

Committee: Cabinet

**Date: 30
November 2017**

Title: Garden Communities Delivery

**Portfolio Holder: Councillor Ranger, Cabinet Member for
Communities and Partnerships**

Key Decision: No

Summary

1. This report sets out the current processes for the delivery of the Garden Communities and seeks approval to establish a delivery company and allocate funds to continue the delivery work.

Recommendations

2. The Cabinet is recommended to
 - a. Note the action to date and the approach to be undertaken.
 - b. Authorise the establishment of Uttlesford Garden Communities Limited and appoint Adrian Webb as the interim Director.
 - c. Allocate the sum of £50,000 from the forecast 2017/18 budget underspend to fund the first stage of the delivery process.

Financial Implications

3. As set out in this report.

Background Papers

4. None

Impact

Communication/Consultation	Consultation will take place as the process develops
Community Safety	No specific implications
Equalities	None
Health and Safety	No specific implications
Human Rights/Legal Implications	No specific implications
Sustainability	No specific implications
Ward-specific impacts	No specific implications from this report
Workforce/Workplace	None

Background

5. The Council has prepared a draft Regulation 18 Local Plan that proposes three new Garden Communities at North Uttlesford, Easton Park and West of Braintree. These new communities will be exemplars of 21st Century living providing well designed homes, high quality employment, services and facilities supporting a high quality of life and creating healthy, safe and vibrant places. The new Communities will make a significant contribution to support the future economic success of the district and nationally important business sectors and economic corridors.
6. It is important to recognise the level of ambition and scale of what is being proposed and therefore the timescale for delivery. Together these three new Garden Communities would comprise up to 18,500 new homes and 16,500 new jobs over a development period of around 25 years. The new homes will provide accommodation for up to 40,000 residents. There will be opportunities to ensure that this provision is targeted at existing local people (especially younger people) who may otherwise have difficulty in continuing to live and work in Uttlesford
7. The Council is committed to delivering any new settlement that is approved through the local Plan process, in accordance with The Garden City principles, published by the Town and Country Planning Association (TCPA). The ten principles are set out in full on the TCPA website and may be summarised as follows:

- 1. Land value capture for the benefit of the community:**

A distinguishing characteristic of the Garden City is the fair distribution to the community of the profits that result from new development. Capturing rising land values created by the development of the town can repay infrastructure costs and provide a portfolio of assets which are proactively managed in perpetuity for the benefit of the Garden City community. This requires the acquisition of land at, or near, current use value by a body with effective planning and land assembly powers.

- 2. Strong vision, leadership and community engagement:**

If Garden Cities are to be successful, they need strong political support and leadership, with a clear vision and firm commitment. This commitment should be made as early as possible in the planning process to provide reassurance and certainty for all parties. Both the designation process and the development of the Garden City should demonstrate a real commitment to community participation.

- 3. The long-term stewardship of assets:**

A suitable body will need to be established to manage the assets of the Garden City in the long term. This management body can take a variety of forms, and the most suitable approach should emerge through the design and delivery process. It is essential that a plan for financing the maintenance and management of community assets is set out at an early stage and appropriate finance endowed to the long-term stewardship organisation.

4. Mixed-tenure homes and housing types that are genuinely affordable for everyone;

A significant proportion of homes in a new Garden City must be 'affordable' for ordinary people and should include social rent.

5. A robust range of employment opportunities in the Garden City itself, with a variety of jobs within easy commuting distance of homes:

New Garden Cities must provide a full range of employment opportunities, with the aim of no less than one job per new household. While the changing nature of work means that the achievement of perfect employment self-sufficiency is impossible, the aim should be to reduce the need to travel to work as far as is practicable.

6. Beautifully and imaginatively designed homes with gardens, combining the very best of town and country living to create healthy homes in vibrant communities:

Garden Cities are defined by quality and innovation in all aspects of design and technology. Aesthetically this means aspiring to the very best domestic and commercial architecture with sensitivity to local vernacular design and materials. There is no single density requirement for Garden Cities but strong emphasis should be placed on homes with gardens and on space for both allotments and community gardens and orchards to provide for healthy local food.

7. Development which enhances the natural environment:

Garden Cities are places in which development enhances and does not diminish the natural environment secured through master plans which link generous private and community gardens with wider public green and blue space and ultimately with strategic networks of green infrastructure and habitat creation. Garden Cities offer the opportunity to be highly climate resilient through extensive green and blue infrastructure. They must also demonstrate the highest standards of technological innovation in zero carbon and energy positive technology to reduce the impact of climate emissions.

8. Strong local cultural, recreational and shopping facilities in walkable neighbourhoods:

Garden Cities are places of cultural diversity and vibrancy with design contributing to sociable neighbourhoods. This means, for example, shaping design with the needs of children's play, teenage interests and the aspirations of elderly in mind. Creating shared spaces for social interaction and space for both formal and informal artistic activities, as well as sport and leisure activities.

9. Integrated and accessible transport systems:

Walking, cycling and public transport should be the most attractive and prioritised forms of transport in the garden city. This means ensuring a comprehensive and safe network of footpaths and cycleways throughout the development, and public transport nodes within a short walking distance of all homes.

10. A strategic approach:

Ebenezer Howard saw the development of Garden Cities as part of a wider strategic approach to meeting the nation's housing needs. This was based on networks of new settlements well connected by public transport. A national policy for a new generation of Garden Cities should consider how these settlements contribute to the nation as whole; how they relate to aspirations for a more balanced economy; to long term climate resilience, and to new opportunities in industrial modernisation.

8. Officers are currently evaluating representations made on the Draft Regulation 18 Local Plan so that members can make a decision on the Regulation 19 Local Plan that will be submitted for Examination next year. As part of this process the District Council will need to provide evidence that new Garden Communities, following the TCPA principles, will be deliverable. There are a range of delivery options for the new Garden Communities and the choice of which option to use will need to be led by the issues the Council needs to address and the most effective means to do that to achieve the stated objectives. Set out below are some alternatives (there are other variants too) together with a short explanation of each one:

a. Local Asset Based Vehicle (LABV)

Typically a local authority invests land in a LABV and a Development Company then invests equity and provides development expertise. Croydon Council Urban Regeneration Vehicle is one example of this where there is a 50:50 partnership between the Council and John Laing.

<https://www.croydon.gov.uk/sites/default/files/articles/downloads/ccurvpresentation.pdf>

b. Development Corporation

In this case existing powers are used to establish a Development Corporation which has compulsory purchase powers and planning powers. The Development Corporation would own land, fund infrastructure, sell serviced sites to developers and receive an income from assets. An example of this approach is Ebbsfleet which is being developed by Land Securities. <http://ebbsfleetdc.org.uk/>

c. Locally Led Development Corporation

This is one of the models that the North Essex Garden Communities Company is exploring using powers set out in the Neighbourhood Planning Act. This approach is dependent on secondary legislation which has yet to be prepared. This scenario has the benefits described above with significantly more local political involvement and accountability.

d. Joint Venture (JV)

This is a variation on a LABV where a local authority forms a joint venture with a development company. The Council provides land and vision whilst the developer provides funding capacity and development expertise. Cambridge City Council took this approach with land at Clay Farm and called it a Collaboration Agreement (although in this case both partners shared the cost of funding infrastructure with equalisation provisions to apportion costs). Another example is at Barton where Oxford City Council and Grosvenor have established a Joint Venture on a 50:50 basis. <http://www.bartonparkoxford.com/vision/faqs.aspx>

e. Partnership

This may take a variety of forms and be a rather more loose 'working together' approach. Chilmington Green is an example of a local authority working with community partners. <http://chilmington-green.co.uk/index.php/help-us-build-a-new-community-at-chilmington-green/>

f. Traditional Planning Led Delivery

In this case a development is brought forward by a developer/promoter within the framework of the statutory planning process. Masterplanning is done through either Supplementary Planning Documents, or Development Plan Documents with development being controlled through Section 106/Community Infrastructure Levy and planning permission.

9. A number of these options would require significant input from the Council and in most cases that would be done through a wholly owned subsidiary company. It is therefore proposed to establish 'Uttlesford Garden Communities Limited' with Adrian Webb appointed as the interim Director. Articles of Association will be prepared and brought to a future meeting for approval.
10. The discussions with developers and promoters will be based on delivery viability assessments prioritised against an identified list of requirements for the community. These requirements will be summarised using a Summary Infrastructure Template (SIT). An example of a generic SIT is attached as Appendix One. It is envisaged that as the negotiations develop the 'timing' column will become more detailed and will probably be shown in 5 year bands (i.e. years 1 – 5, years 6 – 10 etc.).
11. The Council will appoint delivery viability consultants and employ experienced negotiators to ensure all the objectives of the Council are met and that all the Garden Community principles are followed.

12. In order to enable the establishment of the company, the engagement of the delivery viability consultants and the negotiators it is necessary to allocate to this part of the project the sum of £50,000 in the current year.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
The sum of £50,000 is insufficient to enable the work to be undertaken	2 – Quotes are awaited and a supplementary funding request may be required	3 – Commencement of this part of the project would be delayed whilst additional funding is sought	Quotes are awaited for the two pieces of consultancy work. Early indications are that the money will be sufficient for the current financial year.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Appendix One

SUMMARY INFRASTRUCTURE TEMPLATE GARDEN COMMUNITIES REQUIREMENTS			
PROPOSED GARDEN COMMUNITY: A NEW SITE			
DESCRIPTION	ON/OFF SITE	TIMING	BROAD COST
Site preparation and primary infrastructure <ul style="list-style-type: none"> • Site clearance • Access roads • Drainage • Lighting 	ON	EARLY	
Education Facilities <ul style="list-style-type: none"> • Early Years & Childcare Provision • x Primary Schools • x Secondary Schools • Any Further Education 	ON	EARLY & PHASED	
Community, Health & Wellbeing Facilities <ul style="list-style-type: none"> • Doctors' Surgery/Health Centre • Community Centre • Youth Provision • Social Services Provision • Libraries • Policing • Cultural Provision • Spiritual and Faith Facilities 	ON & OFF	EARLY & PHASED	
Housing Provision <ul style="list-style-type: none"> • Affordable and Key Worker Housing @ 40% • Lifetime Homes • Sheltered and Independent Living • High standards of build, materials and internal space standards • Advisory Design Board 	ON	PHASED	
Leisure and Sports Facilities <ul style="list-style-type: none"> • Neighbourhood Play Areas • Local Play Areas • Sports Centre • Playing Fields • Allotments 	ON	EARLY	

Sustainability Measures <ul style="list-style-type: none"> • Carbon Neutral Solutions • Adaption for Future Climate Change 	ON	PHASED	
Natural Environment <ul style="list-style-type: none"> • Greenspace and Bluespace Landscape Framework • Wildlife Provision • Possible Woodland Burial Site • New Country Park 	ON	EARLY	
Off Site Strategic Transport Contributions <ul style="list-style-type: none"> • Public Transport • Highway Network • Light rail link 	OFF	PHASED	
Utilities Provision <ul style="list-style-type: none"> • Electricity and Gas • Water Supply • Drainage and Water Recycling Centre • Sustainable Urban Drainage • Excellent Digital Connectivity (Ultrafast Broadband and 4G mobile phone) from the start 	OFF	EARLY	
Employment Provision <ul style="list-style-type: none"> • Local Business Hubs • Retail • Support for Local Business Start ups 	ON	PHASED	
Endowment for Community Assets <ul style="list-style-type: none"> • Education • Training and Skills • Health • Community • Sports and Leisure • Maintenance of Public Realm (built, green and blue) • Transport • Employment 	-	-	
Planning Performance Agreement <ul style="list-style-type: none"> • Officer resources related to DPD and planning application processing 			
Total all Infrastructure			