

RECORD OF EXECUTIVE DECISION

Monday, 22 November 2010

Decision No: (CAB 10/11 4068)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	CABINET MEMBER FOR HOUSING
SUBJECT:	ESTATE REGENERATION PROGRAMME
AUTHOR:	Jane Fall, Estate Regeneration Manager

THE DECISION

- (i) To delegate to the Solicitor to the Council to amend, finalise and sign the Development Agreements with the preferred developers for each of the three sites within Phase 2 Estate Regeneration Programme with the respective preferred bidders comprising:
 - (a) Lot 1 Exford Avenue Shopping Parade: Lovell Partnerships Limited /First Wessex Housing Association.
 - (b) Lot 3 Laxton Close: Lovell Partnerships Limited /First Wessex Housing Association.
 - (c) Lot 4 Meggeson Avenue: Lovell Partnerships Limited/First Wessex Housing Association.
- (ii) Lot 2 Cumbrian Way: Not to award.
- (iii) Delegate authority to the Head of Property and Procurement to negotiate and agree the purchase of each of the parcels of land shown edged red on Appendices 1 – 3 (being Exford Avenue Shopping Parade, 222-252 Meggeson Avenue and 5 – 92 Laxton Close)
- (iv) (a) That subject to reasonable attempts to negotiate the acquisition of each of the parcels of land referred to in paragraph 3 above respectively having failed, that the Solicitor to the Council be authorised to make Compulsory Purchase Orders to acquire those relevant parcels of land and any necessary rights for the following parcels of land, all being within the Council's Phase 2 Estate Regeneration Programme:
 - 1. Exford Avenue Shopping Parade as shown edged red on the map in Appendix 1.
 - 2. 222-252 Meggeson Avenue as shown edged red on the map in Appendix 2.
 - 3. 5 – 92 Laxton Close as shown edged red on the map in Appendix 3.under Section 226(1) (a) Town & Country Planning Act 1990 for the purpose of facilitating the carrying out of redevelopment and improvement of the land.
- (b) The Solicitor to the Council be authorised to approve the basis of each Statement of Reasons for making the Compulsory Purchase Orders as

set out in Appendices 4 to 6.

- (v) The Solicitor to the Council be authorised to:
- (a) To make, advertise and secure confirmation and implementation of the Compulsory Purchase Orders referred to in paragraph 3(a) above.
 - (b) To acquire interests in or rights over the land shown edged red on Appendices 1 - 3 either by agreement or compulsorily.
 - (c) To amend all or any of the Statements of Reasons referred to in paragraph 4(b) above as required.
 - (d) To approve agreements with land owners setting out the terms for withdrawal of any objections to any of the Compulsory Purchase Orders (to include payment of compensation), including where appropriate seeking exclusion of land from any Order.
 - (e) To approve (once vacant possession and planning permission has been obtained) the service of a Final Demolition Notice and the demolition of the buildings and structures on the land edged red in Appendices 1 to 3.

REASONS FOR THE DECISION

1. The Council's estates offer the potential for the development of new and better homes and to benefit from more mixed tenure communities. This Report proposes Phase 2 of the Estate Regeneration Programme (Phase 2) comprising of Exford Avenue Shopping Parade, 222-252 Meggeson Avenue and 5 – 92 Laxton Close, following on from the success of Phase 1 Hinkler Parade. Phase 2 will help to tackle the economic deprivation and social disadvantage concentrated in these areas.
2. These recommendations enable the timely development of the Phase 2 sites as listed above and delivery of the Estate Regeneration objectives. The recommendation for the procurement for Lot 2, Cumbrian Way Shopping Parade is to abandon the process and seek an alternative procurement method to ensure this scheme is still delivered within a reasonable timescale.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. This report proposes the delivery of early projects within a programme of estate regeneration.
2. The option of doing nothing would not achieve the Council's objectives for the Estate Regeneration Programme and not taking the steps identified within this Report increases the risk of delay to the projects. Not pursuing the CPO would potentially delay the developers' acquisitions of these sites and signing the Development Agreements.
3. If the decision is taken not to enter into a Development Agreement with the relevant preferred bidder then the procurement process would have to be abandoned. Such a decision would need to be capable of sufficient rational justification to ensure that no compensation claims for wasted bidder costs could be successfully made against the Council. Also, this would increase the risk of not obtaining funding from the Homes & Communities Agency.
4. Not to proceed with the redevelopment of these sites would fail to deliver the

Council's regeneration ambitions and mean residents and businesses within these sites have been significantly disrupted with no improvements to their homes and neighbourhood.

5. The proposals for Lots 1, 3 and 4 satisfactorily meet the evaluation criteria and objectives of the Estate Regeneration Programme, included in Appendix 7 (exempt). The bids which were capable of acceptance for Lot 2 Cumbrian Way were not on evaluation considered to be acceptable and it is recommended that the tender is not awarded. This decision has been made on the basis of the poor evaluation scores on design and costs to the council in terms of subsidy needed.
6. It is proposed that Estate Regeneration investigate alternative options for delivering this scheme, to ensure that the regeneration aspirations for this project are met.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None.

CONFLICTS OF INTEREST

None.

CONFIRMED AS A TRUE RECORD

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision.

Date:

Decision Maker:
The Cabinet

Proper Officer:
Judy Cordell

SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny "Call-In" provisions.

Call-In Period expires on

Date of Call-in (*if applicable*) (*this suspends implementation*)

Call-in Procedure completed <i>(if applicable)</i>
Call-in heard by <i>(if applicable)</i>
Results of Call-in <i>(if applicable)</i>