

SLOUGH BOROUGH COUNCIL

REPORT TO: Cabinet **DATE:** 15 April 2019

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WARD(S): All

PORTFOLIO: Cllr Swindlehurst - Leader

PART I **KEY DECISION**

SLOUGH URBAN RENEWAL – PARTNERSHIP BUSINESS PLAN 2019-2024

1 Purpose of Report

- 1.1 The purpose of this report is to update Cabinet on the progress of Slough Urban Renewal (“SUR”). Whilst the report summarises the content of the Partnership Business Plan (“PBP”) for the five-year period from April 2019 to March 2024, it focusses on performance over the past 12 months and highlights Key Performance Indicators for 2019/20.

2 Recommendation

Cabinet is requested to resolve:

- (a) That the performance of SUR as set out in Section 5.4 be noted;
- (b) That the performance targets for SUR for 2019/20 as set out in Section 5 be agreed;
- (c) That subject to (b), to agree the Partnership Business Plan for the period to December 2024 subject to the amendment described in paragraph 5.26.
- (d) That it be noted that the SBC board representatives for SUR will be subject to review.

3 The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan

SUR delivers on the following priorities:

- Regeneration and environment – SUR is a limited liability partnership (LLP) that will help deliver a range of regeneration projects and improvement to the environment across the town.
- Housing – Upon completion of Wexham Green, SUR will deliver over 200 new houses and flats from the first two sites developed and subject to the Council signing an option in favour of SUR and subsequently approving the masterplan for the North West Quadrant, over 2,000 new homes within 10 years.
- Economy and skills – the completion of a range of Community Projects, including Centre Leisure and the development of identified sites for housing will bring direct benefit to the local economy and skills base from a concerted

effort to engage local businesses in the supply chain and integrating training opportunities for people employed in the construction process. Evidence has already highlighted how the Curve, Arbour Park and other SUR projects has given confidence to investors and developers that Slough is a place to do business.

- The actions of SUR is contributing to improving the image of the town. Having completed over 15 projects including the Curve, Arbour Park, the Ice Rink and approved proposals to build new hotels on the old library site, the Council has demonstrated ongoing commitment to the regeneration of the Heart of Slough through substantial public investment in the town centre and through a considered and innovative approach to design of new developments on key sites.
- Value for money – SUR is expected to achieve a higher rate of return when assets are disposed of than comparable traditional routes for disposal together with being a streamlined route for procurement.

3a. Slough Joint Wellbeing Strategy Priorities

SUR will contribute as follows:

- Increasing life expectancy by focusing on inequalities – The range of projects being delivered by SUR includes integrated community facilities that combine community, health care and commercial services. This is closely linked to One Public Estate Services that seek to improve services to local people.
- More active healthy lifestyles – SUR has delivered the Council's investment in new leisure facilities including Arbour Park CSF, the Ice Arena, Langley Leisure, Centre leisure and Salt Hill Activity Centre.
- Housing – Via SUR, the Council has the potential to build over 2,000 new homes within 10 years providing a mix of house types and tenures to meet the growing demand for people to live and stay in Slough.

3b. Five Year Plan Outcomes

- **Outcome 1** - The PBP includes the capacity to support the further delivery of new community facilities. Combined with improved housing, enhanced public realm and job creation, SUR is making a material contribution to assist children and young people to thrive in Slough.
- **Outcome 2** - The Council is delivering the property related aspects of the leisure Strategy via SUR. The new leisure centre, refurbished Ice Arena and new Community Sports Facility, combined with other projects, will assist to realise the objective of getting more people' more active, more often.
- **Outcome 3** - The proposals being developed for the introduction of the new hotels and the redevelopment of Stoke Wharf and Montem Lane are indicative of how SUR will greatly improve the built environment and make Slough a location of choice
- **Outcome 4** - By working through SUR the Council is able to ensure that good design and quality of new homes on Council land assets is achieved at the same time that a full mix of tenures is provided.
- **Outcome 5** - Using the development expertise of the Morgan Sindall Group, enhanced private sector knowledge and understanding is being used in developing the vision and implementation plan for the future of the centre of Slough.

4 Other Implications

a) Financial

The SUR Business Plan has a significant financial implication for the timing of major capital schemes and receipts to the Council. The PBP indicates that the Council will receive capital receipts (land value and share of development profits) that exceeds £27.4m over the next five years (please note this projection excludes the redevelopment of the former TVU site).

There are three key financial elements contained within the SUR Business Plan which have implications for the Council:

- 1) Residual Land Value: indicative figures from the latest PBP have been included within the capital strategy; however, the Council will need to ensure that these reflect best value at the time of disposal. These numbers will be likely to change over the course of the development process dependent on factors including specific site conditions and planning/affordable housing obligations.
- 2) A share of the development profit which is returned to the Council at the completion of each individual site. Whilst this is typically 50% of net profits, this is subject to variation for larger schemes and dependent on SBC taking an equal share of risk and providing additional funding. The PBP shows net profit receivable to the end of 2024, based on the completion of projects set out in the Financial Appraisal. This figure is subject to change over the course of the development process.
- 3) The scale of the capital development of the Council's infrastructure that it decides to procure through SUR.

b) Risk Management

Risk	Mitigating action	Opportunities
Legal - Some detailed legal issues have arisen as SUR has gained momentum and the complex legal framework that supports it has been tested.	Legal advice is sought in all cases to ensure the interests of the council are protected.	SBC has the ability to quickly initiate project delivery through the vehicle based on agreed forms of contract without the need for individual OJEU procurement. There is now a tried and tested suite of legal documents enabling rapid project initiation.
Property – the council entered into SUR in order to maximise the financial benefits from asset ownership and disposal. The risk is that the costs of the agreement are not outweighed by the benefits	Active participation in SUR and effective challenge of the development appraisals submitted by SUR on a site by site basis by informed staff.	The opportunity to maximise the financial benefits to Slough of effective management of the Council's asset base; unlocking new sites and enabling development through complex interdependent schemes.
Human Rights	n/a	
Health and Safety	n/a	
Employment Issues	n/a	The appendices to the PBP includes a Community Benefits Plan, which sets out the SUR approach to creating

		opportunities for employment, skills and training as well as collaborative working with local enterprises and FE colleges.
Equalities Issues	n/a	A separate SUR Equality and Diversity Policy is in place.
Community Support	n/a	
Communications – ineffective or inadequate communication about the benefits of SUR to Slough leading to negative approach by the community.	A Communications and Community involvement plan is part of the suite of documents that makes up the Partnership Business Plan and approved by SBC.	SBC has the ability to promote its regeneration agenda and the positive PR of the town through projects delivered by SUR and commercial developments that raise the profile of the borough. SUR continues to build its PR profile and attracts considerable interest across Local Government and the property sector.
Community Safety	n/a	
Financial	See comments above	
Project Capacity – inability for Council to manage growing SUR pipeline.	The Council is exploring options to increase internal resources to manage the growing SUR portfolio and the anticipated increase in workload associated with key regeneration initiatives that will arise within the next 10 years.	SUR is utilising MS Group development expertise and resources to progress major regeneration schemes including bringing MUSE into the DM team.
Other	n/a	

c) Human Rights Act and Other Legal Implications

The Partnership Agreement dated 22 March 2013 (“the Agreement”) made between The Council (1) Community Solutions For Regeneration (Slough) Limited (the Morgan Sindall entity for the purposes of the Agreement) (2) and SUR (3) provides for there to be in place a rolling five year “Partnership Business Plan”.

The Agreement also provides for there to be in place a business plan in respect of each site being redeveloped under the Agreement known as a Site Development Plan (“SDP”) or a business plan for each community project known as a Community Project Plan (“CPP”).

The Partnership Business Plans and Site Development Plans together constitute the Business Plans under the Agreement.

The Business Board of SUR are required, under the Agreement, not earlier than three months and not later than one month after 31 December in each year to prepare, agree and circulate for the approval of the Council and of the Morgan Sindall entity which is party to the Agreement a draft Partnership Business Plan for the next five financial years containing detailed content for the next two years and outline content for the following three years.

The Council and the Morgan Sindall entity must then use all reasonable endeavours to agree the plan including any amendments by unanimous vote within 20 business days of the plan being first circulated.

Once the draft plan is agreed by unanimous vote it becomes the “Partnership Business Plan” for the purposes of the Agreement. Any amendments can only be effective if unanimously approved by the Council and the Morgan Sindall entity. Failure by the Council and the Morgan Sindall entity to agree upon the draft Business Plan within 20 working days would constitute a “Deadlock Matter” under the Agreement which would then invoke an escalation procedure under the Agreement designed to lead to a resolution.

Continuing disagreement would constitute a “Deadlock Event” under the Agreement leading ultimately to a winding up of SUR.

There are no Human Rights Act implications associated with this report.

d) Equalities Impact

An Equalities Impact Assessment was completed at the point at which SUR was established, SUR has since established an Equality and Diversity Policy. The approval of the PBP does not require a separate EIA.

e) Property

See section 5 below.

5. Supporting Information

Background

- 5.1 Slough Urban Renewal (“SUR”) is a Local Asset Backed Vehicle (“LABV”) formed on a 50:50 limited liability partnership between Slough Borough Council (“SBC” or “the Council”) and a wholly owned subsidiary of Morgan Sindall Investments Limited (“MSIL”), itself a subsidiary of Morgan Sindall Group PLC. The over-riding objective of SUR is to assist the Council to meet its objectives in regenerating the residential, educational, leisure, social and commercial infrastructure of Slough.

The Partnership Business Plan

- 5.2 The first Partnership Business Plan (“PBP”) was adopted by Cabinet in March 2013 at the time of entering the joint venture with Morgan Sindall Investment Limited (“MSIL”) and was most recently approved by Cabinet in April 2018.
- 5.3 The PBP is a core document for SUR, which covers the strategic, operational and governance framework for the joint venture company. It sets out the strategic direction of the Partnership, with governance arrangements, operational business arrangements and provides a rolling 5-year plan of activities. The Partnership Agreement requires that the PBP is updated annually and formally agreed by both partners. For SBC, Cabinet is the identified decision-making body.

Summary of SUR Performance 2018/2019

5.4 In approving the PBP in April 2018, Cabinet agreed a set of performance indicators for each project. The table below highlights actual performance against these agreed targets, as follows:

No.	Project	Description	Agreed Performance Target 2018/19	RAG Status
1	Wexham Green	Residential development of 104 aspirational and family sized dwellings - with a mix of detached and semi-detached houses. The development is mixed tenure with 70 houses (67%) for open market sale and an affordable element purchased by the Council of 33 houses and one 'lifetime home' bungalow (33%).	Handover to SBC of Section 6 (16 affordable houses) by Spring 2018. Construction completion by the end of 2018. Sales complete by December 2019.	GREEN
2	Upton Road	10 large (4/5 bedroom houses) high-end properties for sale. See 5.8 below.	Subject to negotiation with SBC, secure planning consent and enter into the S106 Agreement by May 2018.	N/A, see 5.5 below
3	Stoke Wharf	A circa 250 unit development consisting of 1 and 2 bed apartments and 3 bed houses, extensive landscaping, public realm and community use.	Planning application submitted	RED See 5.6 below
4	Alpha Street	14 apartments which (subject to planning) will be developed simultaneously with the hotels project to provide affordable housing.	Planning application approved by July 2018. Construction to be in conjunction with 85 High St.	GREEN
5	85 High Street – Hotels Project	The redevelopment of the old library site to provide two Marriot branded hotels, circa 62 residential units and two ground floor restaurants.	Subject to planning application approved by July 2018 and SBC approval of the final business case - site start by October 2018	AMBER See section 5.7 below
6	Montem Lane	The redevelopment of the Montem car park and former Leisure Centre site to provide circa 130 new homes.	Planning consent secured for the site development prior to SBC providing vacant possession to enable construction to commence.	RED See 5.8 below
7	Wexham South	Proposed residential development of 24 two and three bedroom homes for private sale adjacent to the Wexham Green development	Planning application submitted by August 2018 to with anticipated site start before 31 March 2019	Amber See 5.9 below
8	North West Quadrant (former TVU site)	A potential mixed-use scheme providing residential, commercial and leisure uses	Commence master planning by year end subject to viability and scheme scope as defined in conjunction with SBC as landowner	N/A See 5.10 below
9	Weekes Drive	Prepare a preliminary planning and concept designs for a circa 90 unit development.	Concept design prepared	N/A See 5.11 below
10	Haymill	Prepare a preliminary planning and concept designs for a circa 35 two	Concept design prepared by year end in conjunction with the Haybrook College extension project.	N/A

		and three bedroom residential development.		
11	The Centre	New wet and dry leisure centre – under construction	Completion and handover by February 2019.	GREEN See 5.12 below
12	Montem Ice Arena	Refurbishment and Extension contract	Completion and handover by 23 March 2018	GREEN
13	Langley Leisure Centre	The extension and refurbishment contract	Completion and handover by end May 2018	GREEN
14	Salt Hill Activity	Conversion and refurbishment contract	Completion and handover by end May 2018	GREEN
15	Small Sites Phase 2	16 new affordable homes on 6 sites across the Borough	Completed and handed over by June 2018	GREEN
16	Small Sites Phase 3	Third phase of new Council homes and will provide 25 new homes on 6 sites across the Borough	On site by April 2018 and completion in May 2019. Under construction – now due for completion in July 2019.	AMBER
17	Small Sites Phase 4	Fourth phase of new Council homes and will provide circa 30 new homes on 6 sites across the Borough (STPP)	On site by September 2018 and completion by end 2019 On site in Jan 19 and due for completion in Feb 20.	AMBER
18	Rochford Gardens	Residential development of 21 flats on behalf of the Council; planning consent granted.	Construction to commence 2018 - subject to confirmation of SBC funding	N/A See 5.14 below
19	St. Marys Primary School	Completion of remodelling and expansion works	Completion and handover by April 2018	GREEN
20	Wexham Secondary School	New large annexe.	Completion and handover by December 2018	AMBER See 5.15 below
21	Marish School SEN Extension	Primary school SEND extension to include 6 classrooms and a multipurpose hall/dining facility.	Subject to confirmation of SBC funding, construction to commence in April 2018	RED See 5.14 below
22	Haybrook College	Secondary school new standalone Pupil Referral Unit and extension to the existing school to accommodate circa.70 more children	Subject to approval by SBC, PCSA in place by April 2018	N/A See 5.14 below

5.5 Following negotiations with SUR, the option for the site at Upton Road was released in 2018. The Council subsequently disposed of the site via an open tender process.

5.6 Stoke Wharf is a hybrid SUR project that involves a partnership with Waterside Places, which in itself is a joint venture between the Canal & Riverside Trust and Muse (a company within the Morgan Sindall Group). The revised business case was approved by SBC in October 2018 and both JV's have since approved the Partnership Agreement.. As a consequence, no progress was made in preparing the design and submitting a planning application; now due in November 2019. The project is therefore 12 months behind schedule.

5.7 SUR secured a satisfactory planning permission for the mixed-use project that includes two hotels, 64 apartments and ground floor restaurant in November 2018,

with Cabinet signing-off the financial business case in December 2018. Subject to achieving financial close, work will commence on-site in April 2019. The project has therefore been delayed by 6-7 months.

- 5.8 The opening of the new Leisure Centre at Farnham Road is now taking place in March 2019, with Practical Completion in June 2019. This will enable the Montem Leisure Centre to be decommissioned in April 2019 and demolished by July 2019. With SUR confirming that the planning application for the Montem site will not be submitted until November 2019, it could reasonably be stated that this project is one year behind the target set in 2018.
- 5.9 SUR submitted a planning application for the 24 unit scheme at Wexham South within agreed timescales, however the anticipated site start is now June 2019, therefore the project has been delayed by circa 3 months.
- 5.10 SBC has not granted an option in favour of SUR to redevelop the former TVU site, therefore master planning has not commenced. SUR is ready to progress the scheme, if/when the option is signed and executed.
- 5.11 Weekes Drive is one of the sites that were optioned to SUR at the inception of the partnership. Negotiations have been ongoing in 2018/19 for this option to be released to allow SBC to promote an SBC Housing-led development.
- 5.12 Having secured planning permission for a specialist supported housing scheme at Rochford Gardens, the Council decided that it would not proceed. This was on the basis that it wished to review the design and layout to reduce capital costs and maximise efficiency to improve long-term viability. No decision has been made about appointing SUR to develop the future scheme.
- 5.13 The Wexham School expansion project was completed on schedule and the building is being enjoyed by the pupils. However, due to the phased nature of the project and additional s278 works, the completion of the whole project was delayed by 1 month. There are significant snagging issues still to be resolved.
- 5.14 Although the Marish project was initially awarded to SUR and groundworks had started on site under a Pre-Contract Service Agreement ("PCSA"), due to cost increases, it was decided to tender the project to the market. A successful contractor through this market tender was announced early-April 2019. A decision was taken to use the Marish tender as a market testing exercise to determine how best to procure future school projects. The outcome of this market testing will determine whether the Arbour Vale and Haybrook expansions will be awarded to the SUR or tendered to the market.

Future Development Opportunities & Performance Targets 2019/20

- 5.15 Section 4 of the PBP sets out the future development opportunities for SUR. Sections 5.16 - 5.20 below set out the targets for Commercial, Leisure and Affordable Housing projects for the 12 month period from 1/4/19. As follows:

5.16 Commercial (Residential) Projects Targets

No.	Project	SUR Description	Performance Target 2019/20
1	Wexham Green	Residential development of 104 aspirational and family sized dwellings - with a mix of detached and semi-detached houses. The development is mixed tenure with 70 houses (67%) for open market sale and an affordable element purchased by the Council of 33 houses and one 'lifetime home' bungalow (33%).	Construction completion by the end of March 2019. Sales complete by September 2019.
2	Stoke Wharf	A circa 250 unit development consisting of 1 and 2 bed apartments and 3 bed houses, extensive landscaping, public realm and community use.	Execution of the JV agreement and Planning application submitted by November 2019.
3	Alpha Street	14 apartments which (subject to planning) will be developed simultaneously with the hotels project to provide affordable housing.	Development Agreement with SBC to be executed and construction to commence in 2019.
4	85 High Street – Hotels Project	The redevelopment of the old library site to provide two Marriot branded hotels, circa 62 residential units and two ground floor restaurants.	Subject to SBC approval of the final business case - site start by June 2019
5	Montem Lane	The redevelopment of the Montem car park and former Leisure Centre site to provide circa 160 new homes.	Approval of the DI SDP, design and development to enable the submission of a planning application by November 2019.
6	Wexham South	Proposed residential development of 24 2 and 3 bedroom homes for private sale adjacent to the Wexham Green development	Achieve Contract Close and commence construction in by June 2019.
7	North West Quadrant (TVU site)	A potential mixed-use scheme providing residential, commercial and leisure uses	Subject to SBC approval, execution of the Option Agreement and progression of the master planning in accordance with same.
8	Haymill	Prepare a preliminary planning and concept designs for a circa 35 two and three bedroom residential development.	Subject to SBC discharging the 'Haymill condition' for the satisfactory disposal of the site - DI SDP approval and subsequent design and development to enable a planning submission in 2019.

5.17 The SUR description for the scheme at Montem Lane (Section 5.4, project 6) in 2018 was based on a feasibility study originally undertaken in 2015. This proposal predated the Planning Authority's condition of disposal for 160 car parking spaces for the Ice Arena and did not take account of a Cabinet decision in 2012 to provide some form of bus route into Chalvey. Despite this, a revised feasibility and capacity study has been undertaken that show the potential for a scheme with 30 additional units.

Accordingly the Draft Indicative Site Development Plan (“DI SDP), the scheme layout and development costs are being revisited.

5.18 In approving the original PBP in 2013, Cabinet granted SUR an option for Weekes Drive (Section 5.4, project 9). Following the Cabinet approval in October 2018, officers are working with SUR to seek the release of this option to facilitate an SBC housing-led project that could provide circa 110 social and affordable homes.

5.19 Leisure Projects Targets

No.	Project	SUR Description	Performance Target 2019/20
9	The Centre	New wet and dry leisure centre under construction	Due to contract variations, the Centre will be completed in March and external areas in June 2019.

5.20 SBC Small Sites Targets

No.	Project	SUR Description	Performance Target 2018/19
10	Phase 3	Third phase of new Council homes will provide 25 new homes on 6 sites across the Borough.	Under construction due for completion in July 2019.
11	Phase 4	Fourth phase of new Council homes will provide circa 30 new homes on 6 sites across the Borough (STPP)	On site in January 2019 and due for completion in February 2020.

Links to Economic Development

5.21 SUR’s development activity will support the Council’s drive towards achieving a Social Return On Investment (“SROI”), linking property-led investment (whether residential or community) to the creation of jobs, contributing to the wider economy or adding social value.

5.22 The role of SUR’s Community Benefits Employment & Skills Coordinator, has had a positive impact over the last year engaging with the Council and third parties about planning, managing and delivering the community benefits programme. This includes providing opportunities to improve skills and training, attending careers advisory events, managing the supply chain to deliver against the CITB targets, arranging apprenticeships and work experience and overall supporting a series of community & schools events engaging with over 2000 students.

Across the delivery partners and the supply chain, over 25 apprenticeships/training positions have been achieved including trades, administrative and degree/management level positions. SUR also supported the successful completion of 4 apprentice/training positions. As a result, when SUR received its annual CITB national Skills academy for Construction review it achieved 50% of the 36 month target in the first year alone.

5.23 These KPI’s will be regularly reviewed to make sure that the Council realises objectives associated with maximising benefits to local people and the local economy.

Governance

- 5.24 Delivery of the objectives in the PBP is the responsibility of the Partnership Business Board. To ensure the shared governance arrangements of SUR (and deadlock provisions), the Board has equal representation from SBC and MSIL (three members each). The General Manager of SUR is responsible for the day-to-day management of the Partnership's activities.
- 5.25 The Council is currently reviewing its board representation – under the terms of the PA it is required to retain two members of staff and one elected member.

Amendment

- 5.26 Paragraph 1 of the *SBC Education key messages* section on page 6 of the *Communications Strategy and Plan – 2019* will be amended to read “Since 2007 Slough has increased the capacity of the school estate by more than 50%. While there is further growth projected in the secondary and SEND sector, it is anticipated that projects already agreed by Slough will provide the majority of the capacity needed in the long term.”

6. Comments from other Committees

None

7. Conclusions

- 7.1 Having been introduced in 2013, SUR is now an established vehicle delivering a series of regenerative, social, economic and financial benefits for Slough. This PBP indicates how SUR will evolve over the next 5 years. However before doing so, Cabinet should also consider actual against planned performance over the past 12 months.
- 7.2 Looking at the table in section 5.4 and excluding the 5 projects that were either removed or not initiated, SUR achieved the KPI set for 9 of the remaining 17 projects (53%), with a further 5 (29%) being Amber. This leaves a balance of 3 projects (18%) that are deemed to be Red. Looking into the detail of these projects, two of them (Montem and Stoke Wharf) are significant commercial housing projects that are in the concept/feasibility stage and are each circa 12 months behind schedule. Marish School (section 5.4, project 21) was initiated and subsequently retendered due to concerns expressed about the overall project cost being presented by SUR.
- 7.3 Working on the presumption that the hotels-led redevelopment of the former central library site will proceed in April 2019, the most important decision to be made by the Council in 2019/20 is whether or not to grant the option in favour of the SUR to redevelop the former TVU site.
- 7.4 Importantly, the plan balances property and financial-led objectives with strong commitment on how SUR will create jobs, introduce training places and maximise opportunities for people in Slough. SUR has delivered over 15 projects in the last six years, of which a significant number have been Community Projects. Concurrently it has been progressing Site Developments and is now entering a period where it will

significantly progress its residential and commercial developments as part of a series of key regeneration sites.

8. **Appendices**

8.1 Appendix One – Partnership Business Plan

Note: A copy of Section 8 (Financial Appraisals) of the SUR Partnership Business Plan 2019-2024 (which contains commercially sensitive information) can be viewed by Councillors (contact Cassandra Polyzoides - 01753 - 875852 or kassandra.polyzoides@slough.gov.uk).