

Forward Plan reference number: FP/496/08/19

Report title: Drawdown from the Transformation Reserve and addition of funding to the capital programme for independent living accommodation in Chelmsford	
Report to: Councillor Lesley Wagland, Cabinet Member for Economic Renewal, Infrastructure and Planning Councillor Chris Whitbread, Cabinet Member for Finance Resources and Corporate Affairs	
Report author: Paul Crick, Director for Performance, Investment and Delivery Tel: 03330 133347 Email: paul.crick@essex.gov.uk	
Date: 02 September 2021	For: Decision
Enquiries to: Joel John, Development Operations Manager Tel: 03330 133041 Email: joel.john@essex-housing.co.uk	
County Divisions affected: Chelmsford	

1. Purpose of report

This paper relates to the funding and actions required to secure outline planning permission and site preparation for a 60-unit affordable independent living development for older people at the former St Peter's College Site in Fox Crescent, Chelmsford (the "Project") which is required to meet the need for specialist Independent Living accommodation in Chelmsford, and housing obligations in the Chelmsford local plan.

2. Recommendations

Councillor Lesley Wagland, Cabinet Member for Economic Renewal, Infrastructure and Planning

- 2.1. Approve the draw-down of capital funding for the Project from the existing Essex Housing block code within the Capital Programme, to be drawn down as follows:
 - a. £458,005 in 2021/2022
 - b. £68,951 in 2022/2023
 - c. £9,769 in 2023/2024.
- 2.2. To agree to commit £536,725 capital and £10,501 revenue to progress the Project which includes due diligence, detailed design, application for outline planning permission, site preparation and internal costs.

Councillor Chris Whitbread, Cabinet Member for Finance Resources and Corporate Affairs

- 2.3. Agree the drawdown of the following revenue costs from the Transformation Reserve to cover internal staffing costs in relation to the Project.

- a. £8,108 in 2021/22
- b. £1,305 in 2022/23
- c. £1,088 in 2023/24.

3. Summary of Issue

- 3.1. Essex County Council, as part of its vision to promote equality, is committed to enabling older people to live independently of adult social care, and so enjoy the best quality of life they can, for as long as they can. This proposal contributes towards this vision by supporting our work, with partners, to enable the development of specialist accommodation to provide the right care and support to people as they age. As part of the former St Peters College site at Fox Crescent, Chelmsford (the Site), an area has been set aside for a 60-unit affordable Independent Living for Older People scheme which forms part of a wider Masterplan for the area. As this is an outline planning permission decision, it will not, on its own, have any climate change implications. However, the subsequent decision to appoint a developer / provider to complete the design, detailed planning application, build and operation of the scheme will be required, as part of the selection process, to consider the environmental impact of the Project in line with the Council's ambitions on climate change and moving to net zero carbon emissions.
- 3.2. The Masterplan for the site, which is 0.64 HA and located less than 1 mile from Chelmsford City Centre, was submitted to Chelmsford City Council in February 2021 and includes housing, two Special Education Needs Schools as well as the Independent Living for Older People scheme which is much needed in the local area.
- 3.3. A range of due diligence has already been undertaken by ECC on the Project, including capacity studies and planning reports as part of initial feasibility investigations. More detailed due diligence will be undertaken following this decision once outline planning permission is granted.
- 3.4. Approval of the proposed recommendations will enable Essex Housing (a service in ECC) to undertake additional due diligence and Site preparation activity including finalising the detailed design of the Site and completing the outline planning application process which is required to progress this Project. ECC will utilise in-house expertise for this activity where possible however additional resources may be required to finalise the Project design. If necessary, these additional resources will be procured in accordance with ECC's Procurement Policy and governance requirements. The award of any contracts for such additional expertise will be subject to separate governance.
- 3.5. Following outline planning permission being obtained, ECC will need 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 and subject to separate governance. £22,469 capital and £2,501 of revenue drawn down from the Transformation Reserve is associated with advice and guidance to the Independent Living developer/provider through the detailed planning and construction phases and would only be incurred following any further decision approving the procurement of a developer/provider for the scheme.

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

Milestone Description	Target Date
Wider scheme design team appointed	July 2018 (achieved)
Wider scheme masterplan submission	February 2021 (achieved)
Outline Planning application preparation	July 2021 (ongoing)
Outline Planning submission	November 2021

4. Options

The following options have been considered:

- 4.1. Option 1 (recommended) – the drawdown of funding from the Transformation Reserve and the addition of funding to the capital programme will enable Essex Housing to seek outline planning permission for the development of 60 affordable ILOP units, undertake detailed due diligence and carry out site preparation. The grant of outline planning permission will enable ECC to procure a developer/provider to deliver and run the scheme which is needed in the locality. This is the preferred option, because it will assist in meeting the need for specialist Independent Living accommodation for older people in Chelmsford, it will meet the housing obligations in the Chelmsford local plan and will also offer the best value for money for the Council.
- 4.2. Option 2 – Do nothing (not recommended). – A decision has already been taken to progress the wider site for a housing-led development FP/070/02/18, and the Masterplan for the wider site allocates a portion of the site to deliver 60 affordable independent living for older people (ILOP) units to meet local need. This funding is needed to ensure that the Project can progress to the next stage.
- 4.3. An option to dispose of the Site has not been proposed due to its position within the wider St Peters development site. ECC has consulted on a masterplan for the entire site which was submitted in February 2021. Disposing of a section of the site to another landowner could impact on the delivery of the wider development and therefore is not recommended.

5. Links to Essex Vision

- 5.1. This report links to the following aims in the Essex Vision
- Enjoy life into old age

- Provide an equal foundation for every child
- Strengthen communities through participation
- Develop our County sustainably
- Connect us to each other and the world
- Share prosperity with everyone

For more information visit www.essexfuture.org.uk

5.2. This links to the following strategic aims in the Organisational Plan:

- Enable inclusive economic growth
- Help people get the best start and age well
- Help create great places to grow up, live and work
- Transform the council to achieve more with less

6. Issues for Consideration

6.1. Financial Implications

6.1.1 £536,725 will be allocated within the capital programme across 2021/22, 2022/23 and 2023/24, to be drawn down from existing Essex Housing block code. The total amount being requested is accounted for within the existing Essex Housing block code within the capital programme as approved by Cabinet. This requirement does not include any additional borrowing within the current capital programme.

6.1.2 This capital expenditure will progress the Project and cover the proportional costs of due diligence, detailed design, planning and site preparation.

6.1.3 £10,501 revenue will be drawn down from the Transformation Reserve to progress the Project and will cover ECC's internal costs.

6.2 Legal Implications

6.2.1 ECC has the power under the Local Authorities (Land) Act 1963 to develop land for the improvement or development of its area. The aim of this scheme relates principally to ensuring that housing is available to meet the needs of Essex residents.

6.2.2 Any future building contract and appointment of advisors will need to be procured in accordance with ECC procurement policy and the Public Contracts Regulations 2015 and will be part of a future decision once planning approval has been obtained.

6.2.3 ECC can only spend capital in accordance with its Capital Programme.

6.2.4 Drawing down of money from reserves does not authorise any expenditure that is a key decision or any significant changes to ECC services or funding which must be authorised by the relevant Cabinet Member.

7. Equality and Diversity implications

7.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
- (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, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

7.3 The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

8. List of Appendices

8.1 Equality Impact Assessment

9. List of background papers

9.1 None declared.

I approve the above recommendations set out above for the reasons set out in the report.	Date
Councillor Lesley Wagland, Cabinet Member for Economic Renewal, Infrastructure and Planning	16/09/21
I approve the above recommendations set out above for the reasons set out in the report.	Date
	07/09/21

Councillor Cllr Chris Whitbread, Cabinet Member for Finance, Resources and Corporate Affairs	
-----------------------------------------------------------------------------------------------------	--

In consultation with:

Role	Date
Cllr John Spence, Cabinet Member for Adult Social Care and Health	28.7.21
Executive Director, Finance and Technology (S151 Officer) Stephanie Mitchener on behalf of Nicole Wood	28.5.21
Director, Legal and Assurance (Monitoring Officer) Katie Bray on behalf of Paul Turner	02.09.21