

RECORD OF EXECUTIVE DECISION

Tuesday, 19 February 2013

Decision No: (CAB 12/13 9827)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	LEADERS' PORTFOLIO
SUBJECT:	* ESTATE REGENERATION - WESTON LANE SHOPPING PARADE REDEVELOPMENT
AUTHOR:	Danielle Friedman-Brown

THE DECISION

- (i) To approve, in accordance with Financial Procedure Rules, the virement of £300,000 in 2014/15 from the Estate Wide Programme to the Weston Shopping Parade Redevelopment Programme.
- (ii) To, approve, in accordance with Financial Procedure Rules, additional expenditure of £300,000 in 2014/5 on the Weston Shopping Parade Redevelopment Programme.
- (iii) To approve, in accordance with Financial Procedure Rules, expenditure of £1,325,000 phased £700,000 in 2013/14, £375,000 in 2014/15 and £250,000 in 2015/16 on the Weston Enabling Works Programme provision for which already exists in the unapproved section of the HRA Capital Programme.
- (iv)
 - (a) To approve the appointment of Bouygues (UK) Limited as preferred bidder for the redevelopment of Weston Lane Shopping Parade site
 - (b) Subject to the Land becoming vacant land and falling within the terms of section 32 of the Housing Act 1985 under General Consent A of the General Housing Consents 2012 to approve the sale of the site at the price set out in the confidential Appendix 2 which is at less than best consideration due to the delivery requirements being imposed on the developer by the Council through the proposed development agreement which will create an undervalue.
- (v) To delegate power to the Head of Legal, HR & Democratic Services to amend, finalise and sign the Development Agreement with the preferred bidder for the disposal of the site in accordance with the financial terms outlined in Confidential Appendix 2 (exempt) and to enter into the associated Delivery Partner Panel Framework Agreement.
- (vi) To delegate authority to the Senior Manager Property, Procurement and Contract Management to
 - a. Negotiate and acquire by agreement any legal interests or rights held in respect of the parcel of land shown edged red in Appendix 4 not already owned by the Council (being within Weston Lane Shopping Parade site) using such acquisition powers as the Senior Manager Property,

Procurement and Contract Management advises;

- b. To agree the payment of appropriate compensation for the acquisition of the rights and interests in the land to be compulsorily purchased

(vii)

- a. That subject to reasonable attempts to negotiate the acquisition of each of the interests in the areas shown on the map at Appendix 4 having failed, to authorise the Head of Legal, HR & Democratic Services to make a Compulsory Purchase Order to acquire any rights and interests in the land and flats and buildings thereon shown on the attached map in Appendix 4 under section 17 of the Housing Act 1985 for the purpose of erecting housing and facilities which serve a beneficial purpose for the future occupiers of the housing.

- b. To approve the Statement of Reasons for making the Compulsory Purchase Order as set out in Appendix 3 and that power be delegated to the Head of Legal, HR & Democratic Services to make amendments to the statement of reasons as the scheme progresses.

(viii) To authorise the Head of Legal, HR & Democratic Services to do anything necessary to give effect to the above recommendations including but not limited to undertaking all procedural steps required to:

- (a) make, advertise and secure confirmation and implementation of the CPO,

- (b) Acquire interests in the land either by agreement or compulsorily

- (c) Enter into agreements with land owners setting out the terms for withdrawal of objections to the Order (to include the payment of compensation), including where appropriate seeking exclusion of land from the Order

- (d) to represent the Council in any Inquiry into the confirmation of the CPO

(ix) To approve (once vacant possession and planning permission has been obtained) the service of a Final Demolition Notice on secure tenants at the estate regeneration site under the provisions of the Housing Act 1985 and the demolition of the buildings and structures on the land edged red in Appendix 4

(x) To delegate authority to the Director for Environment and Economy, in consultation with the Senior Manager for Finance to accept, in accordance with Financial Procedure Rules, any grant funding towards the costs of the redevelopment of the Weston Lane Shopping Parade.

(xi) To authorise the Manager, Estate Regeneration Projects responsible for managing the Weston Lane Shopping Parade project in consultation with the Planning & Development Manager and the Highways Manager to make the necessary stopping up or diversion applications for orders under the most appropriate legislative powers available to the Council under section 116 of the Highway Act 1980, section 247 or 257 Town & Country Planning Act 1990 in respect of Kingsclere Close, the precinct footpaths/ walkways linking Weston Lane to Kingsclere Avenue and a spur footpath linking to Ashton House all within the Weston Lane Shopping Parade site and identified in the plan at Appendix 4.

- (xii) To authorise the City Parking and Patrol Manager to proceed with the public consultation process for a Traffic Regulation Order under Section 32 of the Road Traffic Regulation Act 1984 Act to close the public car park at Weston Lane Shopping Parade.

REASONS FOR THE DECISION

1. Redevelopment at Weston Lane Shopping Parade offers the opportunity to deliver improved modern housing and local facilities to meet the needs of residents. Redevelopment will provide a mixed tenure environment and good quality accommodation, together with significant improvements in the public and private realm on site, to ensure a cohesive and sustainable community and to help to tackle the economic deprivation and social disadvantage concentrated in these areas.
2. The report recommendations enable the timely redevelopment of the Weston Lane Shopping Parade site as above and delivery of the Estate Regeneration objectives and to safeguard the Homes & Communities Agency (HCA) grant funding available to the Registered Provider for the affordable housing allocated to the project.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. The updated Housing Strategy 2011-15 and Housing Revenue Account Business Plan 2011-2041 confirms estate regeneration as a key priority for the Council.
2. This report requests authority for processes which would enable delivery of the Weston Lane Shopping Parade project within a programme of Estate Regeneration occurring across the city. The option of doing nothing would not achieve the Council's objectives of creating successful communities on our estates.
3. The option of doing nothing at Weston Lane Shopping Parade would result in significant ongoing repairs and maintenance work being required at the site. The cost to the Council was estimated in 2011 at £2.25M, based on carrying out urgent works over a ten year period. These estimated costs further excluded any improvement works to the commercial units, all of which would be significant additional costs which have not been estimated. On the basis of the revised and higher estimated costs of gaining vacant possession for the properties at Weston Lane Shopping Parade site, it is still considered that the cost/benefits approach of regeneration outweigh the cost/benefits of continuous maintenance.
4. Furthermore there has been considerable community consultation with local tenants and residents at Weston which has raised community hopes and expectations of implementing change at the site. The community desire to redevelop the site to improve the gateway into the Weston estate, and to do so in the near future, is still considered to be strong.
5. Should the above recommendations not be approved the alternative option would mean seeking a different route to redevelop or improve the site, which would take considerable time to implement in addition to identifying the resources to carry that out.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

Councillor Payne declared a pecuniary interest and left the meeting as he took part in the tendering process for this decision.

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: 19th February 2013

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 27 Feb 2013

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

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*