

Forward Plan reference number: FP/793/08/20

Report title: Land for Housing Development in Maldon	
Report to: Councillor Chris Whitbread, Cabinet Member for Finance and Councillor Tony Ball, Cabinet Member for Economic Development	
Report author: Paul Crick, Director for Performance, Investment and Delivery	
Date: 3 rd November 2020	For: Decision
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County Divisions affected: Maldon	

1. Purpose of report

- 1.1. To progress development proposals following an earlier decision (FP/465/06/19) for land known as Primrose Meadow, Mundon Road, Maldon of which a part is currently owned by the Plume Academy and the remaining part is in ECC's ownership.
- 1.2. Approval is sought for ECC to enter into a conditional contract to purchase land at Mundon Road, Maldon from Plume Academy (the Site), conditional on ECC obtaining planning consent satisfactory to ECC and subject to satisfactory due diligence and Plume Academy receiving consent from the Secretary of State for Education to dispose of the Site.

2. Recommendations

Cllr Christopher Whitbread, Cabinet Member for Finance

- 2.1. Agree to purchase the site at a value no more than that set out in the Confidential Appendix.

Cllr Tony Ball, Cabinet Member for Economic Development

- 2.2. To authorise the Head of Essex Housing to agree the terms of the acquisition for the Site, for ECC to enter into a contract with the Plume Academy to acquire the site on the agreed terms conditional on receipt of planning consent satisfactory to ECC by the longstop date as set out in the confidential appendix and for ECC on exchange of the conditional contract to pay the deposit at the value and within the parameters set out in the Confidential Appendix.

3. Background and proposal

- 3.1. Primrose Meadow (the Development Site) comprises of land area of 3.03 HA and is in close proximity to the centre of Maldon. Part of Primrose Meadow with an area of 1.40 HA is owned by ECC and the remaining part of Primrose Meadow, the Site, has an area of 1.63 HA and is owned by the Plume Academy. ECC are considering purchasing the Site with such purchase being conditional upon satisfactory planning consent being obtained by ECC by the longstop date as set out in the confidential appendix and subject to due diligence and Plume Academy obtaining consent from the Secretary of State allowing the proposed disposal.
- 3.2. The Development Site will, if developed by ECC as proposed, provide a mix of good quality private and independent living for older people units which are much needed in the locality. The proposed development is for circa 132 residential units - 72 private and 60 affordable Independent Living units for Older People (ILOP).
- 3.3. Architects Stanley Bragg have been retained to prepare a capacity study, build costs have been provided by Oxbury Chartered Surveyors and financial appraisals of the development and marketing advice on units have been provided by Strutt and Parker.
- 3.4. 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 did not indicate any particular issues with the development. More detailed due diligence will be undertaken as part of the design and planning phase.

4. Options

- 4.1. Option 1 (recommended) – For Essex County Council to enter into a contract to acquire the Site from the Plume Academy, conditional upon ECC obtaining planning consent by the longstop date as set out in the confidential appendix satisfactory to ECC and subject to due diligence.
- 4.2. Option 2 (not recommended) – If Essex County Council decides not to acquire the site, the site could remain underdeveloped and ECC would lose an opportunity to address the increasing housing need in the Maldon area and would not provide additional general needs housing and Independent Living units.

5. Next Steps

- 5.1 ECC will continue to work on the project and progress its planning application with Maldon District Council following the earlier decision on the Site (FP/465/06/19). Once planning consent has been obtained, a further report will be brought to consider whether ECC wishes to embark on the development of the Site and therefore seek to appoint a contractor and trigger site purchase by obtaining a planning consent satisfactory to ECC, or to sell the Site at that stage.

- 5.2 ECC has established a housing development company, Essex Housing Development LLP (Development LLP). This Site may be considered for transfer to the Development LLP in future however this will be subject to a separate decision being put forward for approval.

6. Consideration of Implications

6.1. Financial Implications

- 6.1.1. The draft capital programme contains sufficient budget in future years to accommodate the needs of this proposal.
- 6.1.2. Given commercial sensitivity, the financial implications associated with this project are set out in the confidential appendix.

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 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 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 03 September 2020, 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. Confidential Appendix
8.2. Equality Impact Assessment

9. List of background papers

- 9.1 None

I approve the above recommendations relating to my portfolio for the reasons set out in the report.	Date
Councillor Cllr Chris Whitbread, Cabinet Member for Finance	08 January 2021
I approve the above recommendations relating to my portfolio for the reasons set out in the report.	Date
Councillor Tony Ball, Cabinet Member for Economic Development	08 January 2021

In consultation with:

Role	Date
Executive Director for Corporate and Customer Services (S151 Officer) Stephanie Mitchener on behalf of Nicole Wood	18 December 2020
Director, Legal and Assurance (Monitoring Officer) Susan Moussa on behalf of Paul Turner	3 November 2020