

CEO DECISION – CD167

Title: Western Lands- Strategic Planning Advice

This decision seeks approval for expenditure on strategic planning advice to help inform the Western Lands Strategic Outline Case (SOC) and the preparation of a business case for GLA Land Fund investment. The work is required to support the assessment of delivery options in the SOC and investment options for sites that can form an early phase of delivery within the Western Lands.

The work will be carried out under the existing strategic planning advisory call-off contract that OPDC holds with Quod.

The expenditure will be funded from the Delivery Team Western Lands budget 2021/22. The approval for the expenditure is being made under a delegation to officers granted by OPDC's Board at its March 2021 meeting. Cumulative expenditure to date on the SOC under the March 2021 Board Delegation, inclusive of this decision is £218,500.

Decision

That the Chief Executive approves:

- i. Expenditure of up to £35,000 to instruct Quod, under an existing contract, to provide strategic planning advice for the development of OPDC's Western Lands SOC and a business case for GLA Land Fund investment.

Chief Executive Officer

I do not have any disclosable interest in the proposed Decision. It is consistent with OPDC's priorities and has my approval.

Signature:



Date: 10 November 2021

PART 1: NON-CONFIDENTIAL FACTS AND ADVICE

1 Background and context

1.1 In January 2020, the Board approved OPDC's revised delivery approach, which included the following the key elements:

- A new focus to the regeneration of the area, taking a comprehensive view of the 'Western Lands' along Old Oak Common Lane, Old Oak Lane and Victoria Road where key sites are owned by Department for Transport (DfT) and Network Rail.
- Developing the case for a comprehensive and coordinated approach to land, development and infrastructure to optimise the strategic opportunities that the area offers.
- Securing the support of major partners including public sector landowners and funders.

The Strategic Outline Case

1.2 Since January 2021, OPDC officers have worked directly with Homes England (HE) and engaged with other public sector stakeholders, including Network Rail, High Speed 2 (HS2) and our local boroughs, to begin the process of securing the support of the major partners to the development of the strategy for Western Lands. OPDC has also engaged with central government – via the Department for Levelling Up, Housing and Communities (DLUHC), Department for Transport (DfT) and the Infrastructure and Projects Authority – to discuss potential funding opportunities.

1.3 This engagement with government colleagues has led to a direction to produce, and jointly agree, a Strategic Outline Case (SOC) for the delivery of the Western Lands, to be developed in line with the Treasury's guidance for developing project business cases and will follow the "five case" model: Strategic, Economic, Commercial, Financial, Management.

1.4 Input to the SOC is being provided by both OPDC and HE officers drawing on in-house expertise, including input from the GLA Housing & Land Directorate and Transport for London (TfL) Operational Property, as well as by Savills (CD154, CD161, and CD165). Specialist planning input is required to ensure planning issues are fully considered and understood, and to inform the structure and evaluation of delivery options presented as part of the business case.

The GLA Land Fund

1.5 The GLA Land Fund, totalling circa £750m, supports programmes that accelerate housing delivery, increase affordable housing and unlock industrial intensification. OPDC officers have been working with the GLA's Housing & Land Directorate to identify opportunities for the GLA to invest in early housing delivery within the OPDC area, including the delivery of affordable homes.

1.6 Through the work to date on the Western Lands OPDC has identified several residential led investment opportunities that may meet GLA Land Fund criteria. Securing funding from the GLA Land Fund would support OPDC's regeneration objectives in the following ways:

- Funding would enable a critical mass of development to form a meaningful first phase of the Western Lands development scheme, generating confidence in the market, bolstering OPDC's ability to secure support from its partners, and strengthening the public sector's position in future developer procurement for subsequent phases; and
 - Achieving funding from the GLA is a significant step towards securing Government funding for the wider Western Lands opportunity. The ambition is to secure funding from a variety of sources, demonstrating that the relevant local and regional stakeholders are invested in and committed to the project.
- 1.7 Whilst the SOC and business case are both being developed predominantly by OPDC officers in-house, specialist planning expertise is now required to ensure that the town planning implications of the work are fully considered.
- 1.8 OPDC has an existing contract with Quod whereby Quod are instructed to provide strategic planning services and, more specifically, planning strategies to support a) the overall Western Lands delivery approach (including land assembly requirements) and b) the early implementation of GLA land fund investment opportunities – including how the proposals can be fully integrated.
- 1.9 This instruction is supporting the preparation of a business case to the GLA Land Fund to make the case for a programme of investment in the OPDC area. OPDC is aiming to reach agreement with the GLA on the investment opportunities that will be taken through the GLA's formal governance stages during autumn 2021.

Procurement approach

- 1.10 Following a mini competition, Quod were appointed in 2018 to provide strategic planning advice to OPDC under a TfL Framework Contract (TfL 91313 Task 110). The contract was initially due to expire in December 2020 but OPDC extend the contract for a further 12 months until December 2021 in accordance with the terms of the contract to enable the required services to be delivered.
- 1.11 In the contract with Quod, the total cost of the services is fixed at £158,394. To date, OPDC has spent £96,575 on this contract; the total cost of this commission is £35,000, which will take the total expenditure to £131,575.
- 1.12 At its March 2021 meeting, the Board approved a delegation to the Chief Executive Officer and the Development Director to authorise expenditure in 2021/22 of up to £250,000 to support the ongoing development of a business case as the basis of a future bid for Government funding. This approval is being sought within that delegation. A summary of approvals under the delegation is included below.
- 1.13 Expenditure authorisation against March 2021 Board delegation:

Western Lands workstream / appointment	Total approval	Decision
Gort Scott architectural support to SOC	£90,000	CD162
with expenditure forecast to be	£58,500	

Savills – SOC	£60,000	CD161
Savills – additional support	£65,000	CD165
Quod – planning advice	£35,000	CD 167 (This decision)
Total forecast expenditure under Board Delegation (including this decision)	£218,500	
Board delegation (March 2021)	£250,000	
Delegated expenditure approval remaining	£31,500	

2 The proposal and how it will be delivered

- 2.1 The instruction will be delivered in two parts; part one covering the SOC and part two focussing on OPDC's GLA Land Fund business case as follows:
- Part 1 includes strategic planning advice to support the SOC and will include a review of the anticipated delivery strategy, an analysis of risk and mitigations and recommended next steps. A report will be prepared by November 2021; and
 - Part 2 will consider the town planning options for the early delivery of sites identified for potential Land Fund investment, reviewing how this might integrate into a wider strategy for delivery of the Western Lands as a whole. A report will be prepared by November 2021.
- 2.2 Quod were appointed in 2018 to provide strategic planning advice to OPDC under a TfL Framework Contract (TfL 91313 Task 110) and is due to expire in December 2021. This instruction is covered by the scope of the existing contract with Quod and has been confirmed with TfL Procurement.

3 Objectives and expected outcomes

- 3.1 The objectives are to determine the town planning options, and subsequent strategy, to deliver development on the Western Lands – initially focussing on early delivery sites and how these might then integrate into a wider town planning approach to support the SOC.
- 3.2 The outcome of this instruction will be a report providing planning advice for OPDC to consider and inform the next steps of the Western Lands strategy. The overall outcome of this instruction will provide assurance that the town planning risks and issues are sufficiently considered and accounted for in the GLA Land Fund business case and SOC, leading to endorsement of the SOC from key Government departments (DfT, DLUHC and Treasury), allowing OPDC to progress funding, land, delivery and procurement plans.

4 Strategic fit

- 4.1 This proposal supports OPDC's Western Lands strategy; the revised delivery approach which was approved by the Board in January 2020. The work will provide

expertise necessary to prepare a SOC for submission to central government and a business case for GLA Land Fund.

5 Project governance and assurance

- 5.1 The Director of Projects will act as Senior Responsible Officer (SRO) for this commission, managing the contract with Quod. Day-to-day management of the work will be led by the Director of Projects and Development Director.
- 5.2 The SRO will coordinate, control and regularly monitor Quod's commission, ensuring that relevant outputs are reported internally.

Risks and issues

- 5.3 The following risks are associated with this proposal:

Risk description	Inherent score	Mitigations	Target score
The project's objectives and other major inputs and assumptions required for the business case are not agreed by major stakeholders, removing any consensus on conclusions made in the business case	Likelihood: 3 Impact: 5 Total: 8	Co-develop the Business Case with Homes England. Involve major stakeholders including Boroughs, Government Departments, the GLA and agencies at each stage	Likelihood: 1 Impact: 3 Total: 4
The SOC does not gain clear approval and decisions required from Central Government are either not supportive or not timely	Likelihood: 3 Impact: 3 Total: 6	OPDC has been guided by government to develop a jointly agreed business case in time for the spending review process. OPDC will also feed into the Mayor's Spending Review submission. Development of the case is being managed in close coordination with government	Likelihood: 2 Impact: 3 Total: 5
Detailed constraints information not available for all sites	Likelihood: 4 Impact: 3 Total: 12	GSA/OPDC teams will maintain a collaborative tracker of project risks & assumptions that will be regularly updated and used to monitor and manage risks.	Likelihood: 2 Impact: 3 Total: 6

This will be circulated to members of the project team.

The Business Case does not gain clear approval and decisions required from the GLA are either not supportive or not timely.

Likelihood: 3
Impact: 3
Total: 9

OPDC have worked closely with GLA officers to identify opportunities for the Land Fund.

Likelihood: 2
Impact: 3
Total: 6

5.4 There are no extant issues that require management or mitigation.

6 Equality comments

6.1 OPDC must have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation as well as to the need to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.¹

6.2 This work has no impact on those with protected characteristics. The outputs from the Quod's consultancy commission, where material to future strategies, policy development, communications, investment/funding requests and delivery plans, will be subject to equalities assessments at the appropriate time.

7 Other considerations

7.1 There are no other considerations that need to be noted in the taking of his decision.

8 Conflicts of interest

8.1 No one involved in the preparation or clearance of this Form, or its substantive proposal, has any conflict of interest.

9 Financial comments

9.1 Expenditure of up to £35,000 for strategic planning advice will be funded from the Western Lands team 2021/22 Development budget, which sits within the Delivery directorate.

The protected characteristics and groups are: age, disability, gender reassignment, pregnancy and maternity, race, gender, religion or belief, sexual orientation and marriage/ civil partnership status. Fulfilling this duty involves having due regard to: the need to remove or minimise any disadvantage suffered by those who share a protected characteristic or one that is connected to that characteristic; taking steps to meet the different needs of such people; and encouraging them to participate in public life or in any other activity where their participation is disproportionately low. Compliance with the Equality Act may involve treating people with a protected characteristic more favourably than those without the characteristic. The duty must be exercised with an open mind and at the time a Decision is taken in the exercise of the OPDC's functions.

- 9.2 Further expenditure and contract variations are subject the Corporation's decision-making process.

10 Legal comments

- 10.1 The report above indicates that the decision requested of the Chief Executive Officer falls within OPDC's objective of securing the regeneration of the Old Oak and Park Royal area and its powers to do anything it considers appropriate for the purpose of its objects or purposes incidental to those purposes, as set out in the Localism Act 2011.
- 10.2 In taking the decisions requested, the Chief Executive Officer must have due regard to the Public Sector Equality Duty; namely the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010 and to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic (race, disability, sex, age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment) and persons who do not share it (section 149 of the Equality Act 2010). To this end, the Chief Executive Officer should have particular regard to section 6 (above) of this report.
- 10.3 Officers have indicated in paragraph 1.10 of this report that the scope of strategic planning advice services to be provided by Quod are covered by the existing contract between OPDC and Quod which was called-off from the TfL Framework Contract (TfL 91313 Task 110).

11 Summary timeline

Activity	Date
Delivery start date	October 2021
Stage 1 Report	November 2021
Stage 2 Report	November 2021
Publication of SOC	Anticipated November 2021
Agreement in Principle with GLA on Land Fund opportunities	Anticipated Nov-Dec 2021
Delivery end date	December 2021

Appendices

- None

Other supporting papers

- [Chief Executive Report to the OPDC Board, March 2021](#) (including approval of a delegation for the development of a SOC for Western Lands).

PUBLIC ACCESS TO INFORMATION

Information in this Form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA). OPDC aims to publish the Form within three working day of approval.

If immediate publication risks compromising the implementation of the Decision (for example, impacting a procurement process), it can be deferred until a specific date (when it will be published). Deferral periods are kept to the shortest length strictly necessary.

Part 1 – Deferral

Publication of this Part 1 is to be deferred: **No**

The deferral is until: N/A

This is because: N/A

Part 2 – Confidential information

Only the facts or advice that would be exempt from disclosure under FoIA should be included in or attached to any separate Part 2 Form, together with the rationale for withholding the information at this time.

There is a separate and confidential Part 2 Form: **No**

DECLARATIONS

Drafting officer: [Kate Richards](#) has drafted this Form in accordance with OPDC procedures, including for handling conflicts of interests, and confirm that:



Advice: The Finance and Legal teams have commented on the proposal.



CONFIRMATIONS

Section 106 funding: n/a

SMT review: This Decision was circulated to the **Senior Management Team** for review on [Friday 22nd October 2021](#).

Chief Finance Officer

Financial and legal implications have been appropriately considered in the preparation of this Form.

Signature: 

Date: 10 November 2021

Director of Projects

I do not have any disclosable interest in the proposed Decision. It is consistent with OPDC's priorities and can be referred to the CEO for final approval.

Signature: 

Date: 01/11/2021

