

Town and Country Planning Act 1990

Acquisition of Land Act 1981

Inquiry into:

**THE ST HELENS BOROUGH COUNCIL (ST HELENS TOWN CENTRE) COMPULSORY
PURCHASE ORDER 2022**

Regeneration

Summary Statement of Evidence

of

Sean Traynor

of St Helens Borough Council

14 July 2023

1. INTRODUCTION

- 1.1 I am Sean Traynor, Director of Strategic Growth at St Helens Borough Council (hereafter referred to as 'St Helens Council' or 'the Council').
- 1.2 I have worked at St Helens Council for circa 16 years in total, and upon my return in Spring 2021, I have acted as the Council's lead officer on the prioritised St Helens' town centre regeneration project.
- 1.3 I have a detailed understanding of the Order Land, its surroundings, the rationale for the development and the English Cities Fund (ECF) partnership with the Council.
- 1.4 My evidence has been prepared in support of the St Helens Borough Council (St Helens Town Centre) Compulsory Purchase Order 2022 (hereafter referred to as 'the Order') **(CD D1)**.
- 1.5 I give evidence for the purposes on behalf of the Council having regard to its policy framework and other material regeneration considerations.
- 1.6 My evidence does not include a comprehensive statement on all relevant matters and should be read alongside the evidence provided by Andrew Cairns (Merseytravel), Ged Massie (Keppie Massie), Iain Jenkinson (CBRE) and Sam Ainsley (Jon Mathews Architects).

2. PROJECT OVERVIEW

Order Land

- 2.1 The Order Land comprises the First Phase Development, which forms part of the Planning Permission **(CD C1)**. It involves the demolition of several existing buildings and their replacement with a mix of uses including residential units; commercial, hotel, retail and food and drink uses; a new purpose-built market hall; an improved and extended bus station; and community and learning uses. It also includes associated access and infrastructure, servicing, public realm and landscaping.

The Scheme

- 2.2 ECF's proposals for the comprehensive regeneration of the town centre (which includes, amongst other areas, the Order Land) were approved in hybrid form under the Planning Permission on 31 March 2023, hereafter referred to as 'the Scheme'. The Scheme components are illustrated on Plans 1 to 5 **(CD I1 to CD I5)**:

The Making of the CPO

- 2.3 Despite continued efforts being made to purchase the Order Land through negotiation, there are a number of property interests within the Order Land that remain in the ownership of third parties. The Council in each instance has considered the reasons why it is necessary to acquire the property interests identified in the Schedule to the Order **(CD D1)**. The freeholders, leaseholders, Council tenants and occupiers have been invited to enter into discussions with the Council with regard to compensation on the basis of a negotiated acquisition in accordance with the advice contained in the Guidance **(CD E5 to CD E8)**.

3. EVOLUTION OF THE SCHEME

- 3.1 In March 2020, St Helens Council appointed ECF as its preferred strategic delivery partner.
- 3.2 In Spring 2021, the ECF partnership commenced preparation of a draft MDF for St Helens town centre **(CD B6)**.
- 3.3 At its meeting 2 February 2022 **(CD D5)**, the Cabinet of St Helens noted the outcome of the public consultation on the draft MDF and adopted the final version **[CD B3]**.
- 3.4 At its meeting of September 2022 **(CD C5)**, St Helens Council Planning Committee granted permission (reference P/2022/0212/HYBR), subject to conditions and a s106 Agreement, for the comprehensive regeneration of the town centre (which includes, amongst other areas, the Order Land). The decision issued was on 31 March 2023 **(CD C1)**.
- 3.5 At its meeting of 9 November 2022 **(CD D6)**, Cabinet approval was given to the making of a CPO. The Order was then prepared in the Form numbered 1 in the 2004 Regulations, sealed and dated on the 9 December 2022 **(CD D1)**.
- 3.6 Pursuant to the securing of reserved matters planning permission and a successful outcome to the CPO, it is anticipated that demolition would commence in 2024 with completion of the First Phase Development in 2026.

4. NEED FOR THE SCHEME

- 4.1 St Helens town centre has been facing deep-rooted issues, problems and challenges. Previously promoted initiatives have failed to address the situation or materialise due to the lack of a credible delivery strategy or partner, with the relevant metrics demonstrating a worsening of conditions.
- 4.2 The proposed Scheme has been developed in direct response and will result in the regeneration of St Helens town centre on a truly comprehensive basis, commencing at its very heart. A necessary interventionist approach is also being taken by the Council as part of a credible delivery strategy, which includes the expertise of ECF.
- 4.3 The proposals for the Order Land respond to market changes, balance demand and supply, acting as a catalyst for growth and to establish the town centre as a place that is appealing for all, across St Helens.

5. REGENERATION BENEFITS

- 5.1 Delivery of the First Phase Development will help address the over-supply of unwanted retail space and replace it with attractive, more useable retail and food and drink units. It will help create the conditions for the delivery of the remaining phases of the wider MDF (**CD B3**) and will act as a catalyst for regeneration of other parts of the town centre.
- 5.2 It is considered that the Scheme will deliver on the regeneration aspirations of the borough, with our communities and stakeholders now simply expressing a strong desire for the Council to 'get on' with delivery at the very earliest opportunity.

6. PLANNING PERMISSION

- 6.1 At its meeting of September 2022 (**CD C5**), St Helens Council Planning Committee granted permission (reference P/2022/0212/HYBR), subject to conditions and a s106 Agreement, for the comprehensive regeneration of the town centre (which includes, amongst other areas, the Order Land). The decision was issued on 31 March 2023 (**CD C1**).
- 6.2 There is no planning impediment to the delivery of the Scheme.

7. FUNDING

- 7.1 The Council will fund the First Phase Development, with the exception of the residential element, which ECF will fund via equity investment.
- 7.2 The Council has also secured further funding support through the Towns Fund Investment programme and the competitive One Public Estate Brownfield Land Release Fund 2.
- 7.3 The Council allocation does exclude the cost of delivering the upgraded bus station, which is to be met through the Towns Fund together with the LCRSTS **(CD G7)** allocation.
- 7.4 The Council is satisfied it has the resources to pay all compensation arising out of the Order and all costs associated with the Scheme.

8. DELIVERY

- 8.1 The Council has a strategy in place to manage and mitigate all of the reasonably foreseeable risks that could potentially impede the implementation of the Order and the delivery of the Scheme.
- 8.2 The Council has the necessary resources and funding available to deliver the Scheme now. Planning Permission has been secured **(CD C1)** and the Council is proactively implementing a vacant possession strategy. However, the full delivery of the Scheme is dependent upon the confirmation of the Order.

9. HUMAN RIGHTS

- 9.1 In promoting this Order, the Council undertook a full Community Impact Assessment on 16th September 2022 **(CD E2)**.
- 9.2 The requirements of the Human Rights Act 1998 and the Convention, particularly the rights of property owners, have been fully considered. There is a very compelling case in the public interest for the Order to be made and confirmed, and the interference with the private rights of those affected that would be the inevitable result of the exercise of the compulsory powers conferred by the Order would be lawful, justified and proportionate.

Equality Act

- 9.3 A Community Impact Assessment dated 16th September 2022 (**CD E2**) has been prepared in relation to the Scheme. It concludes that the First Phase Development will not give rise to any impacts or differential impacts on persons who share a relevant protected characteristic as defined in the Equality Act, or upon persons who do not share such relevant protected characteristic. In fact, it is considered that the First Phase Development will result in positive impacts.

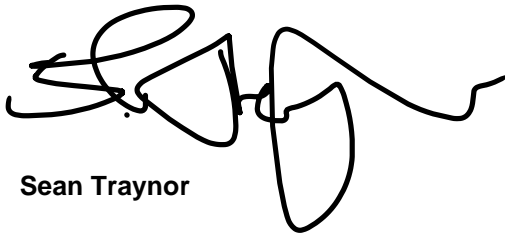
10. RESPONSE TO OBJECTIONS

- 10.1 A total of 10 objections were made to the Order in the first instance (**CD D7**). However, 5 objections now remain (4 of which are from non-qualifying objectors) and were based primarily on the bus station redevelopment, heritage impact, consultation and engagement, costs and funding and the need for offices and hotel development. Section 8 of the Statement of Evidence from Iain Jenkinson (CBRE) responds to these objections in the context of planning matters.
- 10.2 From a regeneration perspective, the need for the scheme is clearly set out alongside the range of regeneration benefits to be derived. The Council is satisfied it has the resources to pay all compensation arising out of the Order and all costs associated with the Scheme and it has a strategy in place to manage and mitigate all of the reasonably foreseeable risks that could potentially impede the implementation of the Order and the delivery of the Scheme.
- 10.3 In response to objections received, it is concluded that that there is a compelling case in the public interest for compulsorily acquiring the Order Land.

11. CONCLUSION

- 11.1 I consider that the Council has demonstrated that there are sufficiently compelling reasons for the powers to be sought at this time to enable the Scheme and the benefits it will bring to be delivered.
- 11.2 The Council has more than a clear idea of how it intends to use the land which it is proposing to acquire. The land is required to deliver the Scheme in accordance with the Planning Permission and in compliance with national and local planning policy.

- 11.3 The proposals for the Order Land will deliver significant economic, social and environmental benefits to St Helens town centre and the borough of St Helens. As explained within this statement, the necessary resources are in place now to deliver the Scheme within a reasonable timescale.
- 11.4 The Council also has the necessary resources to meet all land acquisition and compensation costs.
- 11.5 Subject to confirmation of the Order to enable site assembly to be achieved, the Council considers there are no impediments to implementation of the Scheme.
- 11.6 It is considered that in this case, the requirements of the guidance, domestic legal requirements and the requirements of the European Convention on Human Rights, are met.
- 11.7 The Secretary of State can therefore be satisfied that the Order is justified and in the public interest and should be confirmed without modification.

A handwritten signature in black ink, appearing to read 'Sean Traynor', with a stylized flourish extending to the right.

Sean Traynor

14 July 2023