

Forward Plan reference number:

Report title: Land for Housing Development in Harlow	
Report to: Councillor Gagan Mohindra, Cabinet Member for Finance, Property and Housing	
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Date: 14 th October 2019	For: Decision
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County Divisions affected: Harlow, West	

1. Purpose of report

- 1.1. This paper seeks approval to draw down funding to progress a scheme at Westfield, North of Tendring Road, Harlow, (the Site) to outline planning determination stage (the Project).
- 1.2. This paper seeks approval to secure outline planning permission for a 60-unit affordable Independent Living for Older People development.
- 1.3. A further report will follow to agree the next steps if outline planning permission is granted on the Site.

2. Recommendations

- 2.1. To approve expenditure of £354,320 capital from the existing Essex Housing capital programme and £10,500 revenue from the Transformation Reserve to progress the Project by March 2021 to cover the costs of due diligence, detailed design, planning, and (Essex County Council) ECC internal costs.
- 2.2. To approve expenditure of £74,924 capital in 2019/20 to be fully funded from the existing Essex Housing capital programme.
- 2.3. To approve expenditure of £127,579 capital in 2020/21 to be fully funded from the existing Essex Housing capital programme.
- 2.4. To approve expenditure of £136,668 in 2021/22, £9,089 in 2022/23 and £6,060 in 2023/24 to be added to the capital programme to be fully funded from the existing Essex Housing budget.

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- 2.5. To agree drawdown from the Transformation Reserve of Revenue costs of £3,195 in 2019/20, £4,598 in 2020/21, £1,015 in 2021/22, £1,015 in 2022/23 and £677 in 2023/24 for the purposes outlined at section 2.1.
- 2.6. To note that a further report will be brought forward to seek permission to go to the market to procure a developer/provider once planning permission has been secured.

3. Background and proposal

- 3.1. The Site of (1.38 HA) is of close proximity to the centre of Harlow.
- 3.2. ECC has been considering development opportunities for the Site. The proposal is for 60 affordable Independent Living for Older People (ILOP) units to be placed on the site which are much needed in the locality.
- 3.3. Stanley Bragg Architects have been engaged with ECC providing professional advice and guidance including undertaking capacity studies of the Site, build costs have been provided by Oxbury Chartered Surveyors and planning appraisal provided by Bidwells.
- 3.5. A range of due diligence has already been undertaken which includes amongst other things capacity studies and planning reports as part of initial feasibility investigations. This has highlighted that there is a planning risk given the site is on green wedge land. Pre-application planning advice provided by Harlow Council has indicated that general needs housing would not be possible on this but delivery of an affordable ILOP scheme would be considered. More detailed due diligence will be undertaken as part of the design and planning phase with a second stage of pre-application advice sought to mitigate this risk.
- 3.6. This additional due diligence and Site preparation activity will include the finalisation of the detailed design of the Site and completion of the outline planning application process. ECC will look at utilising expertise in house, however, it might be necessary in formalising the design that additional resources are required. These will be procured through ECC's Request for Quote process, in accordance with ECC's Procurement Policy. Appointments will be done by the Development Operations Manager or equivalent in accordance with ECC's Financial Delegations.
- 3.7. As part of informing ECC's decision making on the future of the Site following planning permission being obtained, ECC will engage in an OJEU compliant procurement exercise to procure an Independent Living developer/provider to develop the Site, based on the outline design developed by ECC. The decision to go out to the market to procure a developer will be detailed in a further and separate report for a decision of the Cabinet member.
- 3.8. Please note that £22,723 capital and £2,538 revenue of the total values listed in section 2.1 is associated with advice and guidance to the Independent Living

programme through detailed planning and construction phases and will only be incurred following a further decision approving the procurement of a developer/provider for the scheme.

- 3.9. ECC's Essex Housing team will manage the Project. The key milestones as follows:

Milestone Description	Target Date
Design team appointed	December 2019
Detailed design and planning application preparation	July 2020
Planning permission secured (Inc. s106 negotiations)	November 2020

4. Options

- 4.1. The following options have been considered in detail:
- 4.2. Option 1 (recommended option) – For Essex Housing to secure outline planning permission for the development of 60 affordable independent living for older people units. Then procure a developer/provider to deliver and run the scheme (outside the scope of this decision). This is the preferred option, as it incurs the lowest cost and the greatest net benefit with the shortest payback period, will assist in meeting the need for specialist Independent Living accommodation in Harlow, and will assist Harlow Council in meeting the obligations under their local plan.
- 4.3. Option 2 – For Essex Housing to secure detailed planning permission for the development of 60 affordable independent living for older people units. Then procure a developer/provider to deliver and run the scheme (outside the scope of this decision). This is not being proposed at this time as it results in greater costs incurred by ECC.
- 4.4. Option 3 – Do nothing. Some maintenance costs have been identified however these are not deemed to be cashable savings to ECC.
- 4.5. Note, the option of disposal has not been proposed due to current local planning policies and constraints meaning the land would only have a nominal value for a disposal.

5. Next Steps

- 5.1 ECC will continue to work with the Site and progress its planning application with Harlow Council. Once planning has been obtained, a further report will be brought to consider whether ECC wish to embark on the development of the Site and therefore seek to appoint a contractor, or to sell the Site at that stage.

6. Consideration of Implications

6.1. Financial Implications

- 6.1.1. £354,320 will be drawn down from the Essex Housing capital programme for 2019/20, 2020/21, 2021/22, 2022/23 and 2023/24, with the project cost being drawn down from existing Essex Housing capital programme allocation.
- 6.1.2. This expenditure will progress the Project by March 2021 and cover the costs of due diligence, detailed design, planning, and (Essex County Council) ECC internal costs.
- 6.1.3. £10,500 revenue will be drawn down from the Transformation Reserve to progress the Project by March 2021 and will cover (Essex County Council) ECC internal costs.

6.2 Legal Implications

- 6.2.1 ECC has the power under the Local Government Act 1972 to acquire land and power under the Local Authorities (Land) Act 1963 to develop land for the improvement or development of its area. The aim of this scheme relate principally to ensuring that housing is available to meet the needs of Essex residents.
- 6.2.2 Any future building contract will need to be procured in accordance with the Public Contracts Regulations 2015, and will be part of a future decision by the Cabinet Member once planning approval has been obtained.

7. Equality and Diversity implications

- 7.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when ECC makes decisions it must have regard to the need to:
 - (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 7.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation.
- 7.3 An initial equality impact assessment carried out on 20 August 2018, indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic and a section 2 Equality Impact Assessment is not considered necessary.

8. List of Appendices

- 8.1 Equality Impact Assessment

9. List of background papers

9.1 None

I approve the above recommendations set out above for the reasons set out in the report.	Date
Councillor Gagan Mohindra, Cabinet Member for Economic Development	30/10/2019

In consultation with:

Role	Date
Executive Director for Corporate and Customer Services (S151 Officer) Stephanie Mitchener on behalf of Nicole Wood	24/10/2019
Monitoring Officer Laura Edwards on behalf of Paul Turner	15/10/2019