

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Prosperous Communities Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 28 February 2017 commencing at 6.30 pm.

Present: Councillor Sheila Bibb (Chairman)
Councillor Gillian Bardsley (Vice-Chairman) and Councillor Steve England (Vice-Chairman)

Councillor Owen Bierley
Councillor Michael Devine
Councillor Paul Howitt-Cowan
Councillor Mrs Jessie Milne
Councillor Malcolm Parish
Councillor Lesley Rollings
Councillor Thomas Smith
Councillor Judy Rainsforth

In Attendance:

Manjeet Gill	Chief Executive
Ian Knowles	Director of Resources and S151 Officer
Eve Fawcett-Moralee	Director Economic & Commercial Growth
Alan Robinson	SL - Democratic and Business Support
Jo Walker	Team Manager Projects and Growth
Katie Coughlan	Governance and Civic Officer
Dinah Lilley	Governance and Civic Officer
Jana Randle	Governance and Civic Officer

Apologies: Councillor Mrs Diana Rodgers
Councillor Trevor Young

Membership: Councillor Judy Rainsforth substituted for Councillor Young

Also Present: Councillor Matthew Boles
Councillor Jeff Summers
Councillor David Cotton
Councillor Ian Fleetwood
Councillor John McNeill
Councillor Adam Duguid

85 MEMBERS' DECLARATIONS OF INTEREST

Councillor David Cotton, as a Visiting Member, sought advice regarding the position of serving Planning Committee Members in relation to agenda item 4 (Development Partner).

In responding the Monitoring Officer advised that pre-determination rules had become more liberal in recent years, and as long as Members kept an open mind and stated such when considering any future planning applications which may arise as a result, their position was sound. It was suggested that at any future Planning Committee, affected Members should state that they had debated the matter at the Policy Committee, but still had an open mind and would listen to the debate and make their decision based on this.

No declarations of interest were made.

86 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

87 DEVELOPMENT PARTNER

West Lindsey District Council had committed to an ambitious programme of housing growth and town centre regeneration in Gainsborough which would build on the success of previous development and enable the town to fulfil its potential as an attractive and thriving sub-regional centre. Securing a strategic development partner was integral to the success of this programme and the delivery of the vision for Gainsborough and the District.

In October 2016, Members had approved the Contract Notice (OJEU Notice) and the Memorandum of Information that set out the scope of the procurement for the Development Partner.

Members had also approved the Selection Questionnaire (“**SQ**”) and related evaluation criteria to enable the Council to shortlist bidders for the next stage of the procurement process, referred to the Outline Solutions stage.

Following these approvals, on 14 November 2016, the Contract Notice was published in the Official Journal of the European Union (“**OJEU**”) inviting expressions of interest from organisations wishing to enter into a long term Joint Venture with the Council to deliver a phased programme of commercial and housing development in Gainsborough.

The Council was conducting the procurement in accordance with the Competitive Dialogue procedures pursuant to Regulation 30 of the Public Contracts Regulations 2015.

Following the receipt of expressions of interest from a number of developers, Members were asked to acknowledge the proposed shortlist of candidates to be taken forward to the “Invite to Submit Outline Proposals (ISOP) stage of the process. Members were also asked to approve the ISOP document which had been appended to the report.

In order to aide Members understanding of the process to date, the process going forward and the purpose of the ISOP document, the Director of Economic & Commercial Growth and the Team Manager for Projects and Growth made a presentation to Members.

During the presentation, Members were provided with information relating to the following: -

- A reminder of the vision and aspirations of West Lindsey District Council, in terms of the District's regeneration and the challenges this posed and thus for the need to attract a Development Partner;
- Details of the five stages of the Competitive Dialogue Procurement Process that would be undertaken prior to any Notice of Award, noting that Committee approval would be sought at each and every stage;
- The next stage of the process, the ISOP, and its purpose, which was to focus the shortlisted developers on producing proposals for Gainsborough and the wider District that could be evaluated by the Council in accordance with the pre-disclosed evaluation criteria. Three phases of development had been identified to assist bidders in producing a "Partnership Business Plan". These were shared with Members. It was noted that the phasing and sites had been provided to assist Participants in their bid submission but not to constrain their proposals. The scope of the contract notice allowed for flexibility, for example if a development partner had an idea for development which might enhance the regeneration outcomes for the town centre but that wasn't explicitly mentioned within the procurement documents, they could include this as an 'ancillary site or project' provided it was fitting with the overall scheme objectives;
- A sample of the development principles which had been set for each phase. It was stressed that these did not need to be delivered in a sequential order;
- The Evaluation Criteria that the Authority would use to evaluate the bids, and the weighting which would be applied to each section;
- In depth details of each section of the evaluation criteria and what bidders would need to demonstrate under each section;
- Details of the enabling funds and town centre sites for inclusion, which had previously been approved, to support the project and the progress which had been achieved to date ;
- Examples of previous re-developments undertaken by those developers who would be invited to proceed to the next stage of the process; and
- On approval of the ISOP, the next stages which would follow and which would conclude with the Committee giving consideration to the received outline proposals in July 2017.

Debate ensued with Members asking a number of pertinent questions and suggesting that there should be some sort of over-arching connectivity plan to ensure all sites were well connected , not just transport terms, but in ways which addressed the Health agenda, for example safe walking and jogging routes, cycling routes and play areas. This was something that was currently made easy around the town.

In responding Officers advised that the Gainsborough Master Plan was the base document from which these proposals had been developed. Such requirements were explicit in that and thus were implicit in this piece of work, however Officers gave assurance that this element would be addressed in any forthcoming negotiations.

In responding to further questions, Officers advised that a report on a potential Marina would be submitted to the Committee's next meeting. It would not be ruled out from the Development Partner proposals, however the land was not in the Council's ownership and thus this would require a slightly different approach being adopted.

Assurance was also sought and received that any Joint Venture Company would be a separate legal entity to the Council. The Council would be a shareholder and would agree a business plan which would be reviewed on an annual basis. The phrase “buyer of last resort” was also clarified to Members satisfaction. The cost to the Council in establishing any JV was also outlined

Members felt it paramount that there should be no publicity issued by any developer regarding any proposals unless prior consent had been given by the Council. Officers gave their assurance that this would be addressed with any successful bid and confidentiality was of paramount importance whilst in a competitive dialogue procurement process.

Members sought and received information regarding the future potential use for a number of the sites mentioned within the proposals, and how this may affect those sites’ current usage. It was accepted that car parking in the town needed to be resolved and Officers advised an update report was being prepared for consideration at the Committee’s next meeting.

Finally in responding to Members comments, Officers outlined the independent advice and in house expertise which had been sought in working up the proposals, by way of assurance.

On that basis it was unanimously **RESOLVED** that:

- it be recommended to the Corporate Policy and Resources Committee, that the proposed ISOP documents appended to the report be approved;
- it be recommended to Corporate Policy and Resources Committee that subject to further testing of the legal structures, in principle the Council enters into a Joint Venture with a selected development partner for the delivery of the regeneration programme as part of the ISOP process;
- it be agreed to delegate any final changes to the ISOP document to the Chief Executive, following consultation with the Chairs of Prosperous Communities and Corporate Policy and Resources Committees; and
- it be recommended to Corporate Policy and Resources Committee, that a further budget of £75,000 to support and conclude the procurement process for the development partner and legal costs of the creation of the Joint Venture Company, to be funded from the Investment for Regeneration and Growth Earmarked Reserve, be approved.

The meeting concluded at 7.25 pm.

Chairman