

CEO DECISION – CD 149

Title: Western Lands: detailed site capacity studies

Executive summary

This decision form seeks approval to procure and appoint an architecture practice to carry out detailed site capacity studies to support the development of the Western Lands delivery strategy. The commission will support the development of a strategic outline business case relating to the future potential of public sector landholdings in Old Oak and Park Royal. In addition, the team appointed will also be required to produce a number of key visualisations for the consultation on the Local Plan modifications. The consultants will be appointed from the GLA's Architecture, Design and Urbanism (ADUP) framework through a competitive procurement process led by OPDC.

In October, OPDC's Board approved expenditure on technical work required to underpin and prepare a business case to make the case for government housing investment, with approval of detailed expenditure delegated to the Chief Executive Officer. This approval is being made under that delegation. The commission will be funded from OPDC's Western Lands development budget for financial year 2020/21. The commission may be extended following confirmation of budget for 2021/22, but any extensions will be subject to additional approvals.

Decision

That the Chief Executive approves:

- i. Total expenditure of up to £80,000 from OPDC's Western Lands 2020/21 budget for the appointment of an architecture practice to provide technical due diligence in support of the development of the Western Lands strategy and to produce key visualisations for the Local Plan modifications consultation.

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: 18 January 2021

PART 1: NON-CONFIDENTIAL FACTS AND ADVICE

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 an evidence base of the benefit of a comprehensive and coordinated approach to land, development and infrastructure funding to optimise the strategic opportunities that the area offers
 - securing the support of major partners including public sector landowners and funders
 - developing an engagement plan to ensure local and future communities in the area can influence the development and delivery of this major opportunity for London
- 1.2 Since January, OPDC officers have engaged with key stakeholders including Network Rail, HS2 and the 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 Ministry for Homes, Communities and Local Government (MHCLG), Homes England (HE) and the Infrastructure and Projects Authority – to discuss potential funding opportunities.
- 1.3 Our close work with HE on the funding requirements for the Western Lands strategy has included developing a broad range of potential infrastructure and development opportunities, ahead of refining the scope and phasing of a package of funding support. This commission will support the development of a business case for that investment.
- 1.4 OPDC's Planning Policy team have been working on proposed modifications of the Local Plan that would allocate new sites in the Western Lands area for residential led, mixed use development. The outputs from this work will also support the Local Plan consultation process.
- 1.5 At its 13 October 2020 meeting, the OPDC Board approved a delegation to the CEO to approve detailed expenditure proposals drawing down the Development Team's Western Lands budget of £440,000. To date, cumulative approved expenditure on Western Lands preparatory work is £418,000 on the basis of decisions listed below.
- 1.6 Following procurement and appointment, several workstreams have now realised an underspend of £71,888 against the approvals for £418,000 of expenditure. Taking those underspend balances into account, the total remaining budget available under the Board Delegation is £93,888 – providing the headroom for this commission.

Workstream/appointment	Total Approval	Decision
Initial concept work	£33,000	Board Urgency May 2020
Land assembly due diligence	£35,000	Board Urgency May 2020
Initial viability review	£5,000	CD141
TfL Operational Property support	£20,000	CD141
Land strategy and SOBC support	£ 75,000	CD144
Infrastructure costing	£150,000	CD145
Business case viability appraisal	£100,000	CD148
Total approved	£418,000	
Expenditure against approvals	-£346,112	
Underspend against approvals	£71,888	
2020/21 Western Lands Budget	£440,000	
Budget remaining	£93,888	

- 1.7 This decision seeks to approve expenditure of £80,000 of the remaining 2020/21 budget of £93,888.

The proposal and how it will be delivered

The proposal

- 2.1 The team appointed through this commission will be required to perform two key tasks; to carry out detailed site capacity studies of the public sector landholdings in the Western Lands to support delivery, and to produce visualisations of key views for OPDC's Local Plan modifications consultation.
- 2.2 The core task for this commission will be to provide inputs to the development of a credible viability appraisal of delivery for a Strategic Outline Business Case, by undertaking detailed site capacity studies. These studies will provide technical due diligence to development viability appraisals which OPDC has already, and further to CD148, commissioned Savills to undertake.
- 2.3 In addition, the team will be required to produce several key visualisations to support OPDC's Local Plan modifications engagement and provide a sense of place, both in the Western Lands and other key locations within the OPDC area such as Scrubs Lane. It is proposed that the team produce 3 birds eye view images, and 5 street views for the presentation of the draft Local Plan modifications to Planning Committee and OPDC Board in late February/early March 2021.
- 2.4 The commission being approved through this CD is anticipated to last for approximately two months and be completed at the end of March 2021, thereby supporting the preparation of a Strategic Outline Business Case. Following feedback on the Strategic Outline Business Case there may be a further phase of this work required, subject to approval.

Delivery method

- 2.5 Delivery is through external consultancy support. OPDC will carry out a competitive procurement process in line with OPDC's Contracts & Funding Code to appoint the architecture practice. The invitation to tender will be sent out to practices on the ADUP framework (lot 2). Tenders will be reviewed by a panel made up of OPDC (Delivery and Planning directorate officers) and Homes England staff. OPDC are working in partnership with Homes England on the Western Lands strategy, however OPDC will be contracting client who will have final say on who is appointed.

Objectives and expected outcomes

Objectives of the study

- 3.1 It is expected that public sector funding support will be required to ensure delivery of both strategic infrastructure and placemaking at the Western Lands that meets the highest standards. OPDC is working with Homes England to prepare a business case for such funding support following HM Treasury's 5 Case Model. OPDC will be responsible for all decisions in respect of the procurement itself and it has not delegated any of its powers or decision making to Homes England. The preparation of a credible business case will require a detailed understanding of the viability and deliverability of several delivery scenarios. This commission will provide technical assurance on development capacities ensuring that they are appropriate and deliverable.
- 3.2 OPDC and Homes England are seeking to achieve a coordinated approach to the major strategic development and regeneration of these sites, in order to support the creation of an urban district that will realise the full potential for development and placemaking in Old Oak which has been created by the significant investment in the Elizabeth Line and High Speed 2.
- 3.3 The modifications to the Local Plan are being supported by a range of technical studies to ensure they are deliverable, viable and appropriate. This commission will provide a series of visualisations to support community and stakeholder consultations.

Strategic fit

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

Project governance and assurance

- 5.1 The Development Director will act as Senior Responsible Officer (SRO) for this procurement, and the subsequent management of the contract. Day to day management of the work will be led by the Head of Design with support from the Principal Urban Designer.
- 5.2 The Director of Planning with support from the Head of Planning Policy will lead the client role for the visualisations produced to support the modifications to the Local Plan, and will also participate in the client group for the overall study as appropriate.

- 5.3 Regular project meetings will be held to monitor project progress, with the OPDC/Homes England Client Group and consultant/s in attendance.

Risks and issues

- 5.4 At a strategic level, the primary risks associated with this commission are in line with the risks attached to the overall Western Lands programme regarding funding and delivery, so they are not repeated here. However, it is anticipated that this commission will play a valuable role in mitigating some of these risks by providing a robust assessment of site capacity as well as evidence to support the need for a central role for OPDC to coordinate delivery of development and infrastructure here in order to maximise the opportunity to create an exemplary new urban district.
- 5.5 In terms of the risks and issues associated with the specific tasks being commissioned, these primarily relate to:
- the limited timescales for the appointed team to input to the Strategic Outline Business Case (SOBC)
 - need for baseline material to be provided to the consultants to ensure that the commission remains on budget and programme as no provision for additional baseline work has been factored in
- 5.6 These are set out in more detail below:

Risk description	Inherent score	Mitigations	Target score
Risk that the baseline materials provided are insufficient for the site scoping work	Likelihood: 3 Impact: 4 Total: 9	OPDC and HE will create a series of baseline maps/packs during the tender period, to ensure that the relevant material is collated and ready, and any gaps are identified early and addressed.	Likelihood: 2 Impact: 3 Total: 6
Short timescales for appointed architects to input into Savills' work and SOBC	Likelihood: 4 Impact: 3 Total: 12	Input will be focused on technical 'sense checking' of scenario assumptions only.	Likelihood: 3 Impact: 2 Total: 6
Short timescales for appointed architects to produce images to support draft Local Plan	Likelihood: 4 Impact: 3 Total: 12	Use of OPDCs VU city digital model and work completed to date on development scenarios provided to form basis for illustrations. Focus on 'birds eye' views.	Likelihood: 3 Impact: 2 Total: 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 OPDC's infrastructure, development and funding work is at an early stage and does not have yet any identifiable equalities impact. As and when specific proposals or recommendations from this work be brought forward, the equalities impact will be considered at that time.
- 6.3 The consultant team will be appointed from the GLA's Architecture, Design and Urbanism (ADUP) framework where 5% of the total evaluation score will be allocated to social value.

Other considerations

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

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 £80,000 can be contained within the existing budget.

Legal comments

- 10.1 The report above indicates that the decision requested of the Chief Executive falls with 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 In taking the decisions requested, the Chief Executive 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 between persons who share a relevant protected characteristic (race, disability, gender, age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment) and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it (section 149 of the Equality Act 2010).

¹ 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.

- 10.3 The services required should be procured in accordance with the OPDC's Contracts and Funding Code by relevant procurement officers. Officers must ensure that appropriate contract documentation is put in place and executed by the successful architecture practice and OPDC before the commencement of the services.

Summary timeline

Activity	Date
Issue ITT	January 2021
Deadline for tender returns	January 2021
Inception meeting	January 2021
Produce images to accompany draft Local Plan presentation to OPDC Planning Committee/ Board	February 2021
'Roundtable' with MHCLG	February 2021
Completion of scope	March 2021
Strategic Outline Business Case submitted to MHCLG by OPDC	April 2021

Appendices

- None

Other supporting papers

- 30 January 2020 – Board Paper

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 days 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 deferral is until: 7 February 2021.

This is because: Procurement evaluation includes commercial considerations, and publication of the budget in advance of award would compromise the fair evaluation of commercial proposals.

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: Eleanor Fawcett 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 Tuesday 22 December 2020

Chief Finance Officer

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

Signature:



Date: 15/1/21

Director of Development

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:  Ben O'Neill

Date: 15/01/21