recommended for approval in the accompanying confidential appendix.

c) What is the timetable for implementation?

- 15 The transfer is a straight forward transaction and should be completed within a month.

Appendices

- 16 Confidential appendix - exempt under rule 10.4.(3) of the Access to Information Procedure Rules.
- 17 Plan

Background papers

- 18 There are none.