

**CEO DECISION – CD 145**

**Title: Preliminary Infrastructure Design and Cost Study**

**Executive summary**

OPDC's revised approach to major redevelopment – 'Western Lands' – aims to bring forward major sites to the north and west of the new HS2 interchange at Old Oak Common, including significant public sector land holdings and catalytic infrastructure improvements.

The revised approach is informing OPDC's proposed modifications to the draft Local Plan, in response also to the Planning Inspector's Interim Findings, with changes to the sites allocated for mixed use development and industrial intensification.

In October 2020, the OPDC Board endorsed the revised approach to the delivery strategy and Local Plan modification and approved expenditure to undertake preliminary technical work to support this.

OPDC is seeking to commission a Preliminary Infrastructure Design and Cost Study to provide robust evidence on the infrastructure requirements necessary to unlock development and support the revised approach – and the proposed modifications to the draft Local Plan. It will also inform OPDC's funding strategy for Western Lands.

**Decision**

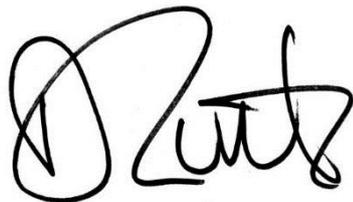
That the Chief Executive approves:

- i. Expenditure of up to £150,000 in financial year 2020/21 for an externally commissioned Preliminary Infrastructure Design and Cost Study to support modifications to OPDC's draft Local Plan and the funding and delivery business cases for OPDC's Western Land strategy.

**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:** 21 October 2020

## **PART 1: NON-CONFIDENTIAL FACTS AND ADVICE**

### **Background and context**

- 1.1 In autumn 2019, the Planning Inspector, in his interim findings on the OPDC's draft Local Plan, supported the removal of the Strategic Industrial Location (SIL) designation on the Cargiant site in Old Oak North. At the same time, the inspector also concluded that residential-led development in Old Oak North would not be commercially viable in the Plan period. OPDC subsequently decided to revise its approach to delivery and to not progress delivery of its proposed HIF-funded scheme at Old Oak North.
- 1.2 In response to the inspector's interim report and following the decision to not progress development in Old Oak North, OPDC has revised its delivery strategy to focus on the Western Land area. OPDC is now progressing modifications to its draft Local Plan incorporating revisions to site allocations on several sites in line with the revised delivery strategy. These modifications must also be in general conformity with the Mayor's London Plan in respect of its housing targets.
- 1.3 The modifications to the Local Plan will include an updated Infrastructure Delivery Plan (IDP) that sets out the items of infrastructure critical to delivery of the site allocations and the costs of that infrastructure. Viability testing of key strategic sites within the modified draft Local Plan is also part of the process.
- 1.4 Preliminary analysis has been undertaken by OPDC officers to identify the infrastructure projects which are no longer necessary to support the revised approach as well as any additional infrastructure that may be needed to enable development to come forward on new sites identified for mixed use development.
- 1.5 In June 2020, the OPDC Chairman approved a delegation to the Chief Executive Officer to authorise expenditure of up to £150,000 to support the development of the Corporation's revised delivery strategy and Western Land preparatory work. In October 2020, the OPDC Board approved a further expenditure of £257,000 for preliminary technical work required to prepare a Single Housing Infrastructure Fund (SHIF) bid and business case, and a delegation to the Chief Executive Officer to authorise detailed expenditure within this.
- 1.6 This decision seeks to gain the Chief Executive Officer's authorisation for expenditure on a Preliminary Infrastructure Design and Cost Study commission. This study will provide greater detail on the design and cost of the infrastructure requirements to prepare a SHIF bid and business case, and to support OPDC's emerging proposed modifications as part of the Local Plan examination process.

### **The proposal and how it will be delivered**

- 2.1 The study will develop preliminary design and engineering solutions for the key infrastructure necessary to support the revised approach. This will include a level of detail that allows the identification of land and/or rights required to deliver that infrastructure, and provides a basis from which costs of delivery may be estimated. In so doing it will:
  - support a SHIF bid and business case by providing robust evidence for infrastructure costs and potential land requirements to deliver the revised approach;
  - form an important part of the evidence base for the draft Local Plan, supporting the final stages of its examination and adoption
  - help us to test the development viability of strategic sites within the modified draft Local Plan
  - feed into the updated Infrastructure Delivery Plan (IDP)

- 2.2 While OPDC officers have undertaken a preliminary assessment of infrastructure needs, the design and engineering expertise does not exist within the organisation to undertake this work. As such, suitably qualified consultancy services to deliver the study will be sourced through a competitive procurement process in accordance with the TfL Professional Services Framework for Multi-Disciplinary Services, and officers have confirmed OPDC may call off that framework.

### **Objectives and expected outcomes**

- 3.1 The outputs of the study will provide OPDC with a clear and robust understanding of the cost and extent of key infrastructure requirements to support OPDC's proposed modifications to the draft Local Plan. The study will help OPDC demonstrate the soundness of its proposed modifications to the Inspector and support the adoption of the Local Plan.
- 3.2 Furthermore, this work will support OPDC in preparing a business case to secure external funding towards delivery of key infrastructure projects which cannot be funded from planning contributions alone.
- 3.3 The outputs of this study will support OPDC's delivery workstreams by providing greater certainty on the costs of infrastructure required to unlock and optimise development and regeneration. Ultimately, the study will help to support the outcome of delivering successful regeneration in Old Oak and Park Royal.

### **Strategic fit**

- 4.1 At its meeting on 13 October 2020, OPDC Board unanimously endorsed the proposed delivery strategy and the direction of the proposed modifications to the draft Local Plan. This study forms a key role in supporting this direction from Board.
- 4.2 Once the Local Plan Examination has been completed, and approval for the Local Plan has been obtained from the Planning Inspector, it will be considered by OPDC Board for adoption. This is envisaged to be in Autumn 2021.
- 4.3 The Local Plan has been drafted to be in general conformity with the Mayor's London Plan. It will help to deliver the Mayor's aspirations set out in the London Plan and supporting strategies. These strategies include the Mayor's Transport Strategy, London Environmental Strategy and the Equality, Diversity and Inclusion Strategy.

### **Project governance and assurance**

- 5.1 The study's overall scope and direction will be overseen by Head of Planning Policy, who will:
- agree the client brief
  - oversee progress, ensuring that the scope of the study meets expectations
  - provide a forum for discussion and challenge of emerging conclusions
  - review and provide comments on draft report
- 5.2 Officers from of OPDC's Planning and Development Directorates, including subject experts in transport, design, planning policy, viability appraisal and development will also be involved in reviewing the study.

## *Risks and issues*

- 5.3 There is a risk that this study will identify major challenges in delivering the infrastructure necessary to support the revised approach, which may need to be addressed before the further modifications are submitted to the Inspector. This would result in a further extension to the programme and the likely need for additional expenditure. Until the study commences and such challenges are identified this risk will need to be tolerated.

## **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.<sup>1</sup>
- 6.2 The Local Plan has been subject to an Integrated Impact Assessment (IIA) which has been published on OPDC's website. This includes an Equalities Impact Assessment. The IIA concludes that the implementation of the Local Plan will deliver benefits to people of all protected characteristics as defined by the Equality Act 2010. This study will form a crucial role in implementing of the Local Plan, therefore supports its overarching aims.

## **Other considerations**

### *Consultations and impact assessments*

- 7.1 The Local Plan has been subject to an Integrated Impact Assessment (IIA), which is published on OPDC's website. This includes an Equalities Impact Assessment. The submission version of the IIA concludes that the implementation of the Local Plan policies will deliver positive benefits overall.

## **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

## **Financial comments**

- 9.1 Expenditure of up to £150,000 for the procurement and appointment of external consultants, to deliver the study detailed in this report, will be funded by the 2020/21 Western Lands budget. Further expenditure is subject to the Corporation's decision making process.

## **Legal comments**

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<sup>1</sup> This 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. 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. 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.

- 10.1 The report above indicates that the decision requested of the Chief Executive Officer falls within the OPDC's object 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 Officers have indicated in paragraph 2.2 of this report that the:
- framework under which it is proposed the services required are to be "called-off" can be used by the OPDC by virtue of its procurement by Tf Transport for London in accordance with relevant procurement law; and
  - the services required will be procured fully in accordance with the requirements of that framework.
- 10.3 Officers must ensure that appropriate "call-off" documentation is put in place and executed by the consultant and the OPDC before the commencement of the services.

### Summary timeline

Activity	Date
Procurement of contract /Grant award	October 2020
Delivery start date	November 2020
Delivery end date	January 2021
Project closure	January 2021

### Appendices

- Appendix A: Western Land and Local Plan Modifications Update (Paper approved by OPDC Board, October 13 2020) [LINK](#)

### Other supporting papers

- None

## 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: **YES**

The study is yet to go out to tender. Publication before contract award would prejudice this.

Until what date: Until the procurement process has been completed, which is estimated to be early November.

### 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:** Kevin Twomey has drafted this Form in accordance with OPDC procedures, including for handling conflicts of interests, and confirms 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 Thursday 15 October 2020

### Chief Finance Officer

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

**Signature:**

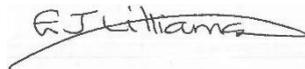


**Date:** 21/10/2020

### Director Emma Williamson Director of Planning

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:** 21/10/2020