

Public Document Pack

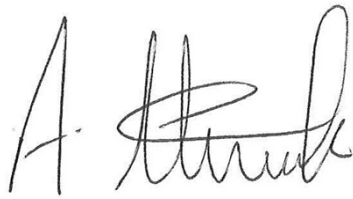
Service Lead – Information Governance & Democratic Services: Karen Shepherd

Direct line: (01628) 796529

TO: **EVERY MEMBER OF THE COUNCIL FOR THE ROYAL BOROUGH OF WINDSOR & MAIDENHEAD**

YOU ARE HEREBY SUMMONED TO ATTEND the Extraordinary Meeting of the Council of the Royal Borough of Windsor & Maidenhead to be held in the **Desborough Suite - Town Hall on Monday, 29 January 2018 at 7.30 pm** for the purpose of transacting the business specified in the Agenda set out hereunder.

Dated this Friday, 19 January 2018



Managing Director

Rev Drake will say prayers for the meeting.

A G E N D A

PART I

1. APOLOGIES FOR ABSENCE
To receive any apologies for absence
2. DECLARATIONS OF INTEREST
To receive any declarations of interest
(Pages 5 - 6)
3. PUBLIC QUESTIONS

The Mayor has agreed to allow public questions in relation to item 4 only (Motions on Notice). The deadline for receipt of questions is 12noon, Wednesday 24 January 2018. Questions should be submitted to:

democratic.services@rbwm.gov.uk

For further information on public questions, please see Part 2 C9 of the council constitution:

https://www3.rbwm.gov.uk/downloads/file/2871/council_constitution

(A Member responding to a question shall be allowed up to five minutes to reply to the initial question and up to two minutes to reply to a supplementary question. The questioner shall be allowed up to 1 minute to put the supplementary question)

4. MOTIONS ON NOTICE

a) By Councillor Stretton:

To pass a Motion of No Confidence in the Leader of the Council following events during the week commencing 1/1/18, instigated by statements on Twitter and a letter to the Police & Crime Commissioner by Cllr Simon Dudley, that have brought the council and councillors into disrepute

5. COUNCIL TAX SUPPORT SCHEME

To consider the above report
(To Follow)

6. BROADWAY CAR PARK

To consider the above report
(Pages 7 - 16)

7. YORK ROAD, MAIDENHEAD – SITE PROPOSAL

To consider the above report
(Pages 17 - 44)

8. LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC

To consider passing the following resolution:-

"That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on items 9-10 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act"

PRIVATE MEETING

9. YORK ROAD, MAIDENHEAD – SITE PROPOSAL

(Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)

To note the appendices to the earlier Part I report
(Pages 45 - 116)

10. BROADWAY CAR PARK

(Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)

To consider the above report
(Pages 117 - 170)

COUNCIL MOTIONS – PROCEDURE

- Motion proposed (mover of Motion to speak on Motion)
- Motion seconded (Secunder has right to reserve their speech until **later** in the debate)
- Begin debate

Should An Amendment Be Proposed: (only one amendment may be moved and discussed at any one time)

NB – Any proposed amendment to a Motion to be passed to the Mayor for consideration before it is proposed and seconded.

- Amendment to Motion proposed
- Amendment must be seconded BEFORE any debate can take place on it
(At this point, the mover and seconder of original Motion can indicate their acceptance of the amendment if they are happy with it)
- Amendment debated (if required)
- Vote taken on Amendment
- If Agreed, the amended Motion becomes the substantive Motion and is then debated (any further amendments follow same procedure as above).
- If Amendment not agreed, original Motion is debated (any other amendments follow same procedure as above).

- The mover of the Motion has a right to reply at the end of the debate on the Motion, immediately before it is put to the vote.
- At conclusion of debate on Motion, the Mayor shall call for a vote. Unless the vote is unanimous, a named vote will be undertaken, the results of which will be announced in the meeting, and recorded in the Minutes of the meeting.

(All speeches maximum of 5 minutes, except for the Budget Meeting where the Member proposing the adoption of the budget and the Opposition Spokesperson shall each be allowed to speak for 10 minutes to respectively propose the budget and respond to it. The Member proposing the budget may speak for a further 5 minutes when exercising his/her right of reply.)

MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any licence to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where:
 - a) that body has a piece of business or land in the area of the relevant authority, and
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations on the item: 'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations in the item: 'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

This page is intentionally left blank

Agenda Item 6

Report Title:	Broadway Car Park
Contains Confidential or Exempt Information?	No
Member reporting:	Councillor David Evans Cabinet Member for Maidenhead Regeneration and Maidenhead
Meeting and Date:	Extraordinary Council 29 January 2018
Responsible Officer(s):	Russell O'Keefe – Executive Director and Barbara Richardson Managing Director RBWM Prop Co.
Wards affected:	All

www.rbwm.gov.uk



REPORT SUMMARY

1. Broadway Car Park (often referred to as Nicholson's Car Park) is the key town centre car park.
2. The car park is reaching the end of its lifespan and is in need of significant repair and refurbishment. A replacement car park is essential to meet parking demand and the expected growth and regeneration of the town centre.
3. This report summarises the next steps and along with a more detailed Part 2 Report sets out the different investment case options so that a decision can be made to move forward.

1. **RECOMMENDATION: That Council notes the report and approves the recommendations of Cabinet Regeneration Sub-committee to:**
 - a. Approve Option 3 set out in the Part 2 Report.
 - b. Delegate authority to the Executive Director in liaison with the Cabinet Member for Maidenhead Regeneration and Maidenhead to negotiate and implement an agreement for Option 3.
 - c. If Option 3 proves through negotiation to not be deliverable, at terms better than Option 2, to progress Option 2 through a design and build contract.
 - d. Establish an overall capital budget of up to £22,850,000 to deliver the project.

2. BACKGROUND INFORMATION, REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Background

- 2.1 Broadway Car Park (often referred to as Nicholson's Car Park) forms part of the Broadway Opportunity Area detailed in the adopted Maidenhead Town Centre Area Action Plan (AAP). The car park is linked to the Nicholson's shopping centre and is the key town centre car park.

- 2.2 The car park is reaching the end of its lifespan and is in need of significant repair and refurbishment. A replacement car park is essential to meet parking demand and the expected growth and regeneration of the town centre.
- 2.3 Various options have been considered for the car park including selling to (or partnering with) a private sector developer. In October 2016 Cabinet Regeneration Sub-Committee agreed the principle that the Council progresses the option of developing the car park itself, as owner using its own funds potentially with another investor e.g. the Berkshire Pension Fund subject to approval of an investment case by Full Council.
- 2.4 It was also determined previously by the Council that due to the links to the neighbouring site, The Landings, it was fundamental to the regeneration and redevelopment for the town, and that collaboration should be formed in order to accommodate, and deliver a joined up approach to redevelopment of both sites. At that time it was agreed that the Council would sell 225 parking spaces in the new facility to The Landing project. This arrangement has been in place since March 2015 and is still a key consideration to the redevelopment of the new Broadway Car Park.
- 2.5 The car park is currently unsightly and obstructs the High Street and shopping centre from the Station and The Landing. However, due to its central location it has an important role to play as a focal point and facility for the town centre and helping in the future of the Nicholson shopping centre and also to complement and encourage the delivery of the Landing as part of the larger town centre strategy.
- 2.6 Due to this connection and special relationship with The Landings, it was agreed by Cabinet Regeneration Sub-committee in October 2016 that the Council would appoint London & Aberdeen (L&A) a firm of development managers, who had also been engaged by The Landings, to bring forward the options for the new Broadway Car Park, and present an investment case that would enable the Council to commit funds to this capital project.
- 2.7 In July 2017 Cabinet Regeneration Sub-committee agreed a development brief for the project. This is included at appendix A.
- 2.8 In September 2017, Council agreed a capital budget of up to £12,334,600 for the construction of new temporary and permanent parking provision across the Borough. This included budget provision and plans for temporary parking provision for whilst the Broadway Car park is being redeveloped. The demolition of the existing Broadway Car Park will not commence until the temporary parking to support it is in place.
- 2.9 In November 2017 L&A presented a draft investment case to the Council. A full review of this has been carried out to make sure that the Council is getting a project that is financially viable, and can be delivered within budget, to a good quality standard. The review and subsequent discussions over the past 2 months has led to some alternative options to be considered for Broadway Car Park. They are set out in detail in the Part 2 report.

Existing and New Capacity

- 2.10 Broadway Car Park, currently provides 743 spaces, including 100 spaces as part of the adjoining building.
- 2.11 With the growing regeneration and redevelopment of Maidenhead Town Centre, and the forthcoming Crossrail – Elizabeth Line in late 2019 it is envisaged that demand for town centre parking will increase.
- 2.12 The Council also has a growing demand and current waiting list for car parking spaces in the town centre from local businesses, who have expressed a desire to rent spaces for their staff.
- 2.13 The recommended Broadway Car Park option would achieve 1,450 spaces for the town.
- 2.14 The proposed new provision would therefore be able to accommodate some of this business demand, along with increased supply for shoppers and residents use.

Price Benchmarking

- 2.15 L&A have undertaken price benchmarking which can be found in Appendix B. Comparisons have been made with Princes Square, Bracknell, High Street, Bracknell, The Avenue, Bracknell, Holy Brook, Oracle, Reading, The Riverside, Oracle, Reading, Eden Shopping Centre, Wycombe and King Edward Court, Windsor. It should be noted that these do not reflect the current retail offer for shoppers in Maidenhead.
- 2.16 All of these car parks with the exception of Princes Square, Bracknell currently have higher parking charges than Broadway. These range from 15% (High Street, Bracknell) at the lowest end of the scale to 166% higher (Holy Brook, Oracle, Reading) at the top end of the scale.
- 2.17 It would therefore suggest that an increase in parking charges for a new car park with modern facilities would not be unreasonable at 30%, to current day charges. This could be reviewed in light of any increase in retail destination and commuter demand in the future.

Options

- 2.18 The Part 2 Report sets out the following three main options in detail:
- Option 1: Parking and office scheme. This would result in the building of a 1533 space, 10 storey car park with 15,200 square foot of office accommodation on the ground floor.
 - Option 2: Design and build car park scheme. This would result in the building of a 1650 space, 9 storey car park.
 - Option 3: Set out in the Part 2 report.
- 2.19 The investment case for the three options is set out in Appendix F in the Part 2 report. The three options would all provide key requirements relating to design, access, bay sizes, electric charging and disability and mobility parking. They all meet the development brief agreed by Cabinet Regeneration Sub-committee with one exception, this relates to the provision of new retail space.

2.20 As part of reviewing the options the Council commissioned specialist retail advice from GL Hearn. This can be found at Appendix G in the Part 2 report and has shown that the provision of retail space as part of the proposed scheme would not be commercially viable as it is likely to be very difficult to let. This has therefore been removed.

Assumptions

2.21 To ensure the options can be compared the following assumptions have been applied to both options:

- **Inflation** – 2% per annum, over a 30 year period.
- **NPV Discount Rate** – 6% applied on all options
- **Car Parking Charges** – a 30% increase on today’s current charges has been assumed on all three options (please note if the changes proposed in the draft budget 2018/19 are approved this would be a circa 4% increase).

Conclusion

2.22 This is set out in the Part 2 report.

Option	Comments
1. To agree option 3 so that an agreement can be put in place with option 2 as the fall back option. Recommended	This will allow the work to progress on the option that provides the best value for money.
2. To agree another option. Not recommended	This would not provide the best value for money for the Council.

3. KEY IMPLICATIONS

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Project completed	Not completed	December 2020	November 2020	October 2020	December 2020

4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 The investment case is provided at Appendix F and shows the total development cost of the three options to the Council.

4.2 A capital budget of up to £22,850,000 is requested taking into account capital already in the capital programme for the project. This is based on the additional capital needed to deliver the fall back option, Option 2

4.3 If the recommended approach, Option 3 was approved and an agreement reached then this would provide a need for an additional capital budget of up to £21,240,000. Further information is available in the Part 2 report.

CAPITAL	2018/19	2019/20	2020/21
Addition	£2,000,000	£12,510,00	£8,340,000
Reduction	£0	£0	£0
Net impact	£0	£0	£0

5. LEGAL IMPLICATIONS

5.1 The Council has a duty to efficiently manage its assets and has legal powers to hold and dispose of land under both sections 120 and 123 of the Local Government Act 1972.

6. RISK MANAGEMENT

Risks	Uncontrolled Risk	Controls	Controlled Risk
The project exceeds the cost envelope or planned timescales	High	Effective development management processes	Low

7. POTENTIAL IMPACTS

7.1 The recommended option will deliver significant parking for the town centre in addition to other benefits for the town set out in the Part 2 report.

8. CONSULTATION

8.1 Consultation has been carried out previously on the Council's parking plans. Further consultation will be carried out on the detailed proposed scheme as part of the planning process.

9. TIMETABLE FOR IMPLEMENTATION

Date	Details
February 2018	Agree contractual arrangements. Appointment of contractors Appointment of professional team
April 2018	Submit planning application
August 2018	Obtain planning
January 2019	Start demolition of existing structure
June 2019	Start of construction – car Park
December 2020	Practical completion of car Park
January 2021	Start construction of other elements
December 2022	Practical completion of other elements

10. APPENDICES

10.1 This Part I report has two supporting appendices:

- Appendix A – Development brief
- Appendix B – Price benchmarking

11. BACKGROUND DOCUMENTS

11.1 N/A

12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Commented & returned
Cllr David Evans	Cabinet Member Maidenhead Regeneration and Maidenhead	12.1.18	12.1.18
Alison Alexander	Managing Director	12.1.18	12.1.18
Andy Jeffs	Executive Director	12.1.18	
Rob Stubbs	Section 151 Officer	12.1.18	
Terry Baldwin	Head of HR	12.1.18	12.1.18
Mary Kilner	Head of Law and Governance	12.1.18	
Louisa Dean	Communications and Marketing Manager	12.1.18	



APPENDIX A - DEVELOPMENT BRIEF

OBJECTIVES

- To secure a minimum of 900 new spaces (but ideally considerably more e.g. 1,300) for shoppers in addition to the 225 spaces that need to be delivered for The Landing on as much of the Site as can be brought into this Project.
- To deliver on its obligation to Ryger under the Conditional Sale Agreement for car parking spaces, and minimise or negate any risk of breach.
- To work with Ryger to continue to encourage the early delivery of The Landing.
- To work constructively with Ellandi LLP/Vixcroft Maidenhead Ltd or any successor to facilitate the Development.
- On the assumption that the Development Manager procures an improved Planning Permission for a larger and improved car park, and subject to formal approvals by the Council, to consider selling further car park spaces to Ryger for The Landing project, dependent on the needs of the Council being met and the viability of Nicholson's Car Park which will have to be assessed as part of the development appraisal process, and ensuring that the Council achieves best value.
- To provide high quality retail units on the ground floor of the present car park, creating a retail frontage to Broadway and integrating this with a new entrance through to the Nicholsons Shopping Centre, creating a high quality pedestrian flow from the Railway Station through The Landing to the car park, Nicholson's Shopping Centre and High Street.
- To make an investment, subject to further formal Council approval as required, to secure any necessary land acquisitions, vacant possession of the Site and planning permission.
- Upon securing planning permission and vacant possession of the Site, subject to further formal Council approval, to make a further investment during 2017, (but with the sum to be invested assessed more accurately in the light of information obtained at the time), estimated currently to be in the region of a further £30m to £38m, which delivers a net return on this investment of at least 4% per annum to the Council.
- To minimise or offset the short and medium term impact on Council revenue caused by demolition and redevelopment of the Nicholson's car park.
- For the Project to be as deliverable and as low risk as is reasonably possible. Over-complicated use mixes, difficult construction solutions and funding solutions should be avoided if possible. Ideally a scheme should be devised which is not dependent on compulsory purchase,



on difficult land assembly negotiations or on obtaining the agreement of third parties to (for example) infringement of rights of light, rights of way etc.

OUTCOMES

- Collaboration agreement with Ellandi LLP/Vixcroft Maidenhead Ltd or any successors to the agreement of the Council
- Feasibility Study and Options Report
- Development Brief, including Investment Case (each to be agreed by the Council)
- Site assembly, to include any land or title acquisitions
- Progress to obtain vacant possession of the Site
- Pre-application discussions with the Council's planning department
- Strategic Programme
- Planning application submissions and related documents, leading to a grant of detailed planning permission
- Outline brief to progress the tenders for Consultants' services
- Detailed design and specification documents to progress the tender for construction work
- Main construction contract
- Temporary parking solution for not less than 500 car spaces during construction
- Practical Completion of the car park
- Project budget and financial model
- Methodology Statement

Benchmark Comparison of Car Park Pricing relative to the current Nicholsons Multi-Storey Car Park, Maidenhead

Parking Duration	Nicholsons, Maidenhead	Princes Square, Bracknell	High Street, Bracknell	The Avenue, Bracknell	Holy Brook, Oracle, Reading	The Riverside, Oracle, Reading	Eden Shopping Centre, Wycombe	King Edward Court, Windsor	Average % Relative to Nicholsons
< 30 mins	£ 0.50	£ 1.00 100%	£ 1.40 180%	£ 1.40 180%	£ 4.00 700%	£ 1.70 240%	£ 1.00 100%	£ 2.70 440%	277%
< 1 hour	£ 1.00	£ 1.00 0%	£ 1.40 40%	£ 1.40 40%	£ 4.00 300%	£ 1.70 70%	£ 1.00 0%	£ 2.70 170%	89%
< 2 hours	£ 2.00	£ 2.00 0%	£ 2.50 25%	£ 2.50 25%	£ 4.00 100%	£ 4.00 100%	£ 1.90 -5%	£ 3.70 85%	47%
< 3 hours	£ 3.00	£ 3.00 0%	£ 3.20 7%	£ 3.20 7%	£ 6.00 100%	£ 6.00 100%	£ 2.50 -17%	£ 4.20 40%	34%
< 4 hours	£ 3.00	£ 3.50 17%	£ 3.80 27%	£ 3.80 27%	£ 8.00 167%	£ 8.00 167%	£ 3.00 0%	£ 5.80 93%	71%
< 5 hours	£ 6.00	£ 4.00 -33%	£ 5.00 -17%	£ 5.00 -17%	£ 10.00 67%	£ 10.00 67%	£ 5.00 -17%	£ 8.40 40%	13%
< 6 hours	£ 9.50	£ 4.50 -53%	£ 5.70 -40%	£ 5.70 -40%	£ 12.00 26%	£ 12.00 26%	£ 8.00 -16%	£ 8.40 -12%	-15%
< 7 hours	£ 9.50	£ 5.00 -47%	£ 6.30 -34%	£ 6.30 -34%	£ 13.00 37%	£ 13.00 37%	£ 10.00 5%	£ 20.00 111%	11%
< 8 hours	£ 9.50	£ 6.00 -37%	£ 7.10 -25%	£ 7.10 -25%	£ 15.00 58%	£ 15.00 58%	£ 10.00 5%	£ 20.00 111%	21%
> 8 hours	£ 9.50	£ 7.00 -26%	£ 8.30 -13%	£ 8.30 -13%	£ 20.00 111%	£ 20.00 111%	£ 20.00 111%	£ 20.00 111%	56%
Average % pricing relative to Nicholsons		-8%	15%	15%	166%	97%	17%	119%	60%

Comparison of Parking Provisions Relative to estimates for the Future Broadway car park scheme, Maidenhead

Parking Provisions	Future Broadway car park scheme	Princes Square, Bracknell	High Street, Bracknell	The Avenue, Bracknell	Holy Brook, Oracle, Reading	The Riverside, Oracle, Reading	Eden Shopping Centre, Wycombe	King Edward Court, Windsor
Total Spaces	1500	534 -64%	970 -35%	1254 -16%	623 -58%	1679 12%	1600 7%	744 -50%
EV charging bays	300	0 -100%	2 -99%	4 -99%	1 -100%	0 -100%		0 -100%
Parent & Child bays	32	0 -100%	12 -63%	0 -100%	25 -22%	0 -100%		
Disabled bays	88	26 -70%	22 -75%	69 -22%	30 -66%	76 -14%		

Report Title:	York Road, Maidenhead – Site Proposal
Contains Confidential or Exempt Information?	YES – Appendix A, A5, A6, B and C - Part II - Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972
Member reporting:	Councillor Rankin, Cabinet Member for Economic Development and Property. Councillor David Evans, Cabinet Member for Maidenhead Regeneration and Maidenhead
Meeting and Date:	Extraordinary Council 29 January 2018
Responsible Officer(s):	Russell O’Keefe – Executive Director
Wards affected:	Oldfield

REPORT SUMMARY

- 1 In March 2017 Countryside Properties (UK) Limited was appointed as the Council’s development partner for the Royal Borough Development Partnership.
- 2 In line with the initial Business Plan agreed for the partnership, Countryside Properties (UK) Limited has formally brought forward a site proposal for York Road.
- 3 The report sets out the proposal for formal consideration.

1 DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Council notes the report and approves the recommendations of Cabinet Regeneration Sub-committee to:

- i) **Approve the emerging site proposal for York Road.**
- ii) **Approve the appropriation of the site in the red line plan at Appendix A1.**
- iii) **Delegate authority to the Executive Director and the Cabinet Members for Economic Development and Property and Maidenhead Regeneration and Maidenhead to enter into a development agreement with Countryside Properties (UK) Limited.**

2 REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

- 2.1 In March 2017 Council appointed Countryside Properties (UK) Limited as its preferred development partner for the Royal Borough Development Partnership through a contractual joint venture. The overarching framework agreement for the partnership was signed in September 2017.
- 2.2 The following four sites are initially included in the partnership:
 - York Road,
 - West Street,

- St Clouds, and,
- Reform Road.

- 2.3 In July 2017 Cabinet Regeneration Sub-committee agreed the initial business plan for the partnership. Within the development programme the York Road site was scheduled to be brought forward first.
- 2.4 Following extensive work and discussions, consultation and pre-application planning discussions Countryside Properties (UK) Limited has now put forward a detailed site proposal for York Road. This can be found at Appendix A.
- 2.5 Under the terms of the framework agreement if the Council agrees the site proposal and signs a development agreement the land can then be drawn down by Countryside Properties (UK) Limited and work to actively develop the site would commence. The timetable is set out in section 9.

Site Proposal

- 2.6 The principles of the York Road masterplan are to;
- Use vacant or underutilised land owned or controlled by the Council to deliver new housing, and leisure and civic spaces that will facilitate the rejuvenation of Maidenhead town centre
 - Provide a minimum of 30% affordable housing in line with housing policy
 - Integrate the site with surrounding streets
 - Respect the civic setting and the creation of a key civic space
 - Maximise the blue ribbon through enhancing the existing York Stream, creating an active waterfront and views of the water
 - Celebrating community facilities by providing access to key community facilities from a central location
 - Provide a range of typologies that respond to their context
 - Extend the key routes through the site.
- 2.7 The site proposal is based on a total of 261 new homes, 183 for private sale, and 78 for affordable. The 30% affordable housing provision which will be included in the development agreement will include a full range and mix of tenure in order to create a sustainable and all-inclusive scheme, see Table 1.

Table 1 – Affordable Tenure Mix

Tenure	No of Homes	% of Mix
Affordable Rent	20	26%
Shared Ownership	36	46%
Rent to Buy	14	18%
Social Rent	8	10%
Totals	78	100%

- 2.8 The Council has also agreed a priority approach for private sale properties for local residents or those with a local connection to the Borough with Countryside Properties (UK) Limited. There will be an exclusive sales period of 6 weeks where units will be launched for sale and only available to individuals and/or families that have a local

connection. This will be determined as those that either work, or live in the borough or have immediate family living in the borough.

2.9 Parking provision is based on a ratio of 0.5 spaces per dwelling, with a combination of podium and basement parking for residential use. Blue badge spaces in and around the Town Hall area will be retained as part of the redevelopment. In addition a new car club will be created with 3 years free membership to residents.

2.10 There will be over 13,000 square feet of new eating, drinking and cultural space that will create a vibrant area in the centre of the town.

2.11 This proposal is based on the delivery over three phases of development, with a potential start on site in September 2018, subject to planning.

2.12 The key benefits of the proposal are:

- New homes included much needed affordable housing in the town centre.
- Creation of new restaurant and bars in the town centre.
- Relocation of the Heritage Centre.
- Refurbishment of the Desborough Suite.
- Redevelopment & improvements of public realm directly in front of the Town Hall.
- Delivery of a high quality scheme that will set the standard for the town centre regeneration.
- A significant capital receipt for the Council.

Development Agreement

2.13 The development agreement is a copy of all key terms and conditions of the originally signed and executed framework agreement, with amendments that relate to site specific conditions and variation requests by the Council.

2.14 The development agreement, along with the execution of a 250 year lease, will enable the project to progress. The development agreement is clear on what development cost and overheads Countryside Properties (UK) Limited is able to apply to the project, and therefore how the residual land value is derived.

2.15 The residual land value cannot drop below that which is currently being proposed, unless this does so, due to variations requested by the Council, which have a knock on effect to the land value. This might include areas such as affordable housing, parking provision, s.106 costs. However, most of these areas should be finally agreed as part of the planning process, and therefore should be established prior to start on site. Once the land value is set at this stage, any changes to the scheme, other than by variation by the Council, would be at the risk of Countryside Properties (UK) Limited. The land value at this point would be guaranteed.

2.16 The council have an overage arrangement with Countryside Properties (UK) Limited, which allows for a share in any upside in sales values. Should sale values drop, the Council would not receive any overage, but would still receive its minimum residual land value.

Appropriation of Land known as York Road, Maidenhead

2.17 The appropriation of the land known as York Road, Maidenhead is recommended for the reasons set out below:

- A planning application is due to be submitted on the site in March 2018 for the redevelopment of the site for residential and mixed use.
- The land with red line as indicated at (Appendix A1) of the site proposal is to be taken forward under three separate phases of development. Vacant possession of the land is required for all three phases to be proceed. Should this not be possible, then the site would come forward in separate phases, with a revised timetable.
- The development of the site will have positive effects on the economic, social and cultural well-being of the town centre, supporting the overall regeneration of the area.
- The site is designated in the local plan for redevelopment for residential use, including commercial and community use.
- No formal objections have been received to date as part of the public consultation process which took place in September 2017.
- Local neighbours have been consulted and provided with indications of the proposed site.

2.18 The appropriation of land is a requirement of the framework agreement if a site is to be developed, and sits firmly in the control of the Council. This report therefore seeks to deal with the appropriation as part of the approval to execute the development agreement for this site.

Table 2: Options

Option	Comments
1. To agree the site proposal so that a development agreement can be signed and work can progress. Recommended	This allows the site to be developed and the benefits to be realised.
2. To not agree the site proposal. Not recommended	This would mean that the development of the site would not move forward.

3 KEY IMPLICATIONS

3.1 York Road is the first of four sites that are being brought forward as part of the joint venture with Countryside Properties (UK) Limited. This site forms part of the major regeneration and redevelopment of the town centre. It brings forward social, economic, and environmental sustainable development, which incorporate both private and affordable housing.

3.2 Since the initial tender bid for this site, the Council have made several requested changes which have reduced the land receipt payable to the Council. Following consultation and listening to the views of residents and local stakeholders the Council has invested in improved:

- Affordable housing provision through affordable rent and social rent.
- Parking through increasing the parking provision.

- Cultural facilities through the relocation of the Heritage Centre and improvements to the Desborough Suite.
- Public realm for the town.

3.3 The development agreement has been established as a core document from the initial framework agreement, the only changes that have been made to this document are site specific, to take into consideration the variations that have been requested by the Council, and any abnormal conditions on the site that were not known, and could not be known at the tender stage.

Table 3: Key implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
30% Affordable Housing	Target not met	Target delivered	N/A	N/A	March 2023
Relocation of Heritage Centre	Relocation not achieved	Successful relocation	N/A	N/A	March 2023
Refurbishment of Desborough Suite	Not completed	Completed successfully	Completed successfully under budget	N/A	October 2020
Improvements to public realm outside Town Hall.	Not completed	Completed successfully	Completed successfully under budget	N/A	October 2020

4 FINANCIAL DETAILS / VALUE FOR MONEY

4.1 This information is included in Appendix C in the part 2 element of the report.

5 LEGAL IMPLICATIONS

5.1 In operating the partnership, the Council in order to comply with s123 of the Local Government Act 1972 to achieve best consideration on the disposal of land, has commissioned commission external advice. They have provided a s123 Valuation Report which can be found at Appendix B. .

5.2 Appropriate of Land - The Council is authorised by virtue of Section 122 of the Local Government Act 1972, and section 227 & section 237 of the Town & Country Planning Act 1990 and section 203 of The Housing & Planning Act 2016 to appropriate land within its ownership for any purpose for which it is authorised. Any costs associated with the appropriation of the land will be met by the budget for the redevelopment of the site.

6 RISK MANAGEMENT

6.1 Identified below is some key risks associated with the redevelopment of this site. Due to our contractual structure, many of these key risks have been mitigated by the council

as they will sit with the Council's joint venture partner Countryside Properties (UK) Limited.

Table 4: Impact of risk and mitigation

Risks	Uncontrolled Risk	Controls	Controlled Risk
Planning not achieved	Medium	Site allocated in draft local plan and supporting documentation and evidence being produced.	Low - Planning will be determined by tall building strategy, and a policy compliant scheme.
Site abnormal risks	Low	Initial site investigation have not shown any major issues at this stage.	Low - Further site investigation to take place before start on site.
Vacant possession of all phases	Medium	Negotiations are in place to obtain vacant possession.	Low - CPO process could be activated if required but unlikely to be needed
Defective title	Low	Currently working through all title issues to resolve.	Low - managed through legal process.
Inclement weather causes delay	Medium	Construction management plan	Medium - managed through construction programme.
Increase in labour costs	Medium	Countryside have a secure supply chain.	Low - Sub-contractor framework agreements are in place with Countryside. Risk sits with Countryside
Increase in material costs	Medium	Prediction in increase in build costs are assumed in the current model.	Low - Residual Land Value is set at pre-construction stage, so risk will sit with Countryside
Drop in sales values	Low	Predictions for a rise in sales values remain	Low - Overall risk sits with JV Partner, but

Risks	Uncontrolled Risk	Controls	Controlled Risk
		strong, with the arrival of Cross rail in late 2019.	would affect any overage payable to the Council.

7 POTENTIAL IMPACTS

- 7.1 The development of the site will deliver a range of positive benefits to the Borough as well as a major return for the Council for its land value.
- 7.2 The project will be managed and overseen by the Council wholly owned subsidiary RBWM Property Company Ltd.
- 7.3 Due regard has been given to the Council's Equalities Duties in particular with respect to general duties arising under the Equalities Act 2010, section 49. The community and commercial space in this development will provide access to all members of the community. The residential properties will be constructed to Part M building regulations, and will include 6% of its parking for blue badge holders.

8 CONSULTATION

- 8.1 Public consultation has taken place in September 2017, with regards to the initial site proposal, and further public consultation has been set for 19th and 20th January 2018. Consultation has also been undertaken with local stakeholders, the members of PRoM, and other developers working in the town centre.
- 8.2 Engagement and consultation is in place, and continues with those organisations that will be affected and/or displaced by the redevelopment of York Road, to make sure that where possible relocation or appropriate compensation can be agreed in order to obtain vacant possession of the site proposal area as indicated in the red line plan at Appendix B.

9 TIMETABLE FOR IMPLEMENTATION

Table 5: Implementation timetable

Date	Details
March 2018	Submit planning application
June 2018	Planning consent granted
September 2018	Start on site – phase I
October 2020	1 st sales completions
October 2020	Start on site – phase II
March 2023	Start on site – Phase III
November 2024	Last sales completion

10 APPENDICES

Appendix A – Site Proposal – Part II

Appendix A1 - Red Line Plan

Appendix A2 – Site Plans: Phasing

Appendix A3 – Accommodation Schedule

Appendix A4 – Scheme Designs

Appendix A5 – Financial Movement Summary – Part II

Appendix A6 – Financial Model – Part II

Appendix A7 – Planning Programme

Appendix A8 – Construction Programme

Appendix B – S123 Report – Part II

Appendix C – Financial Information – Part II

11 BACKGROUND DOCUMENTS

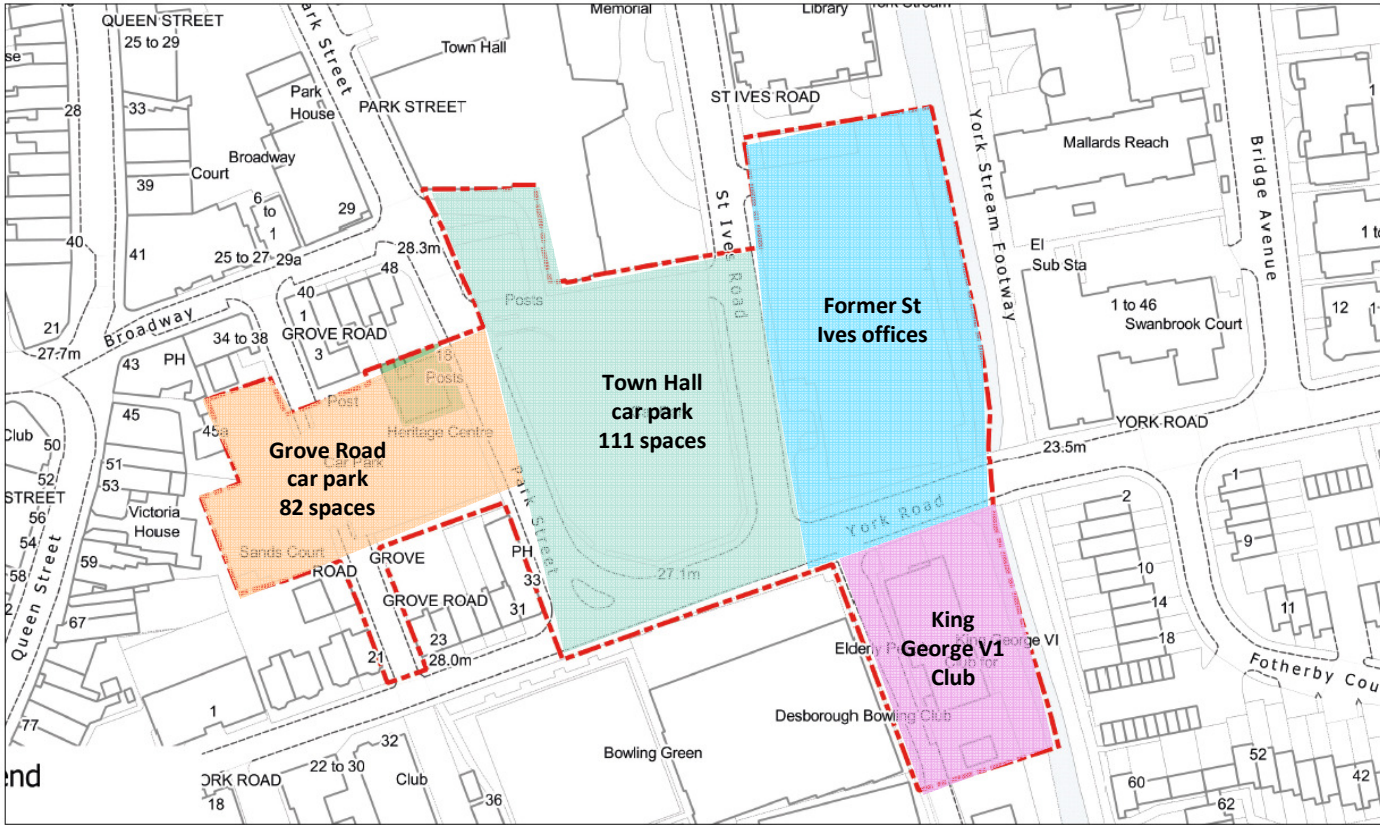
Not applicable.

12 CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Commented & returned
Cllr Jack Rankin	Cabinet Member for Economic Development and Property.	12.01.18	13.01.18
Cllr David Evans	Cabinet Member for Maidenhead Regeneration and Maidenhead	12.01.18	13.01.18
Alison Alexander	Managing Director	11.01.18	12.01.18
Andy Jeffs	Executive Director	11.01.18	
Rob Stubbs	Section 151 Officer	11.01.18	
Terry Baldwin	Head of HR	11.01.18	12.01.18
Mary Kilner	Head of Law and Governance	11.01.18	12.01.18
Louisa Dean	Communications and Marketing Manager	11.01.18	
	Other e.g. external		

York Road

25

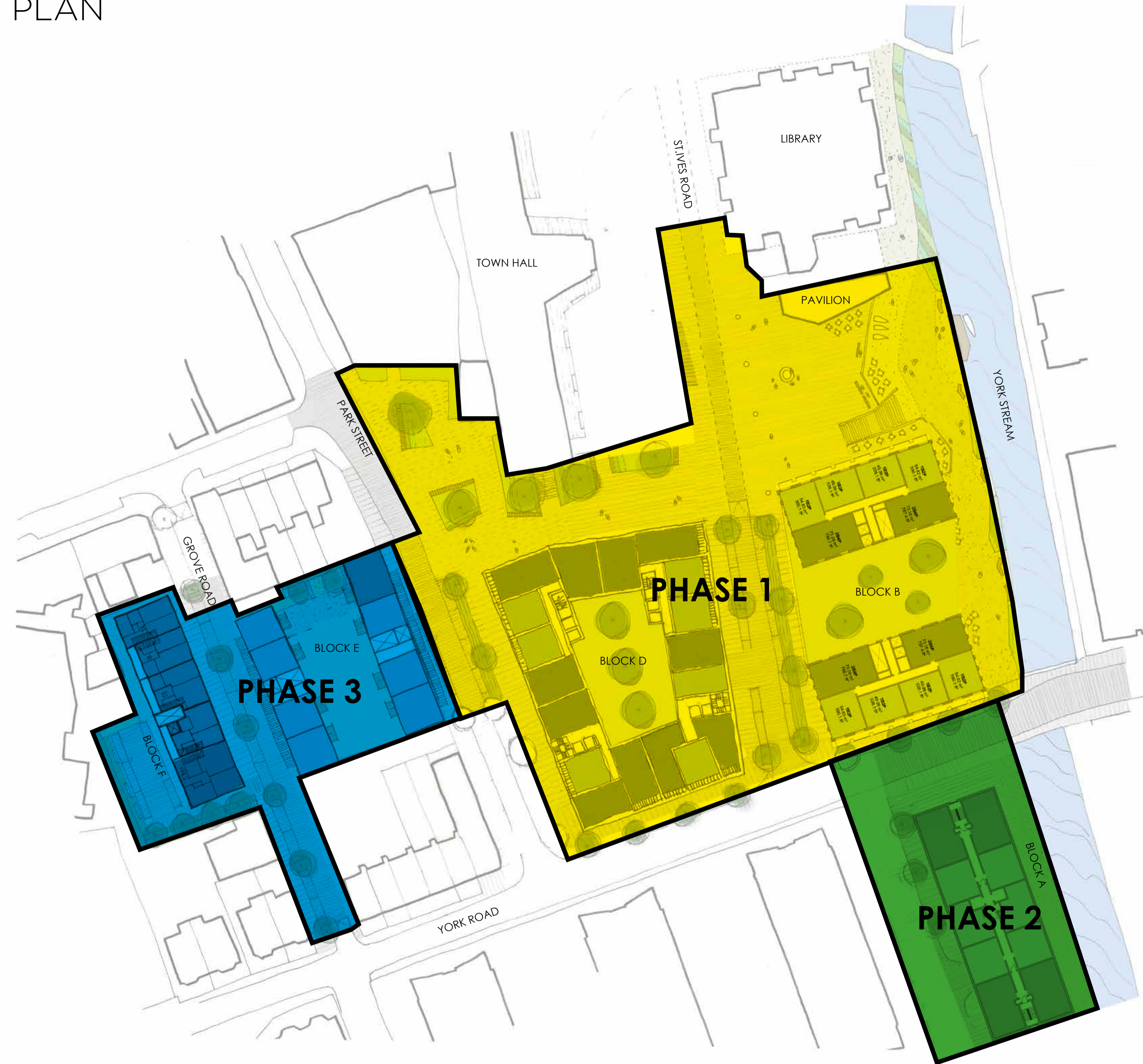


York Road Opportunity Area

YORK ROAD, MAIDENHEAD

SITE WIDE PHASING PLAN

SCALE: 1:500@A1 / 1:1000@A3



KEY

- PHASE 1
- PHASE 2
- PHASE 3



**CONRAN+
PARTNERS**

Countryside, Maidenhead
9021

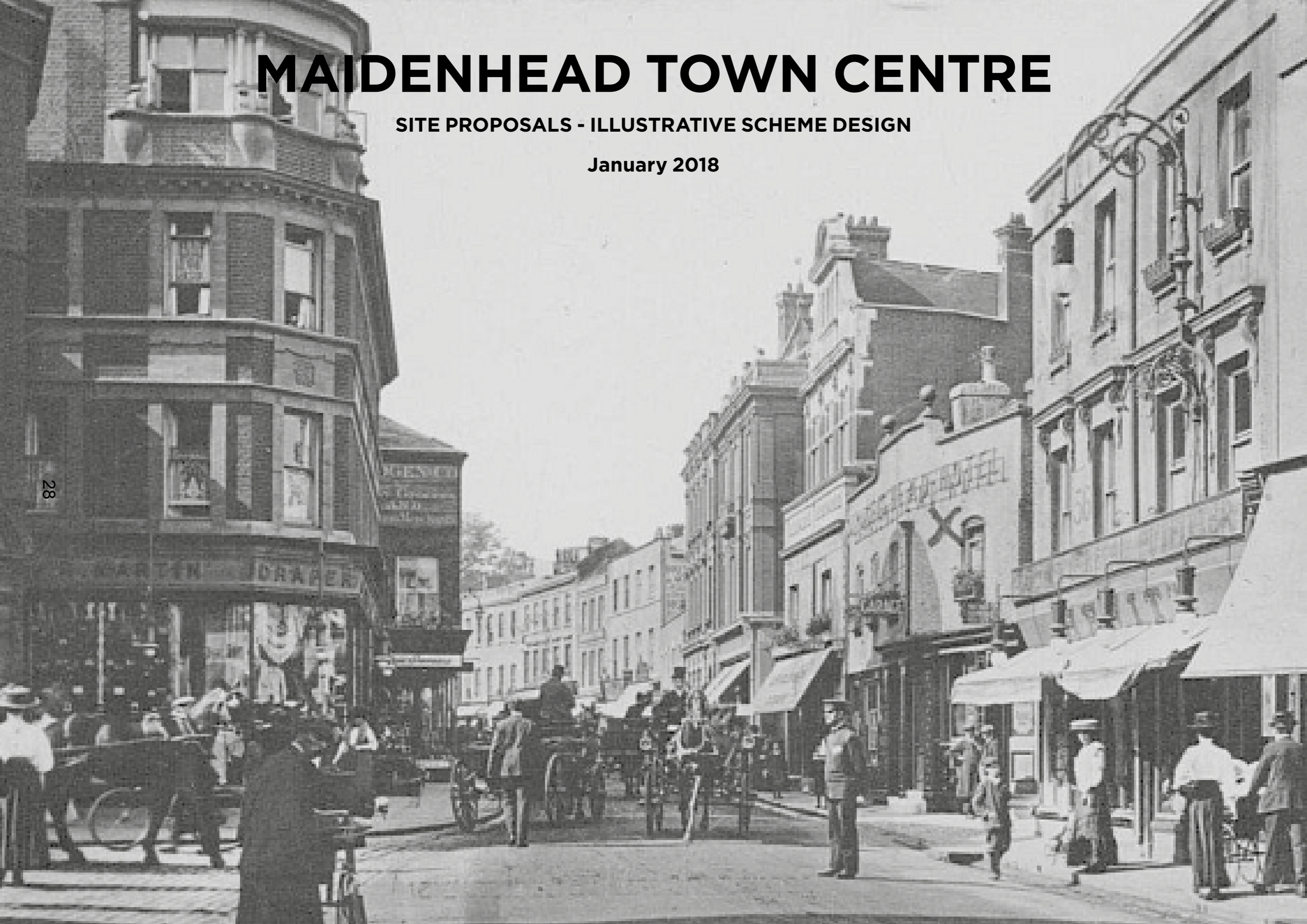
York Road Summary Accommodation Schedule
2017.10.30

BASELINE SCHEME 30.10.2017																						
COMMUNITY		RETAIL		CULTURAL		RESIDENTIAL												TOTALS				
GEA	GIA	GEA	GIA	GEA	GIA	GEA	NIA	1B/2P		2B/3P		2B/4P			3B/5P			GEA	RESIDENTIAL NIA	COMMERCIAL GIA	UNITS	DENSITY (Units/Ha)
								UNITS	%	UNITS	%	UNITS	MAISON-ETTES	%	UNITS	MAISON-ETTES	%					
0	0	1,126	1,086	371	371	26,714	17,559	106	41%	8	3%	116	12	49%	17	2	7%	32,649	17,559	1,457	261	167

MAIDENHEAD TOWN CENTRE

SITE PROPOSALS - ILLUSTRATIVE SCHEME DESIGN

January 2018



THE CULTURAL HEART OF MAIDENHEAD - A CULTURAL / FOOD + BEVERAGE OFFER



Enhanced landscaping and seating areas to the Desborough Theatre entrance - a high quality space where people want to spend time



Maidenhead Heritage Centre re-homed to a purpose built 'destination' facility, attractive and accessible to all



A pavilion building which creates interest and activity, busy through the day and into the evening



Maidenhead Town square - suitable for markets, outdoor cinema, an ice-rink and uses which bring a sense of occasion



Restaurants which line the public realm with activity and provide the upmarket dining experience which Maidenhead Town Centre does not currently offer



Activity along the York Stream at the lower level - pop up shops, rowing boats and cycle hire - providing a leisure attraction for families



HOW THE PUBLIC REALM COULD LOOK + FEEL - LANDSCAPE + PUBLIC REALM



Planted and green 'soft' street-scape - with places to sit and gather, and for year-round programme of outdoor activities to occur



Shared surfaces, with cyclists and pedestrians given priority



Shared surfaces, with cyclists and pedestrians given priority



Enhanced landscaping to the Desborough Theatre entrance - providing identity and interest, in a 'pocket park'



Public art which engages people - rooted in Maidenhead's unique character



High quality hard-landscaped square with interesting features and 'street-furniture'



Transition from the civic square level down to the waterfront becomes a feature - where people can sit and enjoy the York Stream





TYPICAL FLOOR PLAN

32

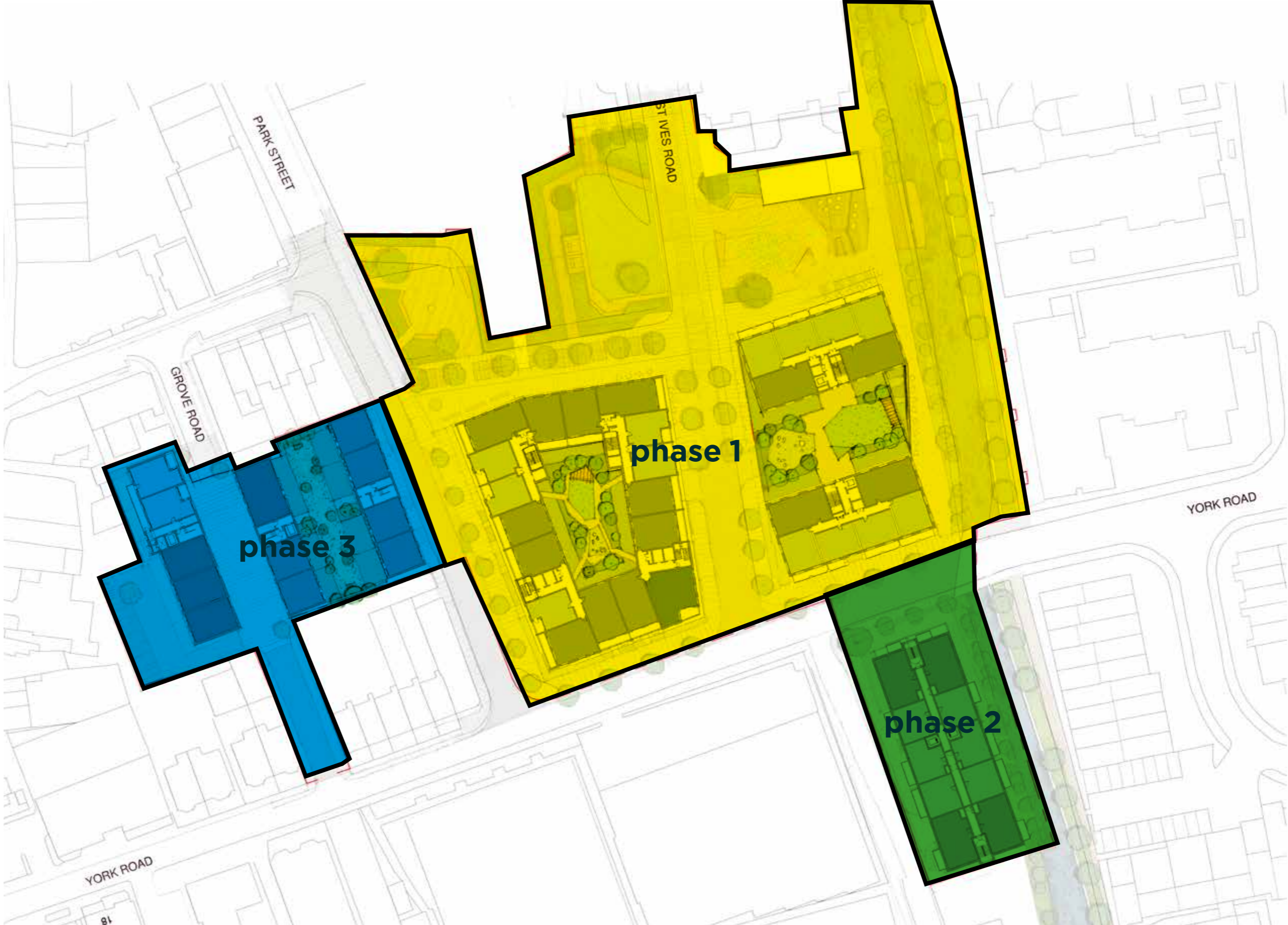


Key

- 1 Bed
- 2 Bed
- 3 Bed

PHASING PLAN

33



Key

- phase 1
- phase 2
- phase 3

TENURE MIX PLAN

Note: affordable location dependent on final agreed split between SO / RTB / AR



Key

- affordable rent
- shared ownership / rent to buy
- private
- private / shared ownership mix

GROUND FLOOR PLAN

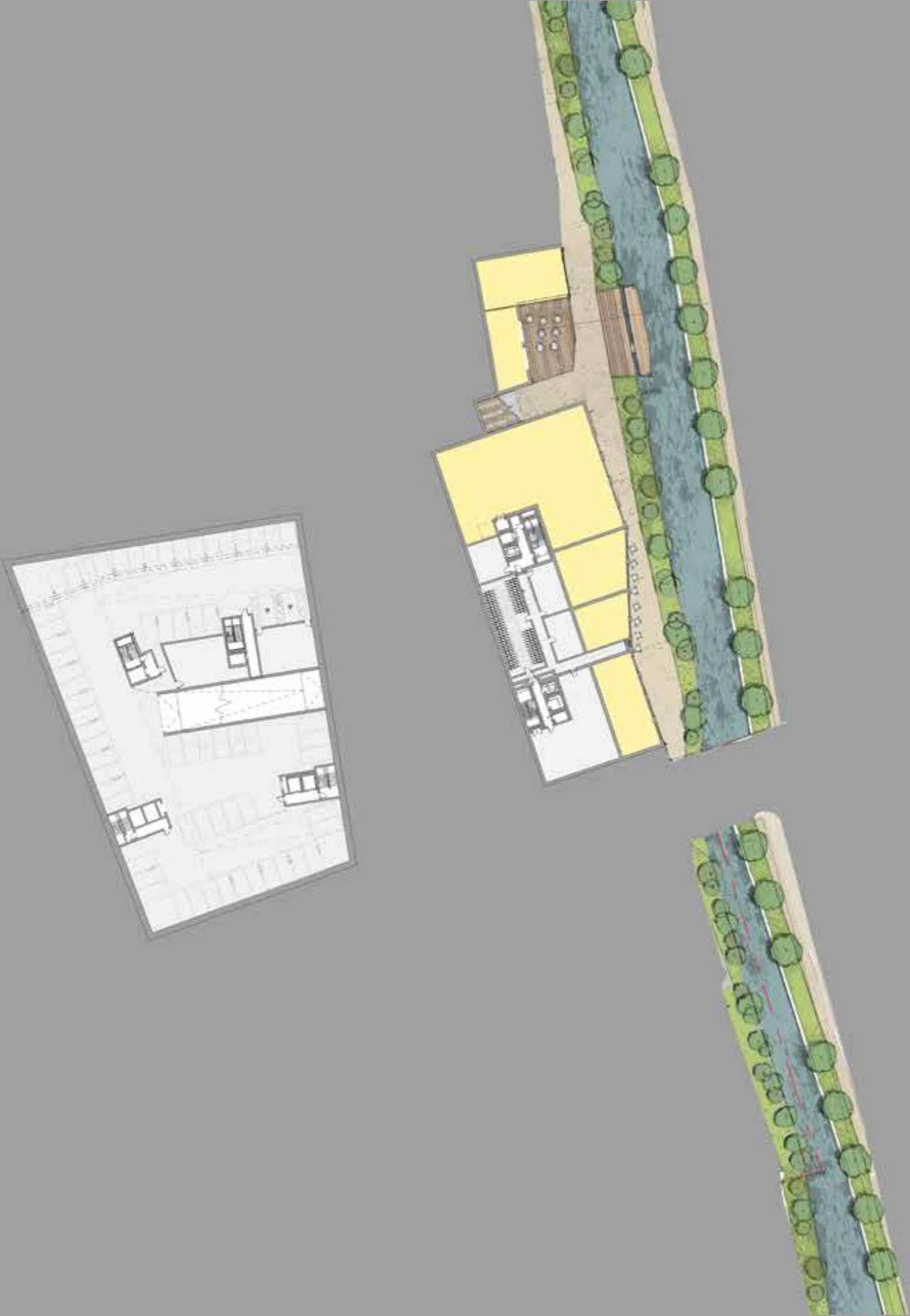
35



- Key**
- commercial
 - 1 Bed
 - 2 Bed
 - 3 Bed

LOWER-GROUND + BASEMENT PLAN

36



Key

- commercial
- 1 Bed
- 2 Bed
- 3 Bed

VIEW NORTH ALONG YORK STREAM

Balconies above York Stream allow for views up and down stream, along with natural surveillance and animation

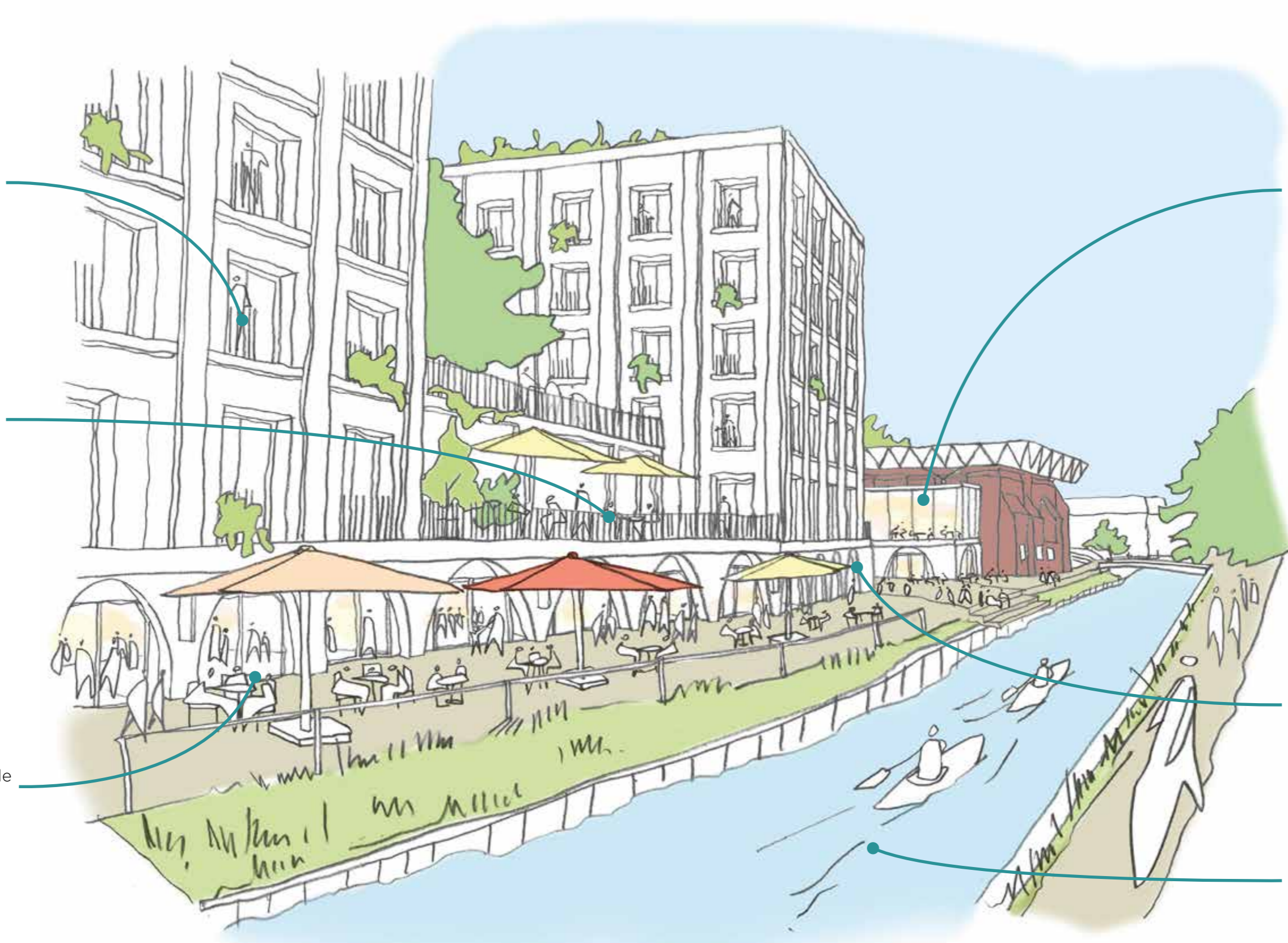
Planted communal green space and a restaurant terrace allows for elevated views of the waterfront and creates activity

Retail spaces adjacent to waterfront provide places for people to sit and relax, activating the waterway edge

Pavilion building addresses both civic square on upper level and York Stream on lower level - bringing further activity which the 'back' of the Library lacks

Restaurant and terrace on corner of block B North has views of York Stream and civic square

York Stream used for recreational activities like kayaking/canoeing/paddle boating etc.



VIEW SOUTH PAST THE LIBRARY INTO THE NEW SQUARE

Buildings at the edge of the square are not too high - this allows lots of sunlight into the square

An attractive and active North elevation to block B has civic presence on public square, and defines the 'edge' of the space

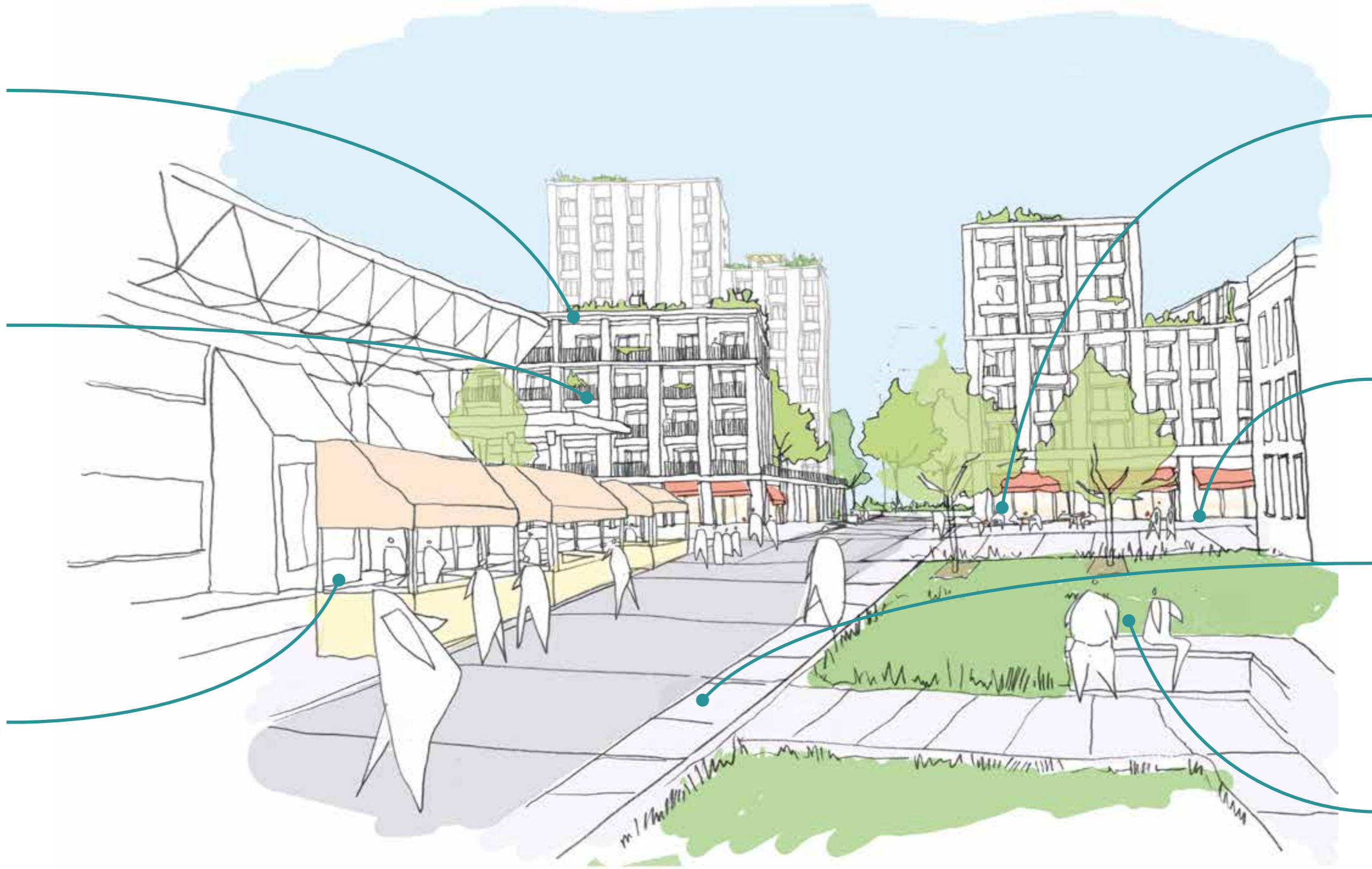
Market stalls populate public square on particular days of the week

The ground floor of buildings surrounding the square are lined with restaurants and bars which enliven the space and help to create a 'destination'

Planted pedestrian-only link between block block D and the Town Hall

'Pedestrian Priority' street allows pedestrians and vehicles to move freely and helps give a pedestrian emphasis to the civic square

New planting gives people a nice place to sit, and to gather in



VIEW EAST TOWARDS THE NEW SQUARE

The new square is suitable for a range of flexible activities throughout the year - attracting a diverse range of people

39

New areas of planting give people a place to sit and to gather. Unique pieces of public art are installed, rooted in Maidenhead's unique identity



Calm, simple brick architecture will mean that the development looks good over time

The ground floor of buildings surrounding the square are lined with restaurants and bars which enliven the space and help to create a 'destination'

A new pedestrian street links Park Street and St. Ives Road to the south of the Town Hall, encouraging people towards the York Stream

VIEW NORTH ALONG GROVE ROAD

Articulation to the roof of the buildings along Grove Road lends rhythm - akin to the former setting's terraced townhouses

The height of buildings along this street are low-rise - fitting in with the adjacent context

Natural surveillance is provided by terraces and balconies

Simple surfaces, geometry and repetition makes these buildings feel like houses - they are proposed to be a mix of maisonettes and apartments

Communal, domestic feeling along the street - lots of front doors, and traffic calming measures make this a nice place to walk through



Thank you

41

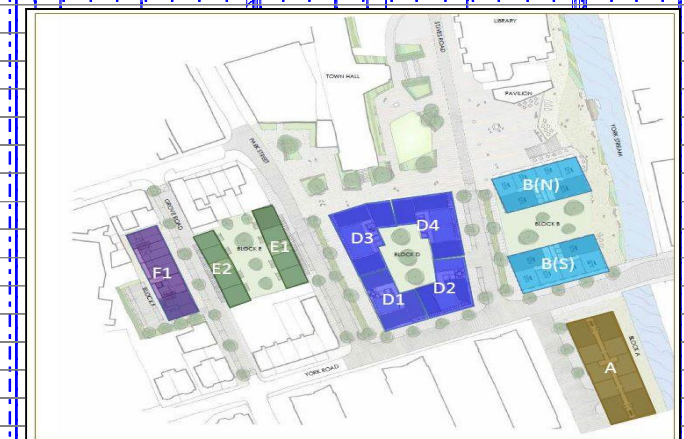
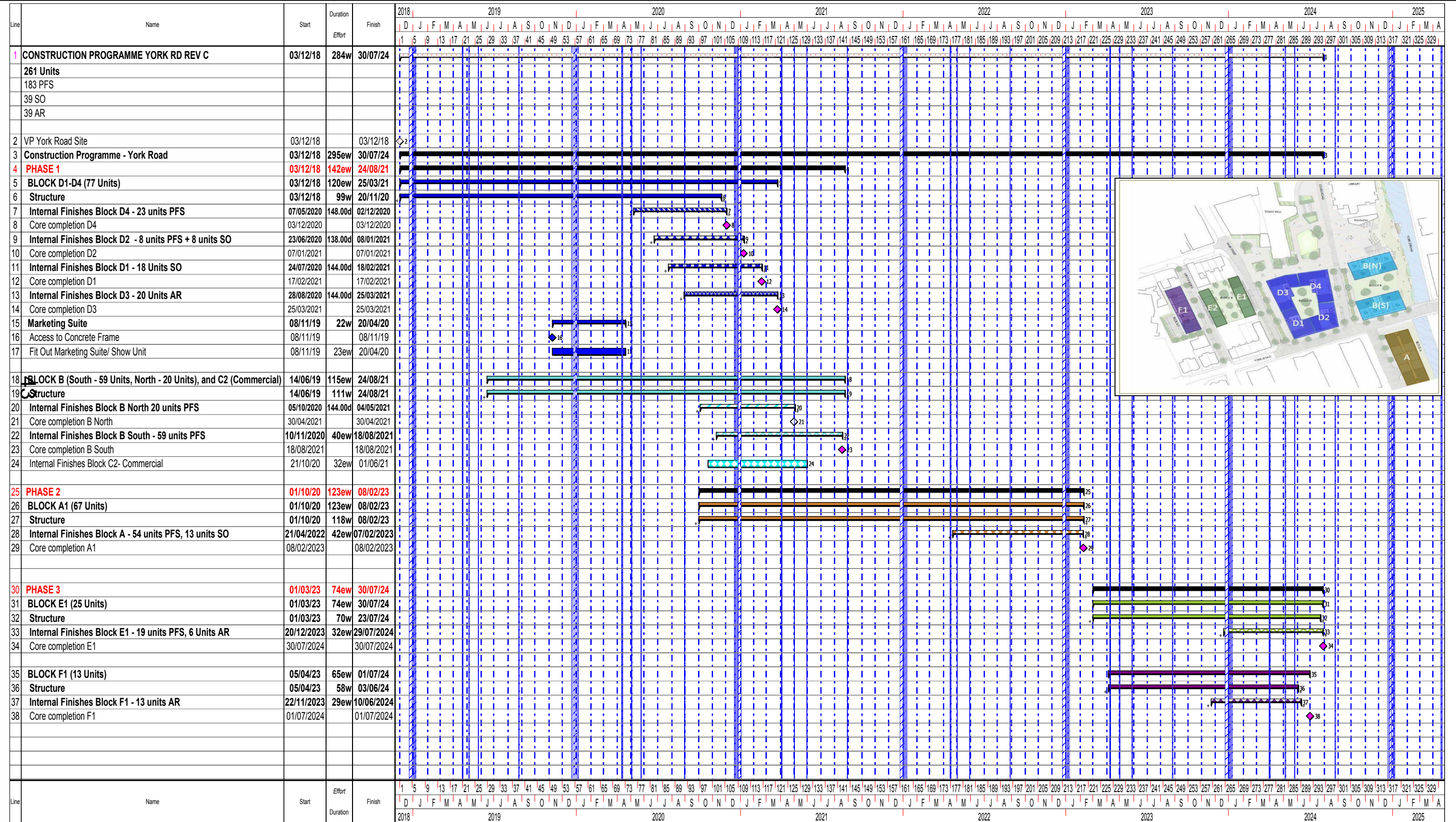


Planning Programme		July	August	September	October	November	December	January	February	March	April	May	Jun	July	
Stage 1 - EIA	Preparation of EIA Screening Request.														
	Submission of EIA Screening Request.														
	Consultation on EIA Screening Request.														
	Receipt of EIA Screening Response.														
Stage 2 - PPA & Design Team meetings	Fortnightly Design Team meetings.														
	Circulate PPA Meeting 1 information to RBWM.														
	PPA Meeting 1 - August 2017.														
	Circulate PPA Meeting 2 information to RBWM.														
	PPA Meeting 2 - September 2017.														
	Circulate PPA Meeting 3 information to RBWM.														
	Circulate PPA Meeting 3 information to RBWM.														
	Circulate PPA Meeting 4 information to RBWM.														
	PPA Meeting 4 - November 2017.														
	Circulate PPA Meeting 5 information to RBWM.														
	PPA Meeting 5 - December 2017.														
	Circulate PPA Meeting 6 information to RBWM.														
	PPA Meeting 6 - January 2017.														
PPA Meeting 7 (Validation Review) - February 2018.															
Stage 3 - Engagement	Public and Stakeholder Exhibition 1.														
	Public and Stakeholder Exhibition 2.														
	Pre-submission meeting with RBWM Councillors.														
Stage 4 - Planning Application Preparation	Design Scheme Freeze.														
	Deadline for issue of final technical reports, assessments and plans.														
	Submission of the planning application to RBWM.														
Stage 5 - Determination	Registration and validation of the planning application.														
	Planning application consultation period.														
	Statutory 21 day consultation period.														
	Monitoring of consultation responses.														
	Publication of Draft Planning Committee report.														
	Review of draft planning conditions and Planning Committee report.														
	Preparation of Deputation to Planning Committee.														
	Planning Committee.														
	S106 meeting with RBWM.														
	Complete S106 Agreement / Decision Notice issued.														
Judicial Review (JR) period.															

Maidenhead



Construction Programme York Rd Rev C



Programme Ref: MDH-Y/PH1-3/261U/ConstP/005 Rev C	Programme Issue Date: 11/01/2018 Programme Revised: 11/01/2018	Revision Notes: VP changed to 3 December 2018	Prepared By: MG Approved By:
--	---	---	--

This page is intentionally left blank

Agenda Item 9

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank