

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **CABINET**

DATE: **17TH MARCH 2015**

REPORT BY: **CHIEF OFFICER (COMMUNITY AND ENTERPRISE)**

SUBJECT: **FLINTSHIRE'S STRATEGIC HOUSING AND
REGENERATION PROGRAMME (SHARP) UPDATE**

1.00 PURPOSE OF REPORT

1.01 To provide Cabinet with an update on Flintshire's Strategic Housing and Regeneration Programme (SHARP).

2.00 BACKGROUND

2.01 This report provides an update for Cabinet on Flintshire's Strategic Housing and Regeneration Programme (SHARP) and seeks approval to progress the next key stages of the procurement to appoint a development partner.

2.02 At Cabinet in September 2014, approval was given to undertake a major procurement process to appoint a development partner, with the aim of developing 500 new homes (council housing and affordable housing) at a range of sites across the county, alongside commissioning a range of linked regeneration initiatives and community benefits. The Programme will have an initial period of 5 years¹. The Programme will be overseen by a Partnership Board whose decisions will be subject to approval by Cabinet.

2.03 The Commissioning Objectives (as approved by Cabinet in September 2014) are detailed below and illustrated in Appendix 1.

- Delivery of the Programme in a manner responsive to local needs and priorities;
- Quality of Housing which conforms to at least local planning level 3;
- A funding model which provides the initial capital investment for the Developments through borrowing; lease back; buy back options or other arrangements to be recouped through increased income from rents;
- Value for money facilitated by competitive pricing; robust and transparent costings supported by open book accounting²; performance reporting and monitoring;

¹ With the option to extend the agreement by a further period of up to 5 years (dependant on successful performance).

² Open book accounting provides the Council with visibility of Developers fixed and variable costs and profit etc. to allow for review and assurance of value for money via contractual mechanisms.

- Workforce and training initiatives;
- Environmental protection and improvements;
- Development of sub-contracting and supply chain opportunities including transparency of opportunities and award procedures including advertisement through Sell2Wales;
- Increased social capital through engagement and consultation with the community.

2.04 An indicative list of development sites has been provided to Bidders along with linked targets for the achievement of regeneration and community benefits. Indicative sites (as approved by the Cabinet in September 2014) are listed below:

Table 1. Proposed Phase 1 of Council and Affordable Housing Building Programme 2015/18

Site	No. of HRA Units	No. of Affordable Units	Total
The Walks, Flint,	30	65	95 ³
Custom House School, Connah's Quay	8	8	16
Land at Llys Alun, Rhydymwyn, (Former Primary School)	7	8	15
Former Bowling Green, Trelogan,	8	0	8
Maes Meillion, Leeswood,	6	0	6
Tan y Rhos, Nercwys	6	0	6
Redhall, Connah's Quay	6	0	6
Ffordd Pennant & Ffordd Hiraethog, Maes Pennant Mostyn	0	28	28
Canton Depot , Bagillt ⁴	0	25	25

Total: 210⁵

2.05 These sites are also shown at Appendix 2 in the context of a larger list of potential sites for inclusion. These potential sites which will be subject to further feasibility work and strategic assessment and approval to determine their suitability for inclusion in the SHARP. (Additional sites may also be identified as suitable for inclusion as the Programme progresses).

2.06 The Programme will commence with the redevelopment of 3 sites: the cleared sites of the maisonettes in Flint with a mix of circa 95 houses and apartments; the cleared site of a school in Connah's Quay and a rural site in Leeswood. As the Programme is developed approval of further sites as early priorities for development will be requested from Cabinet.

³ The original forecast of 100 units on The Walks Flint has been revised to 95 units based on more detailed feasibility work having been undertaken and feedback from Bidders.

⁴ A 3 year lease has been recently agreed on this site: so whilst the site is potentially available for housing, this will be towards the end of the programme.

⁵ Princess Avenue Buckley has been withdrawn from the original list, thereby reducing overall numbers by 10 affordable units.

- 2.07 The Programme also includes the potential to develop homes for private sale to maximise the value of Council land assets and has the potential (should the Council wish to do so) to invest the increase in land value realised, to provide cross subsidy for the development of Council and Affordable sites across the Programme.
- 2.08 To maximise the potential for regeneration and the creation of cohesive communities, the SHARP also allows for the construction of non-residential properties such as community buildings; commercial and retail units.
- 2.09 As per the Commissioning Objectives, the procurement is exploring the options for funding including self-financing funding from the private sector and prudential borrowing.
- 2.10 The procurement process has been led by a SHARP Evaluation Panel consisting of the SHARP Programme Manager and Council officers from Housing; Economic Regeneration; Finance; Planning; Communities First; Energy and Procurement. The Programme has also received support from external financial; legal and technical advisers. An interim procurement manager has been appointed to manage the procurement process.
- 2.10 The procurement has made good progress to date, meeting all of the key indicative procurement timetable milestones. The procurement (including time estimated for post tender implementation and mobilisation) is estimated to be 75% complete as at the 17th March.
- 2.11 The procurement was advertised via the Sell2Wales and the European Journal on the 25th September 2014. Six potential bidders completed and returned a Pre-Qualification Questionnaire (PQQ) to the Council by the stated closing date of 28th October 2014.
- 2.12 Following review and evaluation by the Evaluation Panel (against evaluation criteria based on the Commissioning Objectives), 4 Bidders were invited to participate in the tender process. The four bidders are:
- Galliford Try
 - Lovells
 - Keepmoat
 - Wates Living Space
- 2.13 The Bidders attended Dialogue Sessions with the Council's Evaluation Panel during December 2014; January and February 2015. Following the Dialogue Sessions in December bidders completed and returned a Detailed Solution which outlined their proposed approach. These Solutions have been evaluated and further dialogue has taken place with Bidders.

- 2.14 The current timetable for the Procurement aims for contract award during May 2015 (after cabinet approval has been obtained).
- 2.15 Running alongside the procurement has been the work of the Flintshire House Standard Task and Finish Group. The Group consists of tenants, Elected Members and officers and is facilitated by external expertise. The group has been developing a specification for a 'Flintshire Housing Standard'. This standard will inform the design and specification of the proposed new Council, affordable rent and private, for sale housing.
- 2.16 The Housing Standard will form a benchmark to ensure consistent, good quality of internal layout, and fixtures and fittings, high standards of energy efficiency and external appearance in keeping with local circumstance, low maintenance product specifications, adequate parking and a public realm designed to promote cohesive and inclusive communities. Bidders have been consulted on the feasibility of the Housing Standard during the tender process and their comments have been taken into account by the Task and Finish Group.
- 2.17 Dialogue has taken place with other North Wales local authorities and other public sector organisations to discuss whether they wish to join the Council as collaborative partners in the procurement. The benefits of collaboration include the potential to increase critical mass; gain greater benefits from economies of scale; share knowledge and expertise and share procurement and administration costs (by for example the Council charging a 'usage fee').
- 2.18 The discussions have been very positive to date, and it is apparent that Flintshire's arrangements appear to be well-established and advanced when compared with other authorities. The scope of the use of the Contract by other Contracting Authorities has also been very well received by Bidders.

3.00 CONSIDERATIONS

- 3.01 Key themes have emerged from the Dialogue Sessions and the Detailed Solutions submitted by bidders which have greatly assisted the Council to inform and develop the proposed approach to the delivery of the SHARP. However, they have also highlighted the need for the Council to consolidate its position on key aspects which underpin the SHARP in order to develop a framework that will realise the agreed Commissioning Objectives.
- 3.02 The key areas requiring further consideration are listed below under the following headings;
- Housing Delivery Programme including additional proposed sites for inclusion in the SHARP;
 - Funding Model;
 - Regeneration and Community Benefits;
 - Timetable revisions

Housing Delivery Programme

- 3.03 The initial phase of the Programme is spread over 5 years (with the option to increase the Programme over a further period of up to 5 years). The initial Housing Programme will be recommended by the Partnership Board as a gateway prior to Cabinet approval. The Programme will be structured on an annualised basis and will be designed to develop both more challenging and market ready sites concurrently (and / or consecutively). This will ensure measured development that is responsive to local needs and focused on achieving regeneration in priority areas, as well as the ability to achieve rapid results on more easily developable sites.
- 3.04 With this in mind, it is proposed to develop a process for the consideration of sites to be included within the Programme. It is proposed that this process should take the form of a business case approach which will consider the options in relation to disposal; development and investment of land assets. The business case would be developed via a cross-functional group taking into account the expertise of planning; housing; valuation and estates; economic development; legal; finance; equalities unit etc.
- 3.05 The business case for sites to be included within the Programme would be reviewed by the Corporate Assets Management Group (CAMG) and the SHARP Partnership Board prior to submitting to Cabinet for approval. It is proposed that this process be jointly developed and agreed by all Council stakeholders in readiness for inclusion by Cabinet as part of the report requesting approval of contract award.
- 3.06 Whilst the structure of the Housing Delivery Programme will be innovative and robust in terms of the delivery of all sites within an acceptable timeframe. It has become evident during the Dialogue Sessions that the development market is currently buoyant and that the SHARP needs to provide a strategic and structured commitment with a broad range of Council, affordable and private for-sale units at a number of sites across Flintshire.
- 3.07 The first phase of development will take place at three sites across the county; including two urban and one rural scheme. The plans for Flint are most well developed, due to advanced feasibility and site preparation as a result of the Flint Masterplan. It is also considered that Custom House School Connah's Quay could also be considered as a priority site for development, due to feasibility investigations already completed prior to the commencement of the Programme. Leeswood has also been identified as worthy of prioritisation due to its readiness for development and identified need in this rural location.

- 3.08 In order to maximize the potential benefits of the SHARP, all Bidders advised during the Dialogue Sessions that the utilisation of a site for private house sales at an early stage would assist to generate funding to “pump prime” the SHARP as a whole or to offset any costs or funding commitments from earlier developments or indeed to generally assist the funding of other Council priorities, (in the same way as if a receipt had been received from the capital receipts programme).
- 3.09 Any sites designated for private sales will be funded by Bidders’ existing private finance facilities. The intention of this approach is to increase land value. Under this approach up to 15% of the land value could be paid to the Council as deposit, with the balance of land value paid to the Council on completion of sales to individual purchasers. (The land value having increased by virtue of the development process, thereby realising greater returns compared to that realised by disposal of land assets without development).
- 3.10 In order to inform and illustrate this potential approach further site information has been provided to bidders on Maes Gwern, Trebeirdd, Mold as an indicative private for sale site (with no commitment for inclusion on behalf of the Council).⁶ The initial Dialogue with Bidders has provided very positive indications that this approach will work in the best interests of the Council. The tender process will agree a robust methodology for the calculation of land value and development processes, against which Bidders are being evaluated. These processes will then represent the agreed approach to be followed throughout the Programme.
- 3.11 Further sites are also suggested for inclusion in the procurement documents so that the Bidder’s approach to development and viability can be evaluated as part of the procurement. (These are listed below). All sites are indicative only and their inclusion merely allows for the earliest exploration of feasibility to facilitate the presentation of a draft Housing Programme for Cabinet promptly post Contract award. Bidders are currently being asked to prepare a draft business case (for presentation to Cabinet) as part of the procurement process.
- Former Police Station and Magistrates Court, Flint;⁷
 - Plas yr Esgob, Leeswood;
 - Former Dairy site, Connah’s Quay;
 - Former Ysgol Delyn School, Alexandra Road, Mold
 - Maes Gwern, Trebeirdd, Mold.⁸
 - A number of sites arising from the review of HRA garage

⁶ This site has been selected as it has been subject of a report commissioned by the Council on the future viability of sites in Mold. It is currently designated as commercial and would require a change in use designation to residential as part of the emerging UDP process. However early feasibility indications are positive in this regard.

⁷ This site is a priority for inclusion to allow for concurrent development with the site at Chapel Street Flint.

⁸ This site is a priority for inclusion to allow the potential to explore private for sale development within the procurement.

sites.

- 3.12 The current proposed tenure and unit mix for Chapel Street Flint is set out below.⁹ (This scheme is being used as an illustrative model to describe options around funding the programme).

Council Homes	Affordable Homes (inc. Affordable Rent, Affordable Home Ownership, Rent to Buy)
14 X 2 bed houses	6 X 1 bed apartments
8 X 3 bed houses	10 X 2 bed apartments
6 X 1 bed apartments	33 X 2 bed houses
2 X 2 bed apartments	16 X 3 bed houses
Total 30	Total 65
Gross total = 95	

Funding Solutions

- 3.13 Different funding solutions are applicable to financing the three housing tenures (council homes; affordable homes for rent and homes for private sale) within the overall Programme.
- 3.14 As per paragraph 3.09, all units for private sale would be funded by the developer with the Council investing the land for a capital receipt and/ or profit share.
- 3.15 During the Dialogue Sessions the option of self-financing funding solutions have been explored for both council homes and affordable homes for rent. These solutions range from private borrowing; lease back; buy back options or Council borrowing which would then be recouped through rental incomes (which are predicted through robust models making agreed allowances for voids; maintenance costs; rental income levels (including CPI etc.)
- 3.16 For public-finance routes, the Council’s position is strong given the impending voluntary agreement for Housing Revenue Account (HRA) self-financing. This option offers routes to long-term debt which remain the cheapest and most stable funding product available to the Council, alongside completion of the Welsh Housing Quality Standard (WHQS) for the existing stock. The Council has been successful in securing additional allocation of borrowing headroom for a HRA new build programme and the HRA is likely to generate further revenue and borrowing headroom during the life of this programme.
- 3.17 In addition, whilst the opportunity for the Council to support Housing development exists through the utilisation of Council Fund prudential borrowing, this may be subject to competing priorities by other Council services. However, this does present a potential

⁹ This tenure mix is for Chapel Street Flint and does not include homes proposed for the Former Police Station and Magistrates Court, Flint.

opportunity to deliver new homes cross-tenure outside the HRA, enabling the Council to make interventions in the market place to meet need, stimulate demand and deliver a return.

- 3.18 It is recommended that prudential borrowing is utilised for the development of council housing within the programme. Whilst this approach would be reviewed on a site by site basis, this option is cost effective and considered particularly appropriate as the Council properties will remain in the ownership of the Council from completion. Also as the anticipated level of expenditure is considered sustainable within the context of HRA self-financing and the recoupment of prudential borrowing costs via rental incomes (which are predicted through robust models making agreed allowances for voids; maintenance costs; rental income levels (including CPI etc.) as per 3.17 above.
- 3.19 In respect of funding solutions for affordable homes to rent, the most accessible options are long term leasing; obtained by a Council provision of a repayment guarantee (in much the same way as if the Council financed through public finance routes i.e. prudential borrowing): repayments would be funded from rental incomes with the Council making up any shortfall. (However the aforementioned cost models make robust allowances to make sure that there is sufficient headroom within the funding model to minimise this potential, therefore providing a high level of assurance that arrangements will be self-financing from rental incomes).
- 3.20 A variety of private funding terms are available within the market from 20 years plus to 40 years. The procurement will evaluate the most appropriate and economically advantageous term and advise Cabinet as part of the request to award the contract.
- 3.21 Bidders most consistently present a leaseback model of funding as the most economically advantageous private financing model available to the Council. As outlined in the Cabinet report of September 2014, within this model the Council provides the land for development; the developer then builds the units and leases these back to the Council. The units then revert back to the Council at the end of the lease period for a nominal sum.
- 3.22 The Council's current approach is to retain the title to the land whilst the units are built (the development period).¹⁰ On completion the developer (or funder) would purchase the units and lease these back to the Council. Currently, lease back funding is not being offered by the market to cover the development period, however the procurement is currently investigating funding options.

¹⁰ The alternative option would be to transfer the title to the developer which would seriously limit the sanctions available for the Council to ensure developer is delivering the sites in accordance with the specification and timetable. Therefore, the advantages of retaining title is that this is the most secure way to protect the Council's interests, as the Council retains control over the quality, delivery and land value of the sites until completion of all units. However, granting of title to the developer would remain a commissioning option.

- 3.23 As part of this process, Bidders will shortly be evaluated on their funding capabilities and the cost of providing funding (including the development period and via leaseback). In addition, Bidders will be allowed to present innovative forms and terms of financing as part of their offer (and these options may be commissioned as part of the funding for the Programme). Bidders will be evaluated on these options to demonstrate their capability to meet the Council's current and future funding needs (as these may develop throughout the course of the Programme). The report to Cabinet to award the contract will set out the results of these evaluations, identifying the most economically advantageous bid.

Community Benefits

- 3.24 An integral element of the SHARP is to support the achievement of the strategic objectives of the Council's Regeneration Strategy: 'a competitive Flintshire; sustainable communities and the creation of employment and skills' (including working with disadvantaged and targeted groups and social businesses); the development of supply chain opportunities (including for small and medium enterprises); local employment opportunities and education and training initiatives.
- 3.25 The Dialogue Sessions have involved working closely with Communities First and the Council's Economic Development Team to embed community benefits into the contract and to ensure that all Bidders are aware of existing networks and initiatives and that these will be supported and re-enforced by the SHARP.
- 3.26 Performance measures and targets in respect of Community Benefits are being co-produced with Bidders during the Dialogue Sessions and Bidders will be evaluated on measures proposed as part of the tender process. These targets will focus on measuring the impact of contract initiatives at local; countywide; North West Wales; Mersey Dee Alliance and Welsh wide levels: the aim being to have a systematic reporting structure which will not only inform performance reporting on the contract, but also fulfil other required reporting measures such as to the Welsh Community Benefits Toolkit and Communities First with the minimum of duplication.
- 3.27 A key area of work has been to ensure that the SHARP provides opportunities for local employment and has cohesive links to education and training initiatives. A new 'Client Based Approach' to construction industry training has been approved in November by the Welsh Government. This is led by the Construction Industry Training Board for Wales (CITB). This approach had been envisaged for incorporation in the early stages of the procurement¹¹ and as a result, the Council is in a position to adopt this new market leading approach in Wales.

¹¹ As it already presents a proven and effective industry solution to imbedding employment, skills and apprenticeships into the procurement of construction works in England and Scotland.

3.28 The approach sets out robust standards and goals for employment; apprenticeships; skills and training. The performance of the developer partner will be monitored against these standards as part of the contract and the Council would receive CITB accredited status for the contract.

3.29 There is also the option for the Council to implement this approach across all new construction Contracts and on this basis the Council would receive CITB accredited employer status. No other Welsh Local Authority has yet achieved this status and should the Council include the Welsh CITB standards on the Contract, this would place the Council at the forefront of emerging best practice in Wales and provide a foundation for achieving CITB accredited employer status should the Council wish to pursue this.

Proposed Timetable Revisions

3.30 In order to accommodate the recommendations below within the procurement process, (in particular the inclusion of further sites and investigations of funding solutions); Cabinet is asked to approve a slight extension to the bidding process with a report being made to Cabinet during May 2015.

3.31 This approach will allow further certainty of offers and for Bidders to be evaluated on the Council's position as it is currently 'best known'. In turn this will provide for increased confidence that the Preferred Bidder will have the capability to meet the Council's Commissioning Objectives and more rapid progress of the Programme post contract award.

4.00 RECOMMENDATIONS

4.01 Cabinet is asked to approve:

- Inclusion of new indicative sites as part of the Programme & further prioritisation;
- Prudential borrowing as the 'preferred approach' for Council units;
- Leaseback as the 'preferred approach' for funding affordable to rent units in Chapel Street, Flint;
- Incorporation of the CITB into the contract and subsequent (if desired) application to the CITB for the Council to achieve CITB accredited employer status;
- The new timescale to allow incorporation of the above elements.

5.00 FINANCIAL IMPLICATIONS

5.01 Site acquisitions will be made through budgets identified for this purpose. This will include utilisation of the Vibrant and Viable Places Programme, Housing Revenue Account and could also include Commuted Sums budgets (subject to policy approval).

- 5.02 The procurement costs are expected to be circa £260k in total. As a proportion of the total anticipated value of the first five years of the programme this is 0.5%. (There is provision for this to be extended to 10 for no extra procurement cost).
- 5.03 Initially the council will need to make provision to fully fund this; however as other partners utilise the development partnership some of these initial costs will be recovered.
- 5.04 The procurement costs are composed of interim Project Manager costs, specialist legal costs, development expert costs, and site investigation costs (to speed planning).
- 5.05 Procurement costs are to be shared between HRA/Council fund on the basis of 40% HRA, 60% council fund. Costs in 2014/15 are expected to be £200k in total. The HRA element of £80k can be met from the Flint maisonettes budget. The Council fund element can be met from revenue budget savings achieved through managed budgetary control.
- 5.06 The remaining procurement costs will be met from 2015/16 budgets. Once the contract is awarded, any ongoing project management costs can be capitalised, and potentially some of the procurement costs subject to capitalisation direction.

6.00 ANTI POVERTY IMPACT

- 6.01 The Commissioning Objectives for the SHARP will provide additional affordable housing and improved training, education and job opportunities in some of Flintshire's most deprived communities and would therefore have a positive anti poverty impact.

7.00 ENVIRONMENTAL IMPACT

- 7.01 As per the emerging findings of the Flintshire Housing Standard Task and Finish Group, all council, affordable and private market properties homes will be built to a minimum of Code for Sustainable Homes (CSH) Level 3 on all elements, apart from Energy & CO² when level 4 standards are expected as minimum.
- 7.02 A sustainability risk assessment has been undertaken. Bidder's environmental track record and capability to assure good practice was assessed at the PQQ stage of the procurement and the environmental impacts of Bidder's proposals will also be evaluated as part of the procurement.

8.00 EQUALITIES IMPACT

- 8.01 An initial equalities impact assessment has been completed, which has been reviewed as part of an ongoing assessment throughout the process. There are no negative equality implications arising out of this initial report and the positive implications remain as stated in

the Cabinet report of the 16 September 2014: including increased provision of homes to tackle homelessness; increased and improved provision of accessible homes for the disabled and elderly; the creation of a more cohesive and accessible communities; increased social capital through engagement and consultation with the community (including a bilingual requirement for all communications) and further social capital to be realised through training; employment and education opportunities. Plus, transparent and accessible supply chain opportunities including targets for social businesses and community groups.

- 8.02 Bidder's equalities track record and capability to assure good practice was assessed at the PQQ stage of the procurement and Bidder's proposals to ensure the achievement of equalities will also be evaluated.

9.00 PERSONNEL IMPLICATIONS

- 9.01 The resources required for the procurement are confirmed (as predicted in the Cabinet Report of September 2014) at approximately 800 days inclusive for all officers and external support. This includes the implementation and mobilisation of the project during summer and autumn 2015. The project has required support from external financial; legal; and technical advisers. A programme manager and an interim procurement manager have been in post since June 2014. The Council's existing technical advisers have been used for ad-hoc advice; PDW Ltd has been appointed as development advisers and a tender process appointed Weightmans as the project's legal advisers.

- 9.02 As well as the appointment of a development partner, the resource invested in the procurement will return a Flintshire Housing Standard and a portfolio of housing specifications based on this; a prioritised housing development programme; highly developed layout for Chapel Street Flint; sourced self-financing funding options for the programme and a framework for the delivery of community benefits. All of these elements being contained within a robust and transparently governed commercial structure, supported by performance monitoring and reporting.

10.00 CONSULTATION REQUIRED

- 10.01 As above, there are 6 review points built into the procurement process to ensure ongoing approval for the developing Programme strategy.
- 10.02 Further Consultation with the local community (including community groups) will be undertaken (with support from the Council's Equalities Unit), on the developments post appointment of the development partner.

11.00 CONSULTATION UNDERTAKEN

- 11.01 Consultation was undertaken during November 2014 on proposals for the re-development of Flint Town Centre. The event was attended by c. 300 people. This event was part of wider consultation with the local community in Flint to develop the agreed vision and outcomes as per the Flint Master Plan.
- 11.02 Consultation with the local community (including community groups) is being undertaken with support from the Council's Equalities Unit.
- 11.03 A Task and Finish Group is progressing the development of a 'Flintshire Homes Design Standard'. The Group consists of tenants, Elected Members and officers and is led by external development advisers. This Group is in the process of developing the design specification of the homes i.e. appropriate building code level and any specific design features to be applicable to the new Council, Affordable and private homes.

12.00 APPENDICES

- 12.01 Appendix 1 SHARP Commissioning Objectives Diagram
12.02 Appendix 2 SHARP Residential Development Sites

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

None.

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