



CABINET

FRIDAY, 25 OCTOBER 2013

AGENDA

Ged Fitzgerald

**Ged Fitzgerald
Chief Executive**

CABINET



TO: All Members of the Cabinet

DATE: Friday, 25 October 2013

TIME: 9.00 a.m.

VENUE Herculaneum/Huskisson Room, Millennium House, Victoria Street,
Liverpool L1 6JF

CONTACT OFFICER: Chris Walsh
Tel: 0151 225 2432
Fax: 0151 225 2427
Minicom: 0151 225 2553
e-mail: chris.walsh@liverpool.gov.uk

Signed: *Chris Walsh* Date of despatch: 17 October 2013

THIS IS A PUBLIC CABINET MEETING

If confidential information is to be discussed the Cabinet can determine to exclude the press & public

If you have any additional needs to facilitate your attendance at this meeting please contact the officer named above.

Liverpool City Council
Municipal Buildings, Dale Street, Liverpool, L2 2DH
web: www.liverpool.gov.uk

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CABINET

AGENDA

Friday, 25 October 2013

1.	Declarations of Interest	
2.	Minutes of the Last Meetings	1 - 19
3.	Mayoral Reports None to be submitted.	
4.	Mayoral Recommendations or items for discussion (will indicate key decision or not)	
	(a) “In Principle” Approval of Compulsory Purchase Powers for the Anfield Project (H/5)	20 - 53
	(b) Disposal of Land at Brownlow Hill (R/21)	54 - 58
	(c) Former West Derby Library, Green Lane/Lister Drive (R/22)	59 - 71
	(d) Ellergreen Scheme, Norris Green – Phase 3 (R/23)	72 - 76
	(e) Holly Lodge School – Contract Award (R/24)	77 - 89
	(f) Low Carbon Superport University Technical College (R/25)	90 - 95
5.	Reports from City Council or Select Committees None to be submitted.	
6.	Called in Decisions referred by either Select Committee or Member(s) None to be submitted.	
7.	Chief Financial Officer Reports None to be submitted.	
8.	Minutes None to be submitted.	
9.	Mayoral Announcements	

PART II EXEMPT

ITEM NO.	SUBJECT	PAGE NO.
1.	<p>Exclusion of Press and Public To consider whether –</p> <p>(i) members of the press and public should be excluded from the meeting of Cabinet during consideration of the following items of business in accordance with sub-section 4 of section 100A of the Local Government Act 1972 because it is likely in view of the nature of the business that exempt information would be disclosed being information defined in section 100(1) and paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding the information)) of Schedule 12A of the Local Government Act 1972; and</p> <p>(ii) the disclosure of information is in the Public Interest, if any relevant exemptions are applicable and whether, when applying the Public Interest test and exemptions, the Public Interest to disclose outweighs that of withholding information.</p>	
2.	<p>Mayoral Reports None to be submitted.</p>	
3.	<p>Mayoral Recommendations or items for discussion (will indicate key decision or not)</p>	
	<p>(a) Award of Integrated Personal Care & Support Services in an Extra Care Housing Setting Contract (NWCE-955GD7) (ASC/7)</p>	96 - 104
	<p>(b) Liverpool Futures Community Interest Company (EES/1)</p>	105 - 115

CABINET**FRIDAY, 4 OCTOBER 2013****(9.00 a.m. - 10.15 a.m.)**

Joe Anderson, OBE Councillor Paul Brant	Mayor of Liverpool, Chair Deputy Mayor of Liverpool, Cabinet Member – Finance & Resources
Councillor Roz Gladden	Assistant Mayor of Liverpool, Cabinet Member – Adult Social Care & Health
Councillor Jane Corbett	Cabinet Member – Education & Children's Services
Councillor Steve Munby	Cabinet Member – Living Environment & Localism
Councillor Ann O'Byrne Councillor Wendy Simon	Cabinet Member – Housing Cabinet Member – Culture & Tourism

Officers

Ged Fitzgerald	Chief Executive
Becky Hellard	Director – Finance & Resources
Samih Kalakeche	Director – Adult Services & Health
Ron Odunaiya	Director – Community Services
Colette O'Brien	Director – Children & Young People's Services
Nick Kavanagh	Director – Regeneration & Employment Services
Dr Paula Grey	Director – Public Health
Jeanette McLoughlin	City Solicitor

Councillors Alan Dean, Tony Concepcion, John Coyne, Martin Cummins, Adele Dowling, Brian Dowling, Ian Francis, Roy Gladden, Joe Hanson, Ruth Hirschfield, Janet Kent, Pat Moloney, Mark Norris and Steve Radford also attended.

Luciana Berger MP, Maria Eagle MP, Steve Rotheram MP, and Stephen Twigge MP, together with Jane Kennedy – Police & Crime Commissioner for Merseyside and Andy Cooke, Deputy Chief Constable – Merseyside Police

Apologies for absence were received from Councillors Malcolm Kennedy, Timothy Moore and Nick Small

215. **Declarations of Interest**

None were submitted.

216. **Mayoral Recommendations or items for discussion**

Cabinet considered one recommendation and **resolved as follows** –

(a) **City**
Medium Term Financial Strategy Update (M/11)

Joe Anderson, OBE, Mayor of Liverpool introduced a report and accompanying presentation in respect of updates to the Medium Term Financial Strategy.

Mayor Anderson OBE –

- set the context for the level and severity of financial challenges facing the City Council, referring to the impacts that recent Government announcements had relating to the Finance Settlement for 2014/15 and 2015/16;
- advised that during the course of the last three years, the City Council has seen reductions in Government funding totalling £173 million and that in delivering these savings, the City Council had seen over 1,600 job losses, streamlined and improved senior management arrangements, and delivered changes and reductions to services provided – this represents a 33% reduction in funding for the period 2011/12 to 2014/15 with Local Government funding to be reduced by a further 15.8% in real terms in 2015/16;
- advised the real terms reduction in Government grant funding to the City Council for the period 2010/11 to 2016/17 is 56%;
- indicated that the Spending Review of 2013 was noted to have significantly changed the amounts and balance of funding to local government by central government – figures prior to this were referenced, demonstrating that prior to this review process the City Council was funded 80% by central government, 12% by Council Tax and the remaining 8% from fees and charges levied at a local level;
- highlighted the impacts of the Spending Review as stark, with the funding balance having shifted to 76% from central government Revenue Support Grant (RSG), 9% from Council Tax, 7% from Localised Business Rates and 8% from fees and

charges, which also included major changes in the form of the introduction of Business Rates Retention (7%) with the City Council being directly accountable for raising and collecting some £92m of Business Rate income, combined with a significant reduction in the Council Tax income due to the localisation of Council Tax Support;

- the funding cuts from Government combined with transfer of responsibilities to the City Council represent not only significantly less available funding for services but also increase the risk borne by the City Council, with new responsibilities not supported by sufficient funding from Government;
- the challenges ahead for the City Council were highlighted in clear terms – the budget gap for the next three years, originally identified as recently as June 2013 as £140 million had now increased to £156 million, and were likely to be further worsened through further Government announcements, examples of which being new monies announced in the Spending Review for Adult Social Care have been top sliced from General Council Funding, exacerbating issues further;
- all of the funding given to the City Council to government is not available to be spent on all activities – of the total funding available to the City Council in 2013/14, just over £1 billion is from Government of which £310m passported to Schools, £294m housing benefit paid direct to claimant, and £408m Government Grants to pay for services – the remaining £319m, which represents 24% of the City Council's funding, is raised locally through council tax, other income and business rates;
- the challenge to the City Council was noted as being well demonstrated by examining the types of services and activities which the City Council provides, all of which being supported by legislation but falling into two distinct categories –
 - (i) Mandatory Services – those which the City Council is legally required to deliver and fulfil
 - (ii) Discretionary Services – those which the City Council has legal powers to deliver but at its own discretion

Were the City Council to maintain current spending profiles, by 2016/17 the City Council would have a shortfall of £17 million in delivering the Mandatory Services alone, even with no Discretionary Services being delivered and that in a business analogy the City Council would be bankrupt;

- the stark implications of this were further highlighted in terms of what activities were Discretionary, including regeneration

initiatives, leisure services, cultural events, supported housing and early intervention services – these services of themselves deliver powerful community benefits as well as reducing significantly reliance and costs on mandatory other elements of the public sector;

- that discussions had commenced on developing a sustainable and I budget for the three year period to 2016/17, on the basis that a legal balanced budget would be set, with meetings to be arranged with staff, public private and voluntary sector stakeholders, and partner organisations to start an open and constructive dialogue as to the challenges faced by the City Council, the options available and the severity of the choices to be made;
- invitations had been made and would continue to be made to Government to visit the City and view the City Council's financial records to see that information being made available by the City Council was accurate and being made fully available;
- that each of the portfolios which form the City Council's internal structure were working on developing budget options and identifying how these may be delivered;
- referring to the staff of the City Council – at all levels – the levels of challenges and impacts arising from the significant reductions in funding which staff had already seen were highlighted. The continued commitment and contribution of staff was recognised and fully acknowledged as being a key asset for the City Council; and
- concluding, summarised that the consequences of the budget decisions faced would be severe reductions and wholesale changes to how services were delivered and further job losses.

Jane Kennedy, Police & Crime Commissioner for Merseyside addressed Cabinet, commenting on the severity of the budget position faced by the City Council whilst citing the key role played by a number of services – classed as Discretionary – had in reducing crime and limiting other areas of public expenditure, and seeking to work with and engage the Mayor and City Council in this process.

Councillor Paul Brant, Deputy Mayor and Cabinet Member for Finance & Resources –

- advised that the report and presentation had been prepared

fully by Officers and represented a factual and accurate picture of the challenges faced by the City Council;

- the financial challenges faced by the City Council were of a scale and nature such that these were above political interests and that the best interests and future of the city were at stake;
- highlighting successful partnership working and co-operating which the City Council was involved with, including those seen in Public Health with NHS Merseyside, the local hospitals and GP Consortia, and in community safety through the Citysafe Partnership, and how working together savings and real efficiencies could be achieved;
- indicated that the City Council would deliver a legal and balanced budget but that the outcome of this would be marked by significant cuts in services; and
- that the Mayor had made a commitment and would continue to work to take the city forward, delivering regeneration projects which were critical to the successful future of the city.

Councillor Steve Radford, Leader Liberal Party –

- echoed the comments of the Mayor, indicating that he and his Group would continue to adopt a constructive approach and engage with the Mayor and Cabinet in seeking to deliver a legal, balanced budget and ensuring the City Council did not go bankrupt;
- indicating that he considered the City Council should explore further the potential to maximise income potential from its assets and land held across the city;
- noting that whilst seeking to reduce the number of City Council staff through voluntary means was positive, that this may not be sustainable in the long term and alternative options should be explored – this was noted as needing to be seen in the context of ensuring that key skills, knowledge and ability were retained within the personnel of the City Council moving forward; and
- it was important to seek to engage with and encourage the public as part of this process who could play their part and assist by helping to recycle more and reduce the dumping waste.

A representative of the Joint Trade Unions Committee (JTUC) welcomed the Mayor's commitment to communicate openly with staff, indicating that this needed to commence immediately to ensure staff were kept fully and accurately informed as to what was happening, and observing that the analysis of services into Mandatory and Discretionary was not so simple as the differing types of service would have knock on implications for other service areas and activities.

Councillor Martin Cummins, Councillor for Croxteth Ward addressed Cabinet, highlighting the approach of Government as reflective of an ideological desire to reduce the public sector without heed for the damaging social and financial impacts across the country, and calling for Government and Opposition to be lobbied to reinstate the 50% income tax rate.

Councillor Steve Munby, Cabinet Member – Living Environment & Localism –

- observed that the references to services as Mandatory or Discretionary reflected a legal distinction necessitated due to legislation and Government;
 - highlighting that the City Council faced no other option but to identify and deliver savings whilst also attracting funds and investment;
 - commented on the amount of time and the complexity of issues associated with delivering the budget saving options;
 - calling on the residents of the city to seek to engage as far as possible and, where applicable, to play their part in supporting savings including reducing the amount of litter, increasing recycling money all of which could be released for other purposes; and
 - highlighting the real need for all politicians within the city to work together in this process as the city has never faced a financial challenge such as this previously.
-

Councillor Jane Corbett, Cabinet Member – Education & Children's Services –

- highlighted the impact of funding and service reductions to date in terms of – increased levels of child poverty, in-work poverty, children not being fed and wider damage to public health;

- referred to data which showed that 38% of the city's children were classed as being in poverty, a figure which was rising, citing work that the Mayor had initiated which had funded meals for 1,500 children during the summer holiday period, and observing the real levels of hardship being faced by families in the city; and
- the media was noted to need to accurately show what was happening in the city and across the country

Mayor Anderson OBE, summarising and responding to the issues raised –

- commenting on the social impacts arising from Government funding cuts to date together with those yet to be seen and observing that the poorest in society had been hardest hit by the funding cuts from Government and noting the challenges faced by those experiencing in-work poverty;
- advised that all options were being explored during the budget process in relation to the assets it held to maximise their income generation potential, allied with investigating different ways of working or invest to save initiatives – a prime example of which cited as the proposed acquisition of the Cunard Building, delivering an income stream for reinvestment, whilst allowing the City Council to reduce City Centre accommodation and release surplus assets for sale;
- indicating that the significance of the challenges faced by the City were not to be underestimated but that it was important to continue to remain positive as far as possible and to recognise the reality that there was a positive future ahead for the city which would bring great opportunities and investment;
- advised that a campaign would shortly be launched seeking to encourage Civic Pride towards dealing with issues of dumping and littering, and seeking to encourage residents to recycle more and promote pride in communities and the local area;
- highlighted the levels of challenges being faced by major cities across the county such as Birmingham, Manchester, Newcastle, Sheffield and referred to recent comments made by Councillor Sir Merrick Cockell as Chair of the Local Government Association and Conservative Councillor in the Royal Borough of Kensington & Chelsea which had highlighted that local government was the most efficient sector of government and that changes to funding had brought the very viability of local government into question;

- that he believed that if the Labour Party was to be elected to Government at national level that it would still need to keep to what was affordable but that its approach to cities such as Liverpool would be much fairer and more balanced than was currently being seen; and
- that the Mayor, Cabinet and City Council were continuing to work behind the scenes to engage with investors looking to invest in the city to make sure the city continues to move forward, grow and is sustainable.

Resolved that Cabinet approve the update to the Medium Term Financial Plan and based upon these forecasts –

- (i) notes the requirement for significant remodelling of mandatory duties and services in order to continue to deliver these services; and
- (ii) notes that without (i) as set out above combined with significant savings and/or income generation, there is nil funding for discretionary services by 2016/17 and deficits of funding of £72m in 2014/15 and £123m in 2015/16.

CABINET

FRIDAY, 11 OCTOBER 2013

(9.00 a.m. - 9.35 a.m.)



Joe Anderson OBE Councillor Roz Gladden	Mayor of Liverpool, Chair Assistant Mayor of Liverpool, Cabinet Member – Adult Social Care & Health
Councillor Jane Corbett	Cabinet Member – Education & Children's Services
Councillor Malcolm Kennedy Councillor Timothy Moore	Cabinet Member – Regeneration Cabinet Member – Transport & Climate Change
Councillor Ann O'Byrne Councillor Wendy Simon Councillor Nick Small	Cabinet Member – Housing Cabinet Member – Culture & Tourism Cabinet Member – Skills, Enterprise & Employment

Officers

Ged Fitzgerald Becky Hellard Samih Kalakeche Nick Kavanagh	Chief Executive Director – Finance & Resources Director – Adult Services & Health Director – Regeneration & Employment Services
Colette O'Brien	Director – Children & Young People's Services
Ron Odunaiya Dr Paula Grey Dyane Aspinall Jeanette McLoughlin	Director – Community Safety Director – Public Health Assistant Director – Adult Services City Solicitor

Councillor John Coyne also attended.

Apologies for absence were received from Councillors Paul Brant, Alan Dean and Steve Munby together with Samih Kalakeche

217. **Declarations of Interest**

None were submitted.

218. **Minutes of the Last Meeting**

Resolved that the minutes of the meeting held on 27 September 2013 be approved.

219. **Mayoral Recommendations or items for discussion**

Cabinet considered recommendations and **resolved as follows** –

(a) **County, Fazakerley & Wavertree Wards**
Acceptance of Football Foundation Grant Funding (C&T/4)

Cabinet considered a recommendation that, subject to all terms and conditions relating to grant clawback being deemed satisfied by the Chief Executive, –

- (i) authority be given to the Director of Community Services to accept the two Football Foundation grant offers of £284,274 and £281,430 to be expended in 2013/14 relative to the creation of new floodlit 3G AGP's at Liverpool Soccer Centre (Walton) and Aquatics Centre (Wavertree) as described in this report. The City Council will thereby accept the role of the accountable body and ensure that each grant is administered appropriately;
- (ii) the Divisional Manager – Sport and Outdoor Recreation Service be appointed as the Nominated Officer for monitoring compliance with the terms and conditions of the grants. This includes maintaining a constant review of the risk of grant being clawed back under grant rules and regulations and making budgetary provision to cover any requirement to repay grant in the financial year in which the liability arises;
- (iii) authority be given to commit expenditure in the sum of £80k from the Leisure Capital Programme as the Council's partnership funding as described in the report submitted;
- (iv) authority be given to the Director – Community Services to the appointment of a nominated contractor/s from the Football Foundation's national procurement framework;
- (iv) further reports be submitted in the event of any significant variance to this profile; and

- (v) the City Council revenue forecasts are amended to reflect the future revenue implications as part of the reinvestment proposals outlined.

Councillor Wendy Simon, Cabinet Member – Culture & Tourism welcomed the recommendation and highlighted the continued commitment of the City Council, working with its partners, to support sports, active and healthy lifestyles across the city.

Resolved that the recommendation be approved.

(b) **City**
Aigburth High Special School – Decision on proposal to increase the pupil numbers and alter upper age limit (EDCS/12)

Cabinet considered a recommendation that approval be granted for the statutory proposals to make prescribed alterations to Aigburth High Special School, in order to increase the number of pupils at the school from 100 to 130 and to alter the upper age limit of pupils for whom education is normally provided at the school from 16 to 19, with effect from April 2015.

Councillor Jane Corbett, Cabinet Member – Education & Children’s Services welcomed the recommendation, highlighting the benefits of increasing the numbers of pupils at the school in combination with increasing the upper age limit, and noting how this was link directly to the Liverpool Schools Investment Programme.

Resolved that the recommendation be approved.

(c) **City**
Replacement of Children’s Services ICT System (EDCS/13)

Cabinet considered a recommendation that –

- (i) Cabinet note the progress to date and agree the proposed funding arrangements for the implementation of the new integrated Children’s ICT system;
- (ii) approval be granted for the placement of the order for the new system to Liverpool Direct Limited; and
- (iii) delegated authority be granted to the Director – Children & Young People’s Children for finalising the project plan for

installation and implementation.

Councillor Jane Corbett, Cabinet Member – Education & Children’s Services welcomed the recommendation, highlighting the benefits the proposed new system would deliver in terms of efficiency and greater integration.

Resolved that the recommendation be approved.

(d) **City**
Pay Line Review (F&R/5)

Cabinet considered a recommendation that the Pay Line be re-aligned as set out in Appendix A to the report submitted with effect from 1 October 2013.

The Mayor welcomed the recommendation, highlighting the proposal as evidence of the City Council’s commitment to ensuring its employees were paid a Living Wage which reflected the recommendations of the Liverpool Fairness Commission.

Resolved that the recommendation be approved.

(e) **City**
Managed Weekly Collections - Update and Household Waste and Recycling Policies (LEL/5)

Cabinet considered a recommendation that –

- (i) the progress and timeframes around the implementation of Managed Weekly Collection (MWC) across 136,000 properties in Liverpool be noted; and
 - (ii) approval be granted for the ‘Household Waste and Recycling Policy’ as set out in Appendix 1 to the report submitted to be operated across the City of Liverpool.
-

The Mayor advised a number of minor revisions had been identified as required to the Policy set out in Appendix 1 to the report submitted. During the course of discussions, details of the revisions were circulated to Cabinet.

The Mayor indicated that the revised Appendix 1 to the report

submitted, setting out the 'Household Waste and Recycling Policy' had also been appended to the published Agenda for this meeting of Cabinet.

Councillor John Coyne, Leader – Green Party addressed Cabinet in relation to Houses in Multiple Occupation (HMO's) and flats, indicating that it was important to ensure people in such properties were fully advised as to the importance of taking responsibility for their own individual bin, and indicating that it may be beneficial to delay to roll out of Managed Weekly Collections whilst this was done.

The Mayor responded to the issues raised, advising that intensive work was ongoing and would continue across the city in preparation for the introduction of Managed Weekly Collections.

Ron Odunaiya, Director – Community Services advised that –

- the report followed on from those previously considered by Cabinet and would put in place a clear Policy which was consistent, fair and robust; and
- the roll-out of Managed Weekly Collections across the city would focus initially on those areas and properties where the new system was easiest to implement, thereby providing additional opportunity to address any issues with specific property types or locations

Resolved that the recommendation, as amended, be approved.

The Mayor advised that in respect of the following item Minute No. 219 (f) in respect of 'Land at Park Avenue (R/19)', following consultation, the Chair of the Regeneration Select Committee (Councillor Beatrice Fraenkel) had indicated that in respect of this issue that the Call-In procedure should not apply on the basis that the report had been subject to extensive pre-decision discussions at the Special Meeting of Regeneration Select Committee held on 3 October at which the proposal was endorsed, and that any delay caused by the Call-In process would impact on the proposed marketing and sale of the land.

(f) **Greenbank Ward**
Land at Park Avenue (R/19)

Cabinet considered a recommendation that –

- (i) the objections received in relation to the planned disposal of open space at Park Avenue as set out in Appendix A to the report submitted are noted; and
 - (ii) the previous decision of the Cabinet made on 22 March 2013 be confirmed and the land disposed of.
-

The Mayor advised Cabinet that the report and recommendations had been referred for pre-decision scrutiny at a Special Meeting of Regeneration Select Committee held on 3 October 2013. During this meeting, the report and recommendations were considered at length together with representations received at the meeting. The decision of the Select Committee was to support the proposal.

A Minute Excerpt setting out details of discussions at the Special Meeting of Regeneration Select Committee was circulated to Cabinet during the course of discussions.

The Mayor provided an opportunity for Members and public present to submit questions in relation to the proposal and the following were submitted –

- (i) Councillor John Coyne –
 - (a) requested that the Mayor and Cabinet give consideration as to whether sufficient scrutiny had been given to the reasons for objections to the proposal; and
 - (b) indicated that he considered that any proposed development of the site would be unlikely to receive planning permission.

The Mayor responded, indicating that the current and previous reports on this issue had been subject to extensive discussions on a number of occasions and that the objections set out in the report submitted had been fully addressed.

- (ii) A local resident addressed Cabinet objecting to the proposal, citing the historic importance of the location to Sefton Park and the wider network of Victorian Parks across the city, and indicating that a request had been made to extend the Statutory Listing of the Park to include the land in question.

The Mayor responded, indicating that objections received to the proposal had been fully addressed within the report and that any proposed uses received following the marketing process would be subject to the formal planning process and associated

consultation.

Resolved that the recommendation be approved.

The Mayor advised that in respect of the following item Minute No. 219 (g) in respect of the 'Cunard Building (R/20)', following consultation, the Chair of the Regeneration Select Committee (Councillor Beatrice Fraenkel) had indicated that in respect of this issue that the Call-In procedure should not apply on the basis that the report had been subject to extensive pre-decision discussions at the Special Meeting of Regeneration Select Committee held on 3 October at which the proposal was endorsed, that it was necessary to conclude the commercial transaction at the earliest opportunity to secure the most commercially advantageous terms for the City Council, and that any delay caused by the Call-In process would be detrimental to the City Council's financial and business interests.

The Mayor further advised that in relation to Minute No. 219 (g) in respect of 'Cunard Building (R/20)', the appendix to this recommendation remained exempt by virtue of paragraph 3 (information relating to the financial or business affairs of any particular person or business (including the authority holding the information)) of Schedule 12A of the Local Government Act 1972.

This was resolved.

**(g) Central Ward
Cunard Building (R/20)**

Cabinet considered a recommendation that authority be granted for the City Council to purchase the Cunard Building on the financial and commercial basis set out in the Exempt Appendix to the report submitted, with a view to rationalising its City Centre accommodation, undertaking service delivery in a more effective way and securing a sustainable future for an iconic building located on the City's World Heritage Waterfront.

Mayor Anderson advised Cabinet that the report and recommendations had been referred for pre-decision scrutiny at a Special Meeting of Regeneration Select Committee held on 3 October 2013. During this meeting, the report and recommendations were considered at length together with representations received at the meeting. The decision of the Select Committee was to support the proposal.

A Minute Excerpt setting out details of discussions at the Special Meeting of Regeneration Select Committee was circulated to Cabinet during the course of discussions.

Councillor Malcolm Kennedy, Cabinet Member – Regeneration welcomed the recommendation, citing the regeneration and economic benefits for the City Council arising from the proposal.

Resolved that the recommendation be approved.

220. **Chief Financial Officer Reports**

Cabinet considered Chief Financial Officer reports and **resolved as follows –**

(a) Capital Programme Monitor 2013/14 - Month 5 (August 2013)

Resolved that Cabinet –

- (i) agree the Period 05 budget net decrease of £0.786m, to the latest 2013/14 capital programme already approved by Cabinet, as set out in Table 1 / Annex 1 (summary) to the report submitted, to produce a revised programme of £222.471m;
- (ii) approve the Capital Budgets of £222.471m for 2013/14, £159.991m for 2014/15, £65.515m for 2015/16, £43.924m for 2016/17 and £27.110m for 2017/18 as detailed in Tables 2, 3 and 4 of the report submitted. These sums update those included in the City Council Capital Strategy document for 2013/14 – 2017/18 (DRFC14/13) presented to Cabinet on the 22nd February and Full Council on the 6th March 2013;
- (iii) note spend to date of £58.869m, representing a 26.5% of the revised total capital budget for 2013/14 (Annex 1 of the report submitted), with 41.7% of the year having elapsed, and an anticipated projected spend of approximately £222.471m;
- (iv) note that actual spend is showing a 1.3% shortfall against the budgeted profile. This represents a monetary value of £2.998m on a total 2013/14 Programme of £222.471m. This shortfall is statistically small and it is envisaged that this shortfall will be ameliorated as the pace of expenditure increases as the year progresses;
- (v) note the position regarding the prudential indicators approved as part of the Treasury Strategy Report 2013/14, presented to Council 6th March 2013; and

- (vi) note the total level of Council Borrowing of £412m (£317m borrowing and £95m Other Long Term Liabilities) as at 31st July 2013.

(b) Revenue Monitor 2013/14 - Month 5 (August 2013)

Resolved that Cabinet –

- (i) note that in setting the 2013/14 General Fund Budget the City Council faced a budget gap of £32m. This is on top of successfully bridging a budget gap of £91.4m in 2011/12 and £50m in 2012/13. It is estimated that the revenue budget gap for the City Council over the 4 year Comprehensive Spending Review period from 2011/12 to 2014/15 is £218.4m including a forecast budget gap of £45m for 2014/15. This gives context to the current financial forecast for 2013/14;
- (ii) note at the end of Month 5 (August 2013) the full year forecast projects a forecast year end general fund underspend of £2.475m (this represents 0.5% of net revenue budget), as against a forecast year end general fund underspend of £1.734m at Month 4. The Dedicated Schools Grant (DSG) funded activities are also forecast to break even after the use of earmarked reserves.
- (iii) approve the drawdown of earmarked reserves totalling £0.136m as outlined in Section 6.1 of the report submitted;
- (iv) note that management actions have been identified to recover the Directorate overspends, as detailed in Appendix 2 of the report submitted; and
- (v) note that there are a number of risks and uncertainties that may impact adversely on the general fund financial forecasts for the remainder of 2013/14. These are shown in Section 5 of the report submitted and include increased demand pressures for services, impact of the economic downturn, claims made against the City Council and that of the 2013/14 Directorate budget savings options £23.274m (84%) have been delivered. Of the remaining options still to be delivered £3.008m have been identified as green, £1.479m identified as amber, and these have been factored into the forecasts.

221. **Public Question Time**

An opportunity was provided for Members of the public to address Cabinet and the following were received –

An opportunity was provided for Members of the public to address Cabinet and the following were received –

Industrial Dispute

A represent of UNISON Trade Union addressed Cabinet.

The Mayor responded –

- requesting that a copy of the UNISON Statement on the dispute be sent to him and indicated that he would seek to support a dialogue with between both parties, confirming that he would contact the University of Liverpool to seek their views; and
- referring to Minute No. 219 (d) 'Pay Line Review (F&R/5)', indicated that he was proud of the approach adopted by the City Council to ensure it paid a living wage to its employees and which was reflective of the principles developed by the Liverpool Fairness Commission.

222. **Mayoral Announcements**

Welsh Streets

The Mayor –

- advised that he had met with residents in the Welsh Streets over the Government's decision to call-in the planning application. The mayor advised that the community was absolutely devastated that, yet again, another obstacle has been put in the way which would delay the demolition of properties which were literally falling down and causing ill health through damp; and
- referred to a video on the Liverpool Express website showing the appalling condition of the properties and indicating that is should not be forgotten that more than 70 percent of people backed this scheme, and that this was a mockery of the Government's localism agenda.

Civic Service

The Mayor reminded everyone present that the Lord Mayor's Civic Service was taking place at the Anglican Cathedral on Sunday 13 October at 3.00 p.m., and indicating that all were welcome to attend.

Notre Dame Catholic College

The Mayor –

- advised that during the afternoon of 11 October he would be taking Cities Minister Greg Clark MP to Notre Dame Catholic College to attend the formal opening of the new school; and
- highlighted that this development demonstrated how there had been no time wasted in spending the money allocated through the City Deal in a new facility which has provided a massive boost to the local economy and which would act as a catalyst for regeneration in Everton.

Aintree Hospital

The Mayor advised that on the afternoon of 11 October he would be attending Aintree Hospital to help lay its new foundation stone as part of the redevelopment of the A&E department.

March Against Fascism

The Mayor advised that an anti-fascism march would be held in the city on Saturday 12 October and encouraged people to attend to show their opposition to all forms of fascism.

**MAYORAL RECOMMENDATION**

ANFIELD & EVERTON WARDS
PUBLIC

H/5

<p>Cabinet Member: Councillor Ann O’Byrne Cabinet Member – Housing</p> <p>Councillor Malcolm Kennedy Cabinet Member – Regeneration</p>	<p>Director: Nick Kavanagh Director – Regeneration & Employment Services</p>
<p>Date of submission: 25 October 2013</p>	<p>Subject: “In Principle” Approval of Compulsory Purchase Powers for the Anfield Project</p>
<p>Report No./Background papers: EDR/99/13</p>	<p>Contact Officer: Mark Kitts Assistant Director</p>
<p>Executive Summary:</p> <p>This report seeks “in principle” approval for the Council to use its compulsory purchase powers (in particular powers under Section 226(1) (a) of the Town and Country Planning Act 1990 if required) to facilitate the Anfield Project (“the Project”).</p> <p>This approval is required to demonstrate support for land assembly in the Rockfield and Anfield Village neighbourhoods, parts of Walton Breck Road and the High Street corridor regeneration and the remaining property ownerships within the boundary of the Parks development area which, in turn, will enable Liverpool City Council (LCC), Your Housing Group (YHG) and Liverpool Football Club (LFC) to deliver the Project.</p> <p>LCC, LFC and YHG are working collaboratively to bring about comprehensive regeneration and considerable long-term benefits to residents and businesses based in the Anfield area of Liverpool and to improve the visitor experience. The Anfield Project includes the following key component projects;</p> <ul style="list-style-type: none"> • Anfield Village and Rockfield housing refurbishment projects; • New build housing (being delivered by Keepmoat Plc); • Walton Breck Road and the High Street corridor regeneration; • A proposed Training Hotel; • A proposed Business Hub; 	

- New public space, 96 Avenue and Village Square;
- The completion of Stanley Park and a proposed Food Hub; and
- LFC's stadium expansion.

Compulsory Purchase Powers may be required where acquisition by negotiation proves to be unsuccessful or land is in unknown ownership, and to provide a "clean title" by acquiring rent charges and other minor interests. The Council has already made significant progress in acquiring properties across the Anfield Project area and acquisition of the remaining interests will enable the regeneration plans to move forward positively.

Background

Critically, the Anfield Project proposals present an opportunity for the Council's strategic regeneration goals to be realised in what is acknowledged and recognised as one of the City's most challenging areas. A framework for the delivery of proposed regeneration initiatives and obligations is in preparation following the launch of the Anfield Project on 24th June 2013.

An intense period of engagement on the vision for the Project was undertaken between 24th June 2013 and 2nd August 2013. In total, 8000 newsletters were distributed to businesses and households together with full spread articles in the Liverpool Echo, the Anfield Star and other locally circulated publications. Door to door consultation was undertaken with circa. 2000 households including those households within the boundary of the proposed CPO areas and letters were sent to residing and absent property owners. There were 22 'road-show' style drop-in sessions and information points were set up to gauge the opinion of passers by, residents and visitors to the area. In addition a website has been created; www.anfieldproject.co.uk and a dedicated email address has been set up for people to follow the project and ask questions on an ongoing basis.

During the community engagement programme in which residents, visitors and businesses were asked what they thought of the plans, the vast majority of people – more than 80% – backed the ideas. Some 97% agreed it was important to improve the street scene and environment and 85% supported the plans for a revitalised Walton Breck Road/High Street. A further 83% backed the plans for Stanley Park and 78% supported the proposals for improved match day experiences. Around 79% of those questioned backed plans for improved housing and neighbourhood and more than 90% of people supported the call for Walton Breck Road to become a more vibrant community centre both on and off match days.

The Anfield Project 'Vision' document is at Appendix 1. It is intended that the conclusions to the consultation process will assist the transformation of the Vision document into a formal Spatial Regeneration Framework, with Supplementary Planning Document status, which will clearly reflect what is in the Unitary Development Plan and emerging Local Plan for Liverpool.

The Spatial Regeneration Framework will be presented to Cabinet following a further period of consultation later in 2013/14 which in turn will underpin the various Planning Applications in respect of the key component projects detailed above.

The areas for which an "in principle" approval for the Council to use its Compulsory Purchase Powers is required (hatched in red on the Plan at Appendix 3) are as follows;

- a) Land and property within the boundary of Phase 4 of the 'Parks' new housing development and the commercial frontages to Walton Breck Road and Oakfield Road where property owners have been either un-contactable or where purchase has not been completed by negotiation and private treaty to date. Note this area has previously been declared a 'Clearance' area for the purposes of regeneration ("the Phase 4 Scheme");
- b) Land and property within the boundary of the Phase 5 of the 'Parks' new housing development and the commercial frontages to Walton Breck Road where property owners have been either un-contactable or where purchase has not been completed by negotiation and private treaty to date. Note this area has previously been declared a 'Clearance' area for the purposes of regeneration. It is intended to deliver new and or significantly improved Commercial Frontages and Walton Breck Road is the preferred location for the Training Hotel proposal. ("the Phase 5 Scheme");
- c) Land and property within the boundary of the Anfield Village area where property owners have been un-contactable or where purchase has not been completed by negotiation and private treaty to date. Note parts of this area remain as 'Clearance' area for the purposes of regeneration following the launch of the Anfield Village Plan in 2012. It is intended that areas declared for clearance in Anfield Village are the preferred locations for some commercial developments including the Business Hub and the creation of open space in the retained housing area ("the Anfield Village Scheme"); and
- d) Land and property in the Rockfield area where property owners have been un-contactable or where purchase has not been completed by negotiation and private treaty to date. It is intended that the area declared for Clearance in Rockfield will, amongst other developments, provide the land required to deliver 96 Avenue and facilitate the expansion of Liverpool FC's existing stadium ("the Rockfield Scheme").

It is intended that a separate CPO will be promoted for each part of the Project although, depending upon time constraints and other factors it may be necessary to promote one or more of the proposed CPO's at the same time. However, the proposals in respect of each area of the Project can take place independently of the other and are not mutually dependant. One, some or all of the phases can come forward as independent parts of the Project and will

be justified with their own detailed report to Cabinet, should it prove necessary to proceed with a CPO for that part of the Project.

Cabinet is asked to support the recommendations of this report and recognise the importance of delivering the Anfield Project which aims to deliver a regeneration plan with significant social, environmental and economic benefits to Anfield. This will not only bring much needed regeneration to this part of the City but will also promote the regeneration of North Liverpool and in turn, will lead to a net socio-economic and environmental benefit to Liverpool as a whole.

Mayoral Recommendations:

That -

- (i) "in principle" agreement be given for the City Council to use its compulsory purchase powers and "in principle" to acquire or appropriate the site/s shown edged red on the plan at Appendix 3 to the report submitted, for planning purposes, pursuant to Sections 226 and 227 of the Town and Country Planning Act 1990 (as amended) and Section 122 of the Local Government Act 1972, to enable Liverpool City Council, Your Housing Group and Liverpool Football Club to deliver the Anfield Project along with associated development supporting regeneration;
- (ii) authority be granted to the City Solicitor and the Divisional Manager – Development to issue requisitions for information pursuant to Section 16 of the Local Government Act (Miscellaneous Provisions) Act 1976 to all potential owners of legal interests affected by the Anfield Project.
- (iii) delegated authority be granted to the City Solicitor, Assistant Director - Planning & Development and Divisional Manager – Development to complete and settle the land referencing exercise to identify all owners, tenants, occupiers and others with a legal interest affected by the Anfield Project, which may be included in any future Compulsory Purchase Order or become eligible for compensation under Section 237 of the Town and Country Planning Act 1990.
- (iv) the Assistant Director – Planning & Development be appointed as the authorised officer pursuant to s15 of the Local Government (Miscellaneous Provisions) Act 1976 (power of local authorities to survey land which they propose to acquire compulsorily).
- (v) if the Council cannot assemble the development sites by the dates indicated below by agreement/private treaty, further reports will be presented to Cabinet seeking authority to make a CPO(s) for the site/s and to acquire or appropriate the site/s for planning purposes. The dates for these further reports will be as follows;
 - (a). For land and property within Phase 4 of 'the Parks', as defined

- at Appendix 3, no later than the end of November 2013;
- (b). For land and property within Phase 5 of 'the Parks' as defined at Appendix 3, no later than the end of March 2014;
 - (c). For land and property within the Anfield Village area, as defined at Appendix 3, no later than the end of January 2014; and
 - (d). For land and property within the Rockfield area, as defined at Appendix 3, no later than early 2014;
- (vi) in relation to (v) (d) above and when the following pre-conditions have been met by Liverpool Football Club (LFC), Cabinet will consider a request to authorise the making of a CPO or use its powers to appropriate land for planning purposes under the relevant provisions of the Town and Country Planning Act 1990 and the Local Government Act 1972, in respect of the parts of the site required for stadium expansion (the Rockfield Scheme):
- (a). LFC maintain their preference to stay at Anfield for purposes of delivering an expanded stadium, and provide appropriate assurances that it is not pursuing any interest in moving to a stadium or site elsewhere;
 - (b). the Council is satisfied Heads of Terms have been signed by LCC, LFC (and YHG - see equivalent provision, at 7(ii) below) which confirms LFC's commitment to the expansion of LFC's existing stadium and associated public realm and LFC's support for the comprehensive redevelopment and regeneration of the Anfield Project area (provided that this shall not prevent the Council from proceeding at any time, where necessary, with a CPO for other parts of the Project);
 - (c). The Council is satisfied that LFC has a viable business plan and funding strategy for the proposed Rockfield Scheme, together with sufficient provision by way of CPO Indemnity Agreement with the Council to meet the costs of making and confirming any such CPO or acquisition or appropriation of land, property and interests together with any associated costs including compensation or other payments; and
 - (d). The Council is satisfied that it is not providing an unlawful indirect subsidy or State Aid.
- (vii) In relation to (v) (b) above and in respect of any proposed CPO including the Training Hotel as part of the Phase 5 Scheme, Cabinet will consider a request to authorise the making of a CPO or use its powers to appropriate land for planning purposes under the relevant provisions of the Town and Country Planning Act 1990 and the Local Government Act 1972, provided that the following pre-conditions have

been met by YHG:

- (a). the City Council is satisfied Heads of Terms have been signed by LCC, YHG (and LFC – see equivalent provision at 6 (ii) above) which confirms YHG’s commitment and support for the comprehensive redevelopment and regeneration of the Anfield Project area (provided that this shall not prevent the Council from proceeding at any time, where necessary, with a CPO for other parts of the Project);
- (b). the City Council is satisfied that YHG has a viable business plan and funding for the delivery and operation of the Training Hotel together with sufficient provision by way of agreement with the Council to meet the costs of making and confirming any such CPO (or relevant part thereof) or the acquisition of appropriation of land to accommodate the proposed Training Hotel and ancillary works together with any associated costs including compensation an other payments; and
- (c). the City Council is satisfied that it is not providing an unlawful indirect subsidy or State Aid.

Mayor’s Priorities

The Anfield Project sits within the North Liverpool Mayoral Development Zone, and will contribute significantly to the aim of creating 20,000 jobs in the city. It is anticipated that development of the Anfield Project itself could lead to the creation of an estimated 770 jobs. This development will also assist in transforming Liverpool into one of the most business and enterprise friendly cities in the UK and will help transform this area where currently unemployment is high and the neighbourhood environment is poor.

The proposals are based upon the destination aspect of Liverpool FC, their preference to stay in Anfield and expand the stadium capacity together with a commitment from the City Council and Your Housing Group to work in partnership to deliver a comprehensive regeneration scheme which will include the delivery of over 400 new homes, 300 refurbished houses and the creation of new commercial properties on the Walton Breck Road/Oakfield Road corridor.

Corporate Aim(s):

The proposal is supportive of the following Corporate Aim –

We will make Liverpool the preferred choice for investment and job creation.

The Anfield Project, as a consequence of the partnership between LCC, LFC and YHG will deliver a comprehensive regeneration project which is forecast to cost £250 Million and deliver an estimated 770 Jobs. The majority of spend is forecast to come from the private sector and together with public sector

investment, will deliver a fundamental step change in the prospects for this part of the City.

Key Decision:

Yes.

28 Day Notice.

Reason if not in 28 Day Notice:

Inclusion in Urgency Notice:

Implementation effective from:

1 November 2013

Timescale for action:

2013 to 2017

Reason(s) for Recommendation:

- (i) To enable a comprehensive development and regeneration of the Anfield area and for the whole of the Anfield Project to be achieved.
- (ii) To enable the City of Liverpool as a whole to benefit from the regeneration.
- (iii) To maximise the benefits to the community and businesses within Anfield as a whole and within the local area and North Liverpool.
- (iv) To enable a better visitor experience to Anfield.
- (v) To allow partners to assemble the site/s by agreement and as a last resort by the Council, to facilitate the development by the use of Compulsory Purchase powers.

Other options considered

- Not to support the Anfield Project in land assembly by use of CPO and appropriation powers.

The proposed decision enables LCC to assemble the site and proceed with the regeneration of Anfield. To date, the partners have had difficulty assembling the site/s which has impacted upon the local area and caused decay of the built environment around the existing stadium

and housing. If the Council decides not to support the Anfield Project in the land assembly process and the development of this area, the regeneration of Anfield may not be realised for a longer period.

- Use of Compulsory Purchase powers by other agencies instead of the Council.

Although the Council has Compulsory Purchase powers, there are also other Government agencies which have these powers and consideration was given to whether it would be appropriate for another agency to exercise powers. For example, the Homes and Communities Agency has undertaken similar land assembly projects throughout Liverpool. Due to the comprehensive spending review, the public sector financial climate, the current consolidation of agencies for financial and efficiency reasons, and the Council's existing land and property ownership in the Anfield area, it is appropriate for Liverpool City Council to exercise its compulsory purchase powers, particularly as the Anfield area is of strategic importance in the locality of the Council and in relation to the development of North Liverpool.

Background

On 18th October 2012, the Liverpool City Council, Liverpool FC and Your Housing Group announced their intention to work in partnership to bring forward a regeneration plan for Anfield.

On 24 June 2013 the regeneration plan was launched for public consultation in the form of a 'Vision' for the Anfield Project. In order to deliver the Anfield Project, it may be necessary for the Council to exercise its compulsory purchase powers, as within the Anfield Project area, the Council, LFC and YHG own various landholdings (e.g. strips of highway, land, the former Breckfield Primary, commercial and school and housing units) which are potentially affected by the Anfield Project, both in terms of land assembly and interference with third party rights.

Compulsory Purchase

Section 226 of the Town and Country Planning Act 1990 (as amended) enables the Council to acquire land compulsorily for "planning purposes". Section 226 (1) (a) allows these powers to be used if acquiring the land will facilitate the carrying out of the development, redevelopment or improvement on or in relation to the land being acquired and it is not certain that the necessary land can be acquired through agreement. This is a wide power and it is subject to sub section (1A) of Section 226 which provides that an acquiring authority must not exercise this power unless it thinks the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of the area.

Of the four areas considered for this "in principle" approval to CPO, the CPO

for the Rockfield Scheme requires the Council to seek assurances and an indemnity from Liverpool FC and the CPO for the Training Hotel as part of the Phase 5 Scheme may require the City Council to seek assurances and an indemnity from YHG.

The remaining CPO's are either funded by Government funding/or by the Council for the purposes of Business Development and regeneration.

Further details of the Compulsory Purchase process and powers will be presented in future reports to Cabinet should the Council decide to proceed with an "in principle" decision and if a resolution is required which authorises the making of one or more of the proposed CPO's.

Compulsory Purchase "in principle" decision

At this stage, the partners are seeking an "in principle" resolution indicating that the Council will support the scheme by compulsory purchase and use of land appropriation powers, if necessary. There have been similar resolutions passed for developments elsewhere in the Liverpool area.

Compulsory purchase is a course of last resort, and should only be pursued where it is a proportionate response to pursue a compelling public interest. The Council will be using all reasonable endeavours to agree terms with interested parties by voluntary means in accordance with government advice in ODPM Circular 06/2004. This guidance also recommends the use of alternative dispute resolution techniques including mediation and arbitration wherever appropriate.

Making this "in principle" decision does therefore not commit the Council to making any of the CPO's proposed at this stage and any decision to make an Order will follow a report setting out detailed and reasoned justification why such an order is necessary in the public interest.

Planning Policy

The development plan for Liverpool comprises the saved policies in the Unitary Development Plan (UDP) which was adopted in 2002. It will remain the City's extant development plan until it is replaced by the Local Plan and other development plan documents which will form the new Development Plan for Liverpool.

Liverpool Unitary Development Plan

The Order Lands, which fall within the proposed Anfield Spatial Regeneration Framework area sit with the adopted UDP as follows:

- Policy GEN1 (Economic Regeneration): a strategic policy that seeks to reverse the decline in economic activity, investment and employment in Liverpool;
- Policy GEN2 (Open Environment): this policy aims to protect and

- enhance a network of open space throughout the City;
- Policy GEN4 (Housing): a strategic UDP housing policy which includes an objective of improving the living environment of existing housing areas;
- Policy H2 (Housing Renewal): which states that the Council will adopt an area based approach to tackling problems in the City's housing stock. In the private sector, the Council will seek to designate Housing Renewal Areas as a means of delivering renewal of the housing stock;
- Policy H4 (Primarily Residential Areas): the majority of the Order Lands are designated as being in a Primarily Residential Area on the UDP Proposals Map. This policy states that within the Primarily Residential Areas, planning permission will be granted for new housing development that satisfies other Plan policies industrial/business development, community facilities and other forms of development provided there is not adverse impact on residential amenity or character of the area;
- Policy H5 (New Residential Development): a policy which promotes high quality design in new residential development;
- Policy GEN4 (Housing): a strategic UDP housing policy which includes an objective of improving the living environment of existing housing areas;
- Policy OE11(Protection of Green Space): a policy that seeks to resist built development on green space unless it can be accommodated without material harm to its recreational function, visual amenity, relationship with other green spaces, and any known nature conservation value;
- Policy OE12 (Enhancement of Green Space): states that the City Council will seek to enhance the overall stock of publicly accessible green space;
- Policy C7 (The Football Clubs): a policy that seeks to ameliorate match day parking, maintain and enhance residential amenity in the area, and assist both Everton and Liverpool clubs in progressing their development proposals provided that they do not adversely affect residential amenity and area in accordance with other policies in the Plan; and
- Policy HD15 (Historic Parks, Gardens and Cemeteries): states that the City Council will take positive action to protect and enhance the character and setting of Historic Parks, Gardens and Cemeteries. Stanley Park carries a Grade 2 listed status.

Therefore the purpose for which the Council is seeking to acquire 'in principle' accords with the relevant Unitary Development Plan policies listed above and other related policies within the Plan.

A number of other documents can be material considerations. These include national policy guidance in the form of the National Planning Policy Framework (NPPF), statutory and non-statutory planning documents (e.g. Supplementary Planning Documents), draft documents, other plans and strategies and recent planning applications. Notwithstanding the proposal to

prepare an SRF for the area to be adopted as an SPD, relevant to the Order Lands at this time are the NPPF and the Liverpool Core Strategy Submission Draft 2012.

The National Planning Policy Framework (NPPF) was published in March 2012. It provides for a presumption in favour of sustainable development and states that development proposals should be approved that accord with the development plan without delay. Although paragraph 7 of the NPPF explains the various dimensions to “sustainable development”, the Government’s view of what sustainable development means in practice is stated by paragraph 6 of the NPPF to be found in paragraphs 18-219 of the NPPF taken as a whole. Therefore what is sustainable development should be determined by consideration of the NPPF at paragraphs 18-219.

Where the development plan is silent, absent or relevant policies are out of date, the NPPF indicates that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole or where policies within the Framework indicate development should be restricted. Paragraphs 214 and 215 in the NPPF make it clear that due weight should be given to existing policies in existing plans according to their degree of consistency with the NPPF.

Taken as a whole, the policies elaborated within the NPPF at 18-219 constitute the Government’s view of what sustainable development in England represents in practice for the planning system. These policies are premised on the basis of the three dimensions of ‘sustainable development (paragraph 7)’:

- An economic role, ensuring there is sufficient suitable land to assist in the development of a strong, responsive and competitive economy;
- A social role, which supports strong, vibrant and healthy communities, by providing a supply of housing required to meet the needs of present and future generations; and
- An environmental role, which contributes to protecting and enhancing our natural built and historic environment....helping to improve biodiversity.

The NPPF sets out 12 core land-use planning principles at paragraph 17. The following principles are particularly relevant to the current proposals:

- Planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- Planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth;
- Planning should seek to secure high quality design and a good

standard of amenity for all existing and future occupants of land and buildings;

- Take account of the different roles and character of different areas, promoting the vitality of our main urban areas;
- Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources;
- Conserve and enhance the natural environment;
- Planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- Promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas;
- Heritage assets should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- Patterns of growth should be actively managed to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations, which are or can be made sustainable; and
- Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

The Liverpool City Council Core Strategy (Submission Draft 2012)

Although this document has not been formally adopted for development control purposes and does not yet form part of the Development Plan for the area, it is the Council's most up to date consideration of planning policy guidance for its area. As the document is at an advanced stage it is a material consideration in the planning decision process which must be given some weight. A number of strategic policies in this document support the in principle proposal and the approach taken for the Anfield Project area. Of particular relevance are:

SP1 Sustainable Development Principles
SP3 Delivering Economic Growth
SP9 The Location and Phasing of New Housing
SP11 Housing Provision in the Urban Core
SP13 Housing Mix – City Wide Principles
SP15 Housing Mix – Urban Core
SP23 Key Place Making and Design Principles
SP24 Historic Environment
SP26 Protecting and Enhancing Green Infrastructure
SP29 Green Infrastructure in the Urban Core
SP31 Sustainable Growth
SP33 Environmental Impacts
SP34 Improving Accessibility and Managing Demand for Travel
SP35 Maximising Social Inclusion and Equal Opportunities

It is submitted that the 'in principle' proposals conform to the development plan and the other material considerations, set out above and should be supported.

Third Party Rights and Interests

In addition to owning land required for the proposed schemes, third parties may hold easements and other interests and rights which would prevent or interfere with the planned redevelopments. This report therefore also recommends that the Council take appropriate steps to acquire such interests by compulsory acquisition or to override them under section 237 of the Town and Country Planning Act 1990 in respect of land held or acquired by the Council for planning purposes.

Efforts to acquire to date

The Council is taking into account Government Circular, 6/2004 'Compulsory Purchase and the Crichele Down Rules' in considering whether or not a CPO may be required. Government guidance is that CPO powers should only be exercised where there is a compelling case in the public interest.

Compulsory acquisition is an action of last resort, as the preference is to acquire by way of private treaty and agreement wherever practicable. Despite ongoing negotiations with third parties, it is anticipated that the Council will not be able to secure all the interests within each proposed CPO area within a reasonable timescale to enable the delivery of the Anfield Project in a timely manner. The Council continues and will continue to use its reasonable endeavours to reach agreement with landowners by private treaty before making a final decision to use CPO powers.

It is clearly in the Council's, YHG's and LFC's interests that agreements can be reached to avoid the use of compulsory purchase powers. However, if the Council is prepared to use their compulsory purchase and appropriation powers as a last resort, then it is appropriate to make that clear in public so that all parties know the context in which they are negotiating.

Financial issues and risk to the Council in making CPO's

The Rockfield Scheme

A CPO Indemnity Agreement has been prepared and will form one part of the comprehensive agreements to be entered into between LCC and LFC. This will provide financial protection for the Council in respect of the exercise of its compulsory purchase and other powers, should it need to use those powers to enable the delivery of the Rockfield Scheme, subject to the conditions outlined in the recommendations of this report.

The Council's intention and strategy is to acquire as many of the interests LFC require to implement the stadium element of the Rockfield Scheme by private

treaty and agreement, without the need to call upon CPO powers, which LFC and the Council sees as a last resort. LFC has employed professional legal and property advisors to advise on the CPO process and compensation issues under the terms of the proposed CPO indemnity agreement. LFC have agreed for these professional advisors to provide technical support to the Council to assist in preparing the reasons and case for the CPO and implementing a CPO (if required).

All costs associated with the “in principle” decision and proposed Compulsory Purchase Order and appropriation powers with regard to the possible CPO for the Rockfield Scheme will be met by LFC. The indemnity provided by LFC will be detailed in the proposed Heads of Terms Agreement between LCC, LFC and YHG and which is subject to separate Cabinet approval.

The Training Hotel/Phase 5

A CPO Indemnity Agreement has been prepared and will form one part of the comprehensive agreements between LCC and YHG. This will provide financial protection for the Council in the event the Council agrees to exercise its CPO powers to deliver the Training Hotel as part of the Phase 5 Scheme subject to the conditions outlined in the recommendations in this report.

All costs associated with the “in principle” decision and proposed Compulsory Purchase Order and appropriation powers with regard to the possible CPO for the Training Hotel will be met by YHG. The indemnity provided by YHG will be detailed in the proposed Heads of Terms Agreement between LCC, LFC and YHG and which is subject to separate Cabinet approval.

Leading the CPOs for the Rockfield Scheme and Training Hotel/Phase 5

The CPOs for the Rockfield Scheme and the Training Hotel/Phase 5 will be led and managed by the Council’s Assistant Director of Development, in consultation with the Divisional Manager for Planning, the City Solicitor and Head of Finance. A joint project team has also been set up with LFC and YHG professional advisors.

Leading the remaining CPOs and Costs

As a matter of general principle, all costs associated with the “in principle” decision and proposed Compulsory Purchase Order(s) and appropriation powers with regard to possible CPO’s in the Parks development area, Walton Breck Road/Oakfield Road and Anfield Village will be led and met by the Council.

Financial exposure

The formal steps of the CPO process are set out in a flow diagram in Appendix 2. There are a number of areas of financial exposure associated with a CPO and overriding any third party rights, which are set out below:

1. Professional Costs

Throughout the process of promoting the CPO, the Council will be incurring professional and administrative costs. For those costs relevant to the Rockfield Scheme, to date, the Council has relied on LFC's and YHG's assurances that those costs will be paid. It has been agreed with LFC and YHG that a budget costing of the programme for the CPO (and s237 process) will be prepared and presented to Cabinet, if full CPO resolution(s) are required. These costs will be met by the indemnity agreements with LFC and YHG in respect of the Rockfield and Training Hotel/Phase 5 schemes. The liability for professional costs associated with the other CPO's will be met by the Council.

2. Blight Notices and Purchase Notices

A limited number of owners may be able to serve blight notices or Purchase Notices. A blight notice is, effectively a reverse CPO requiring the Council to take an owners property immediately. The Council will have two months to respond to the notice. A Purchase Notice may be served by an owner if Planning Permission is refused and the land cannot be put to any reasonable beneficial use.

Each blight notice or Purchase Notice will be considered on its merits in accordance with statutory criteria and any payments required to be made with regard to the properties/interests in the Rockfield and Training Hotel/Phase 5 Scheme areas will be covered by the proposed indemnity agreements with LFC and YHG, where the success of the notice is as a result of the their proposals. Should any such notices be served in respect of the other parts of the Anfield Project, these will have to be met by the Council in the normal way.

3. Implementation of the CPO

The decision to proceed with a CPO/CPOs resolution and to implement a CPO/CPO's will be subject to further reports to Cabinet and will be conditional on the matters outlined in the recommendations of this report.

If the Council makes a CPO/CPOs resolution, a pre-condition of the Council making the CPO/CPOs, is that where the CPO is relevant to the Rockfield and Training Hotel/Phase 5 Schemes, LFC and YHG will have to provide evidence of their intention and ability, in terms of funding, financial arrangements and other evidence, to proceed with the CPOs and their parts of the development schemes. If there is any doubt at that stage about their financial standing, then the Council will not be required to acquire properties or make a CPO.

LFC and YHG will be responsible for security, insurance, maintenance and any other ongoing liabilities following CPO and transfer of land and will remain responsible for payment of any costs the Council incurs with regard to any of these issues.

The decision to make a CPO in respect of the other areas within the Anfield Project and the costs associated in doing so, including the acquisition of any land or other interests will be met by the Council either from grant funding or the Council's own funds.

4. Insolvency

In the case of properties/interests in the Rockfield and Training Hotel/Phase 5 Scheme areas that may proceed to the implementation of the CPO requiring LFC and YHG indemnity, the worst case scenario is if LFC or YHG become insolvent after the implementation of the CPO (and after entry or General Vesting Declaration) but prior to compensation being finalised and before they have paid monies due to LCC under their respective indemnity agreements (however the risk of such insolvencies is considered to be low).

To protect against this, Officers will consider the provision by LFC and YHG of appropriate staged/monthly payments as appropriate to cover likely liabilities for CPO including but not limited to on going costs and compensation plus a margin, so the risk is reduced.

Further details of the financial risks and exposure of the Council on the Rockfield Scheme, Phase 5/Training Hotel or on any of the other proposed CPO's will be presented to Cabinet as part of any report seeking final authority to make a compulsory purchase order.

5. Rights and Other Interests

The CPO process and other legal mechanisms (s237 etc) convert any rights over the site into an entitlement to compensation. With regard to the properties/interests in the Rockfield and Training Hotel/Phase 5 scheme areas, prior to the relevant legal process taking place, LFC and YHG will enter into appropriate CPO indemnity arrangements with the Council to protect against liability to meet CPO costs and compensation.

6. CPO Compensation

Under the Statutory Compensation Code owners will be paid the full market value of their interest in any land acquired, with the interest being valued at the date when the Council enter or take control of the relevant property following confirmation of the CPO. They will also be

paid “disturbance” costs, which include all reasonable costs associated with finding new premises and relocating their businesses and/or residences.

To provide a further level of protection for the Council with regard to the properties/interests in the Rockfield area required for stadium expansion and the Phase 5 area required for the Training Hotel, officers will consider the provision of appropriate security by LFC and YHG to protect the Council against all heads of statutory compensation which may be payable as a result of the CPO process (including such matters as severance, business extinguishment and depreciation where no acquisition has taken place). LFC, YHG and the Council will publish a scheme for compensation should the Council resolve to use its powers in due course. Any such costs in relation to any other CPO's will need to be met by the Council.

7. Relocation

The Council, YHG and LFC have been working on acquisition and relocation strategies to minimise the impact of the proposed development. The Council, YHG and LFC and their professional advisors will continue to use their reasonable endeavours to reach an appropriate agreement with any other owners who wish to sell prior to any CPO resolution. As part of this, the Council will offer support in trying to find alternative premises, if this is feasible, and the parties will consider advance payment of any compensation that is likely to fall due under a legal agreement to mitigate hardship.

Consultation including consultation with Ward Councillors and outcome:

On 18th October 2012 the Council, Liverpool FC and Your Housing Group announced their intention to work in partnership to bring forward a plan for Anfield. Prior to this, local Stakeholder Groups had been created to bring forward plans for the Anfield Village and Rockfield Housing Regeneration areas.

On 24 June 2013 the plan was launched for public consultation in the form of a ‘Vision’ for the Anfield Project.

The vision for the Project was undertaken between 24th June 2013 and 2nd August 2013. In total, 8000 newsletters were distributed to businesses and households together with full spread articles in the Liverpool Echo, the Anfield Star and other locally circulated publications. Door to door consultation was undertaken with circa. 2000 households including those households within the boundary of the proposed CPO areas and letters were sent to residing and absent property owners. There were 22 ‘road-show’ style drop-in sessions and information points were provided to gauge the opinion of passers by, residents and visitors. In addition a website has been created;

www.anfieldproject.co.uk and a dedicated email address for people to follow the project and ask questions on an ongoing basis.

The majority of those consulted were in favour of the Project as described earlier in this report. The information gathered will be used to create a Spatial Regeneration Framework which will be subject to further consultation, in a similar manner to that detailed above, prior to approval by the Council's Cabinet.

Prior to the current proposals, the Council undertook extensive consultation with local stakeholders as part of the former Housing Market Renewal Programme which established the basis on which the area was prioritised, as one for significant regeneration incorporating new housing, commercial development and community facilities including a school and health centre.

Financial implications (Efficiency Savings):

This is a report seeking in principle approval to the making of a CPO/CPOs and does not give rise to any direct liabilities. The financial aspects relating to compulsory purchase will be detailed in full in any future reports seeking final approval for use of CPO powers and will, where appropriate, include requirements for indemnities to protect the Council.

Legal implications:

Legal implications have been outlined in the body of the report and the report mainly seeks "in principle" support for the use of compulsory acquisition powers. The legal aspects relating to compulsory purchase will be detailed in full in any future report seeking final approval for use of CPO powers.

Risk Management:

These have been clearly articulated in the body of this report.

Financial risks in respect of the proposed Rockfield and Training Hotel as part of Phase 5 Schemes will be managed by the requirement for LFC and YHG to enter into indemnity agreements to protect LCC against the costs of the CPO process and any claims for compensation and costs arising from the exercise of CPO powers.

Equality implications/Equality Impact Assessment:

An Equalities Impact Assessment will be undertaken and presented at the full resolution stage which will assess separately any equalities issues specifically in relation to making a CPO.

Climate Change Strategic Framework and Climate Change Adaptation Framework:

This is a report seeking in principle approval to the making of a CPO/CPO's, if required, to fulfil the requirements of land assembly.

The Spatial Regeneration Framework of the Anfield Project will be presented at a future stage of the project.

Budget and Policy Framework:

The project is being brought forward in accordance with the Councils Budget and Policy Framework.

Report attached:

Appendix 1 – Anfield Project – Consultation Document (June 2013)

Appendix 2 – CPO Process Flowchart

Appendix 3 – Anfield Project - 'In principle' Compulsory Purchase Order Lands

The Anfield Project

A consultation document
June 2013

A vision document for people, place and park.

In October 2012 the Mayor of Liverpool, Joe Anderson announced that Liverpool City Council had established a partnership with Your Housing Group and Liverpool Football Club to develop the regeneration ideas for Anfield. The new ideas build on the Council's existing ideas to revitalise the housing in the area and follow on from the considerable investment already made to make Anfield a better place. These new ideas will enhance the ongoing regeneration of the area, giving long term benefits to the current and future residents and businesses based in Anfield.

The document provides for further regeneration and focusses on:

- Anfield Village & Rockfield housing refurbishment
- New build housing
- The Walton Breck Road (High Street) corridor
- New Public Space and Village Square
- The completion of Stanley Park
- LFC's preferred option to expand Anfield Stadium

The document outlines a number of ideas which could be delivered with the support of residents, businesses and other stakeholders. The ambition is for neighbourhood renewal of national importance based on local interests with strong community involvement.

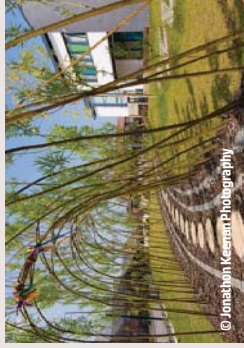
We want to hear from you.

It's all about Neighbourhood



Neighbourhood

Through **housing renewal**, a new **health centre and school**, the restoration of **Stanley Park and Isla Gladstone Conservatory**, the regeneration of Anfield is well underway. These proposals focus on further initiatives delivering **complementary development**, community involvement and **renewed area pride**.



Neighbourhood renewal

The new Mere Lane Health Centre, Four Oaks Primary school and ongoing neighbourhood renewal form a foundation for further environmental and housing stock improvements. The Anfield Project will build on existing initiatives, **greening the neighbourhood**, **strengthening the sense of place** and linking to a new health, employment and leisure initiatives centred around the High Street and Stanley Park.



Community action

The healthy living agenda set by the wider proposals could be encouraged to spread through the neighbourhood in the form of **community gardens** and **use of open space**. As an example, the Community Gardens movement in New York has turned **wasteland and gap sites into green oases**, through involvement from individuals, Community Interest Companies and Land Trusts.

Green Buffers

Existing housing can rub along uncomfortably with matchday crowds. Landscape and planting around refurbished and new housing together with new commercial buildings on Village Square will **emphasise privacy** and **provide a buffer**.



Housing

New house building and **intelligent refurbishment** of existing Victorian terraces will deliver improved housing standards. **Pocket Parks** on gap sites and **imaginative greening** of streetscapes will return Anfield to its origins as a **desirable leafy suburb** of a thriving and lively Liverpool.

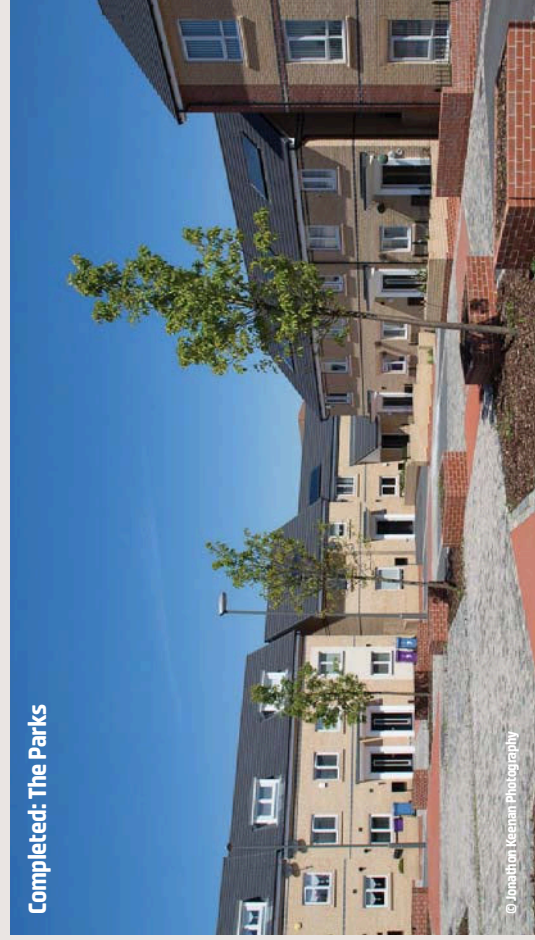


Anfield Village and Rockfield Neighbourhoods

As part of the wider renewal, the terraces of good sized Victorian family houses are being refurbished, **maintaining larger housing** for existing and new residents. The smaller terraces to Anfield Village are already providing opportunities for reformulating to create new family housing such as the 'two into ones'. These proposals focus on providing a suburban environment with **good quality streetscape**.



Completed: The Parks



High Street

Careful restoration and exciting new buildings, including the potential training hotel, aim to **anchor the regeneration of Walton Breck Road**. Improvements to buildings must be matched by improved public space with sustainable new uses including both **community and commercial enterprise**.



New Investment

The proposed training hotel can be a **catalyst for increased activity on Walton Breck Road**, investment in new business, training and jobs together with increased visitor numbers from an expanded stadium and improved range of non-matchday facilities. There will be **new opportunities for start up businesses to occupy the shop fronts along the High Street**.

The High Street

Walton Breck Road has suffered from the draw of both city centre and out of town shopping. The dominance of the stadium is a key focal point creating a 'sense of place' but with limited appeal outside matchdays. The High Street requires **new uses serving local needs and adding to the visitor experience**.



Business Hub

High quality commercial buildings, offices and retail can become catalyst for **reclaiming public space**, bringing life to areas around the potential Village Square. A strongly defined public square, with clear uses **could be as purposeful on a wet weekday morning as a sunny matchday afternoon**.



Enterprising community

At the centre of these proposals, there will be a plan to bring new business to the area. New commercial uses adjacent to the Village Square would help support existing and new home-grown business. A lively and local commercial centre, would help create a **more desirable neighbourhood**.

Enterprising buildings

A new suite of commercial buildings, **aiming to attract significant employers to Anfield**, would form a new edge to the village square. Large employers will attract associated uses and businesses, generate training, employment and enterprise opportunities.



Stanley Park

The recent restoration has reinvigorated Stanley Park. This **important restoration** leaves room for new and complimentary uses. As a whole the Park should aim to be the **perfect balance of historic** and **modern recreation space**, reconnecting the people to 'the People's Park'.



The Evolving Park

Promenading may have given way to dog-walking and a kick-about in the constant evolution of Park life, however the ideals of **community access, health and recreation** remain constant. The proposals facilitate and encourage activity that will **engage and involve new generations** of Park users and visitors.



The People's Park

Dubbed 'The People's Park' by Mayor Hubback in 1870, it encouraged **team sports, children's sports days and fetes**. The 21st century Park must be multifunctional, accessible and engaging. The Park should aspire to accommodate events and uses that **bring more people to the Park, for more reasons, more of the time**.



Parklife

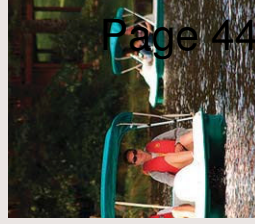
The 21st century Park should seek relevance for the modern age, **preserving heritage value** while delivering more **activity, health, recreation and cultural use**. The Park should support established health and recreation uses while encouraging new uses that will bring new people to the Park.



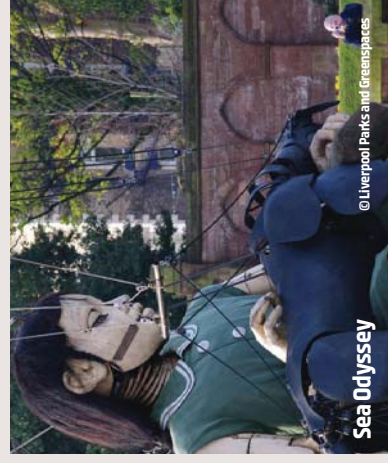
Outdoor Gym



Parkour



Page 44



Sea Odyssey

© Liverpool Parks and Green Spaces

The Food Hub

The Food Hub would create direct links between food partners and the local community, becoming a **good-food distribution point** for North Liverpool, attracting local and regional producers, creating jobs and **improved access to high quality produce** as a focus for healthy lifestyles.

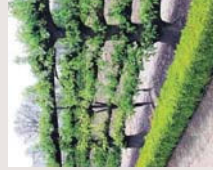


Market Garden

The Food Hub proposal is arguably incomplete without the recreational and training value of horticulture and the **pleasure in growing**. Encouraging kitchen and 'market' gardens around the Food Hub and wider neighbourhood would have recreational value as well as the obvious educational and community value. Creating **verdant and vibrant productive gardens** for the neighbourhood and a visitor attraction for the Hub and Park.

Learning and Working

The Food Hub has the potential to offer direct **employment, training and education** opportunities in food production, preparation and service. Through links to other production, hospitality and recreational partners and distribution partners the Hub could offer training opportunities and access to new **careers** for local residents. Links to local schools would provide education opportunities in food production, policy and healthy eating.



The Avenue

The Avenue would become an **animated and landscaped route** connecting the Walton Breck High Street through Stanley Park to Priory Road. Improving community access to Stanley Park, better connections to both football stadia and parking, supporting employment and recreational uses.



Stalls, Delis and Markets

The Avenue would become a focal point for **celebration and enjoyment**. Through links with food producers and event programmers it could look to support a programme of events, markets and festivals. A cluster of initiatives, including a matchday covered market that could connect **grass-roots urban agriculture** to national and **international food tourism**.

The Avenue

This bold move would place the Park as a focal point for a new community emphasis. Improved family friendly space, better connectivity for all neighbouring communities, new commercial, community, health and recreation uses along and around The Avenue.



Matchday

The aim is to provide an **extended enhanced matchday experience**, using matchdays to encourage greater participation in other sporting, health and recreational activities with more diversity and activity in purpose designed facilities to encourage **greater family participation**.



Public space

At the junction of The Avenue and Walton Breck Road an adaptable 'year round' Village Square would be able to accommodate **markets, family workshops and weekday activity**. A space capable of accommodating matchday crowds and supporting small events as a focus for activity.

Fan-park

These proposals seek to offer an **wider range of activities on matchdays for fans and local residents alike**, using matchdays to encourage greater participation in other healthy living activities. More diversity and activity would **encourage greater family participation** and relieve crowd management through staggered arrival and departure while bringing more money into the local economy.



21st Century Stadium

The proposed expansion of Anfield stadium maintains the idea of a stadium in the Park by **extending open space (The Avenue) around the stadium and creating an enhanced modern stadium within a high quality landscaped setting**. This will bring club, place and Park together.



Anfield Stadium

In October 2012, Liverpool Football Club confirmed its preference is to stay and expand Anfield stadium subject to detailed feasibility studies and the community and home owners' support. The Club believes the wider Anfield regeneration vision is an **important step to transforming the area for the better**.

Any expansion of the stadium will include **vibrant and useful public open spaces**. These open spaces will be created in keeping with the wider Anfield regeneration plan and be used for everyday activities while also providing a buffer between the residential neighbourhood and the stadium.

Liverpool FC

LFC has been playing at Anfield for over 120 years and it is one of the most famous football grounds in the world, drawing large numbers of visitors to the area on match and non-match days. **LFC makes a significant contribution to the local economy of the area** and this will be enhanced through the proposed regeneration plans.

Anfield – the possibilities

Key

- Regeneration
- Housing
- Information
- Project Office
- Commercial
- Commercial
- Training Hotel

Stanley Park

- Landscape Events
- Urban Bldg
- Fitness Trail
- Fishing
- Children's Play Area

Match Day

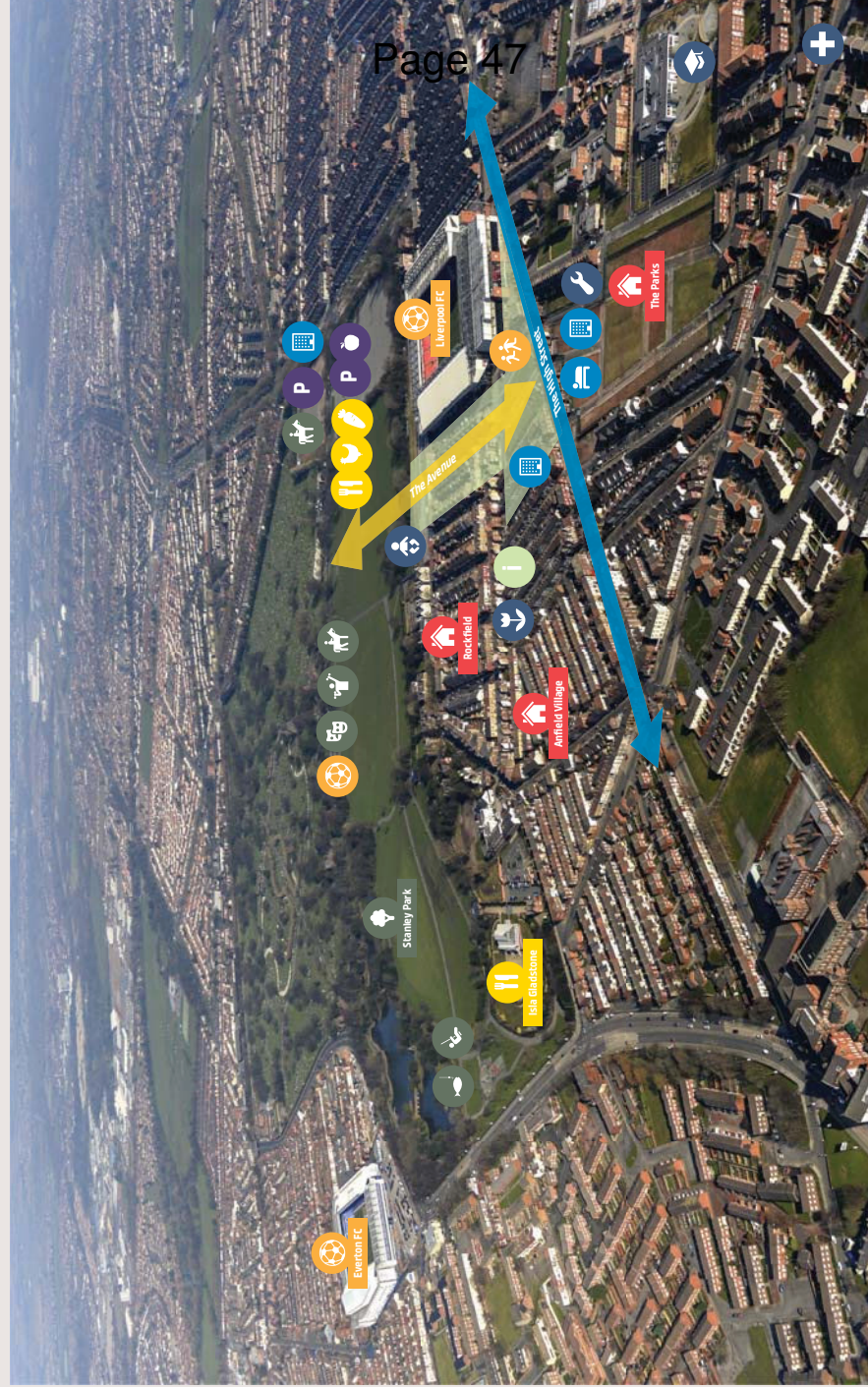
- Football
- Food
- Food Production
- Livestock

Community

- Education
- Training
- Health Centre
- Gardens
- Nursery
- Social

Getting There

- Parking at Ortoford





Questions

Anfield Project Does the overall vision have something in it for you? In what way would you suggest it?

Housing There have been improvements to housing in the area. What do you think about the existing and planned improvements?

High Street There is a need to find different uses for the High Street. What can we do to turn the High Street into a thriving centre of Anfield, both on and off match days?

One of the options for the High Street is a new office development. How could this help boost the local economy and improve the High Street?

Business Hub One of the options under consideration is the development of office accommodation in the area. How could this help boost local employment and training opportunities. What do you think about this idea?

Stanley Park Which of the proposals to improve the recreational uses of the Park do you think will be successful?

What other simple things could be done to make Stanley Park a place you would choose to visit and spend more time in?

Stanley Way There is a proposal to develop a landscaped walkway between the Park and better connect it to the wider area. It is proposed that Stanley Way could also provide a location for markets, festivals and other outdoor activities. What sort of uses for Stanley Way would you like to see?

Food Hub There are proposals to grow and produce food locally in Stanley Park, providing employment, training and education opportunities. What do you think of this idea?

Matchday Whether filling in the neighbourhood or only visiting on matchdays - what would you like included to improve the matchday experience for you? If a visitor, what additional local facilities would you like to spend more time in in the Anfield area?

Project Office It is proposed to open a dedicated project office, how can this be used to keep you informed and involved in the future of Anfield Project?

Project Office

This document sets out some bold ideas, the new Project Office will be a hub for testing these ideas. During 2013 these proposals will bring together people from the local community with other stakeholders to help **shape and refine the vision** and develop the mechanisms for delivery and operation.



Project Office

The Project Office will be an open invitation to engage with the project, to view the proposals, pass comment, contribute ideas and influence the outcome. This vision document aims to get everyone talking and thinking about what regeneration should be about, what it should deliver and how it can be achieved.

Community Involvement

Community involvement is the key to successful neighbourhood regeneration. While exhibitions and questionnaires have their place, summer fairs, mobile park-lets and pop-up cafes would help spread the word. Focusing on the quality of the environment, access to jobs, training and recreation, health and wellbeing and adding up to pride in the neighbourhood.

Consultation programme

2013	Start public engagement.
June	Open Project Office.
July	Formal consultation on Spatial Regeneration Framework for Anfield.
September	
November	Adoption of Spatial Regeneration Framework.

2014

Submission of Planning Applications.

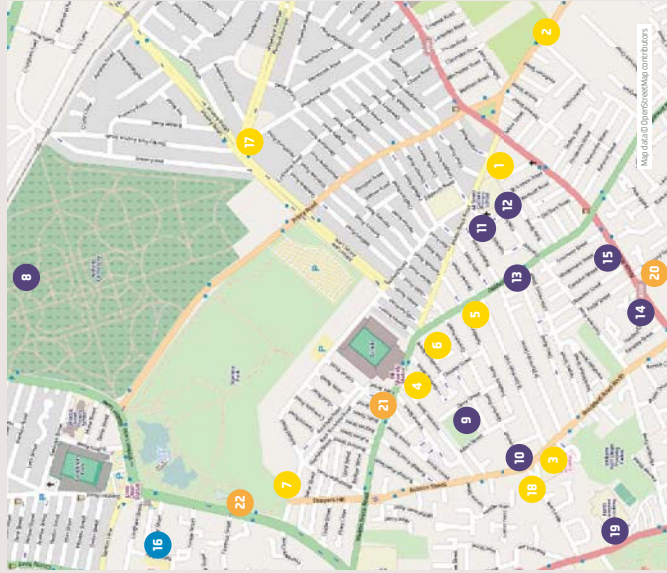
Next Steps

The views expressed in response to this vision document will be used to shape and inform the development of a more formal planning framework or masterplan to provide more detail on the proposed way forward which will be subject to further consultation and engagement in due course.



Find out more and get involved in creating a vision for Anfield

In June and July our engagement team will be out and about in Anfield. There'll be lots of opportunity for you to get involved in developing ideas for the area...



1. Anfield Breckside Community Corner (ABC) - Lower Breck Road
2. Anfield Sports & Community Center (ASCC) - Lower Breck Road
3. Breckfield & North Everton Nhood Centre (BNENC) - Breckfield Road North
4. Christ Church - Walton Breck Road
5. The Lighthouse - Oakfield Road
6. Home Baked (Mitchells) - Oakfield Road
7. Isla Gladstone Conservatory / Kempas Bistro - Anfield Road
8. Oakmere Centre - Cherry Lane
9. Four Oaks School - Davey Street
10. Keepmoat Sales Office - Robson Street
11. All Saints Catholic Primary School - Oakfields
12. Anfield Children's Centre - Oakfields
13. Oakfield Day Centre - Oakfield Road
14. Veteran's Centre - Breck Road
15. Breck Road Library - Breck Road
16. Positive Futures - Telfow Way
17. St. Columbus - Pinehurst Road
18. Mere Lane Neighbourhood Health Centre - Mere Lane
19. North Liverpool Academy - Heyworth Street
20. Asda Breck Road - Breck Road
21. Opposite The Kop - Walton Breck Road
22. Children's Play Area - Stanley Park

Further information can also be accessed at Liverpool City Council, Millennium House, 60 Victoria Street, Liverpool, L1 6DG.

Info Point Plus

Drop into any of these community venues to find out more about the vision, explore the proposals and help shape the vision for Anfield.

Outreach Activities

There'll be some other activities aimed at young people and other groups in the community. Find out more by dropping into the trailer or one of the information

Trailer

We'll occasionally have a trailer out and about in the community so you can pop-in and have a chat while you're out and about.

Info Point

Find out where and when activities are happening in the local area.

This document is brought to you by:

Liverpool City Council



Liverpool Football Club

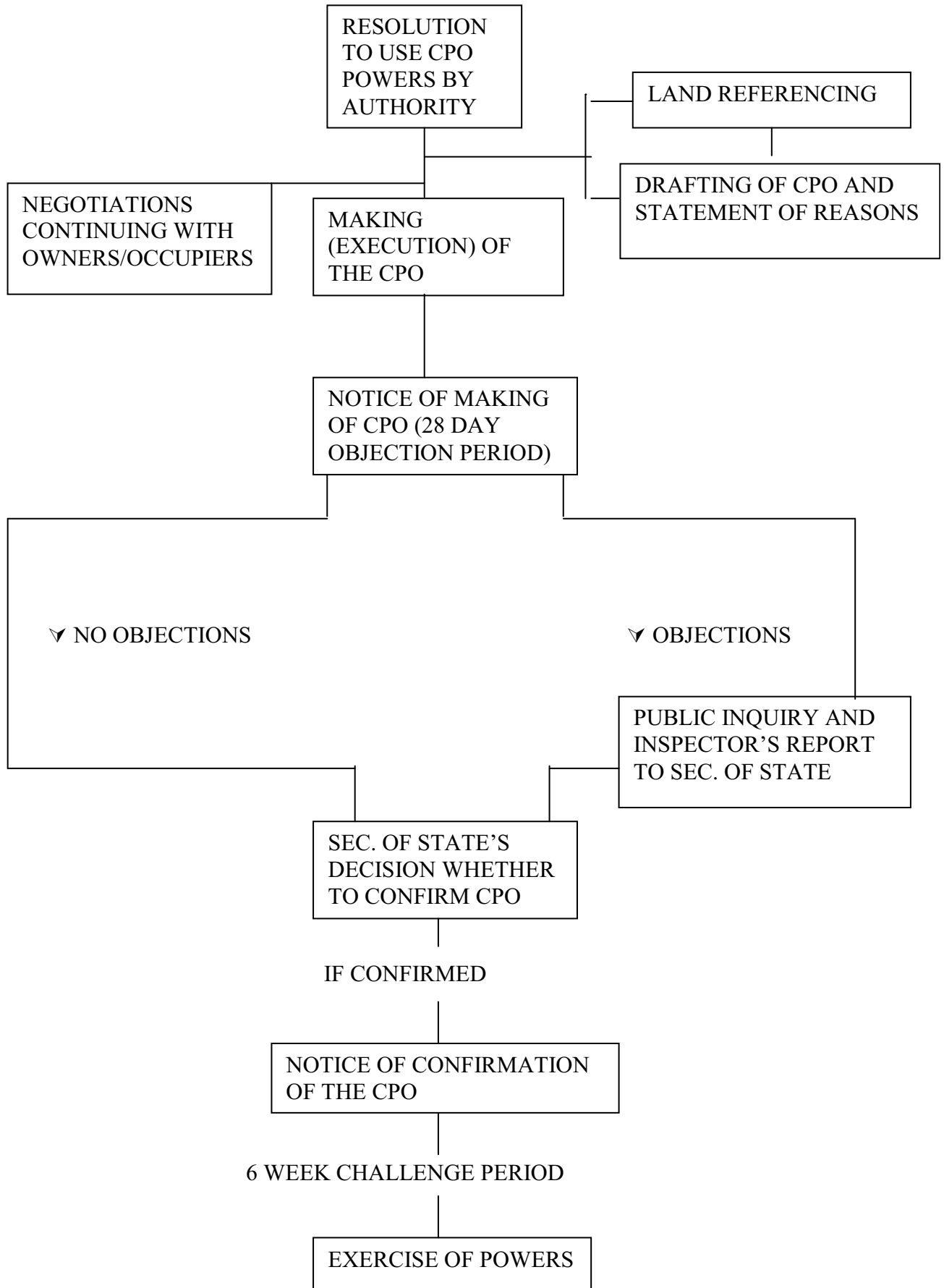


Your Housing Group



A vision document for people, place and Park and a template for new business, neighbourhood renewal, community action and healthy living. Some bold ideas for jobs, education and recreation in an enhanced family friendly neighbourhood. Delivering year round uses for active, connecting, engaging, animated, inclusive public and community space. Encouraging exercise, recreation, a healthier lifestyle and a focus for community involvement.

APPENDIX 2 – CPO Process





Appendix 2. Anfield Project. 'In Principle' Compulsory Purchase Order Lands



**MAYORAL RECOMMENDATION**

CENTRAL WARD
PUBLIC

R/21

<p>Cabinet Member: Councillor Malcolm Kennedy Cabinet Member - Regeneration</p>	<p>Director: Nick Kavanagh Director – Regeneration & Employment</p>
<p>Date of submission: 25 October 2013</p>	<p>Subject: Disposal of land at Brownlow Hill</p>
<p>Report No./Background papers: EDR/76/13</p>	<p>Contact Officer: Colin Green (233 3258)</p>
<p>Executive Summary:</p> <p>The purpose of this report is to seek authority to advertise the proposed loss of open space at Brownlow Hill, adjoining Liverpool John Moores University (LJMU) Redmond Building.</p> <p>It also sets out proposed terms for the disposal of the land to LJMU.</p> <p>Background</p> <p>The City Council owns an area of land on Brownlow Hill as shown on the attached plan. The land is grassed open space. It has an area of approximately 0.12 acres and is too narrow to be capable of independent development. The land adjoins St Nicholas RC Primary School which belongs to the RC Archdiocese.</p> <p>LJMU's Redmond Building is located to the west of the site and it provides a link with LJMU's Design Academy to the east. LJMU want to acquire the land in order to enhance its maintenance and provide an improved setting for their two buildings.</p> <p><u>Proposed terms</u></p> <p>Terms have been provisionally agreed to dispose of the land to LJMU on a new lease to be co-terminus with their existing lease of the land to the west and therefore expiring in 2135.</p> <p>LJMU are prepared to pay a premium of £36,000 plus payment of the Council's costs and fees totalling £4,000. This includes an element of hope value to allow for the remote possibility of the land at being combined with</p>	

adjoining land to create a development site. It is considered that it represents best value.

The new lease will be on full repairing and insuring terms with a restriction to purposes ancillary to the use of the adjoining land for educational purposes and a bar on the erection of any buildings.

Open Space

Because the land is open space before it can be disposed of the Council must first advertise the intention to dispose in accordance with the provisions of s.123 of the Local Government Act 1972 and consider any objections that are received.

Authority is therefore requested to place the necessary advertisements and if no objections are received to enter into an agreement to dispose of the land to LJMU on the terms set out above.

Any objections that are received will be reported back to Cabinet for consideration.

Mayoral Recommendation:

That –

- (i) authority be granted to advertise the intention to dispose of the open space at Brownlow Hill as shown on the plan set out in Appendix 1 to the report submitted; and
- (ii) if no objections are received authority be granted to dispose of the land to Liverpool John Moores University on the terms set out in the report submitted.

Mayor's Priorities

Disposal of the land to LJMU will contribute to the priority of making Liverpool a cleaner, greener City.

LJMU want to enhance the setting of their buildings and to invest in the standard of landscaping and maintenance of what is currently a feature-less strip of grassland.

Corporate Aim(s):

The disposal to LJMU will contribute to the aim of making Liverpool the preferred choice for investment and job creation by allowing LJMU to enhance a key piece of infrastructure, improving the links between their buildings and adding to Liverpool's distinctive sense and quality of place.

Supporting LJMU also demonstrates that Liverpool supports research, innovation and enterprise and the on-going investment LJMU are making in their teaching facilities.

Key Decision:

No – the value of the disposal is below the threshold for Key Decisions

28 Day Notice:

Not in the 28 day notice – it is not a Key Decision and affects only one Ward.

Implementation effective from:

Immediate on approval of this report

Timescale for action:

It is intended to advertise the loss of open space as quickly as possible.

Reason(s) for Recommendation:

The terms proposed for the disposal of the land to LJMU reflect the limited development potential of the land.

Disposal of this land will have three benefits:

- It will relieve the City Council of its maintenance liability
- It will allow LJMU to enhance the standard of maintenance and to improve the setting of its adjoining buildings in which they have invested many millions of pounds.
- It will generate a small capital receipt.

Alternative options considered:

Not to agree to dispose of the land at the present time and to continue to maintain it as open space.

Consultation including consultation with Ward Councillors and outcome:

- Ward Councillors: - Cllr Small has confirmed he is happy to support the proposal.
- Head of Finance Economic Regeneration – no comments
- Assistant City Solicitor – comments addressed in the report
- AD Operations Community Services – no comments on report

Financial implications (Efficiency Savings):

The proposed sale would generate a capital receipt of £36,000 plus payment of the Council's costs and fees of £4,000. The receipt will contribute to the Council's Capital Programme.

There will be a saving of the cost of maintaining the area, estimated at £240 per annum.

Legal implications:

Legal Services will complete the documentation in accordance with their instructions.

Risk Management:

All risks in managing the site will be transferred LJM.U.

Equality implications/Equality Impact Assessment:

Not applicable in this case.

Climate Change Strategic Framework and Climate Change Adaptation Framework:

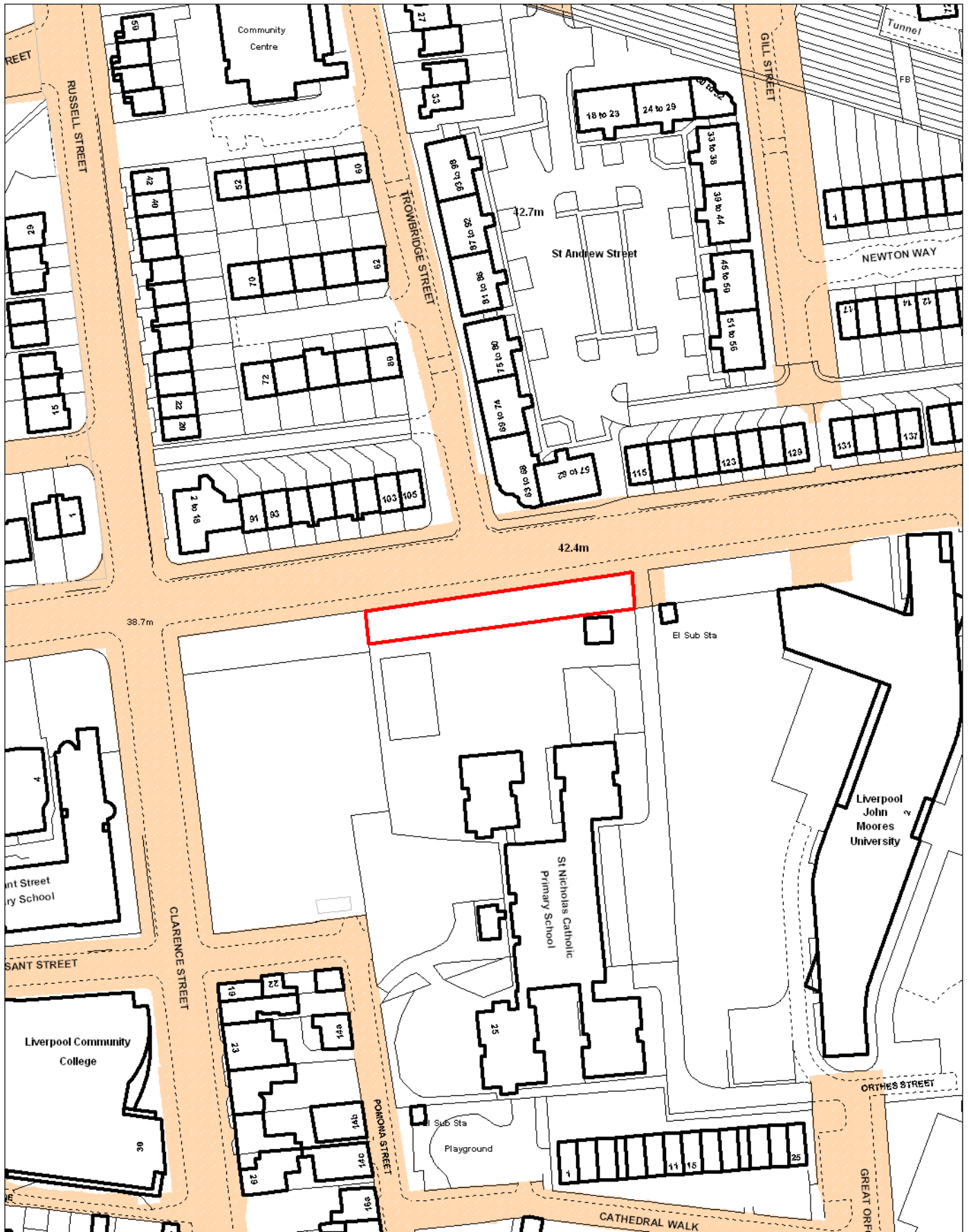
Not applicable.

Budget and Policy Framework:

The development of this land will contribute to the overall objectives of regenerating the Knowledge Quarter Mayoral Development Zone.

Report attached:

Appendix – Location Plan



Brownlow Hill, Land
(Landscaped area front St Nicholas Primary School)

Date: 03/06/2013
 Scale: 1: 1,250
 Job Ref: DMF

Data Management & Plans, Property & Asset Management Services, Regeneration
 Millennium House, Victoria Street, Liverpool L2 2DH tel. 233 6712

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The City of Liverpool
 100018351
 2013

Status:
FINAL



**MAYORAL RECOMMENDATION**

TUEBROOK & STONEYCROFT WARD
PUBLIC

R/22

<p>Cabinet Member: Councillor Malcolm Kennedy Cabinet Member - Regeneration</p>	<p>Director: Nick Kavanagh Director – Regeneration & Employment Services</p>
<p>Date of submission: 25 October 2013</p>	<p>Subject: Securing a sustainable future for the former West Derby Library, Green Lane / Lister Drive</p>
<p>Report No./Background papers: EDR/88/13 Lister Steps Business Plan August 2012 – July 2017</p>	<p>Contact Officers: Nick Flanagan (233 2731), Rob Burns (233 4216) Chris Griffiths (233 4488)</p>
<p>Executive summary:</p> <p>Purpose</p> <p>This recommendation seeks –</p> <ul style="list-style-type: none"> (i) to inform Cabinet of proposals for the reuse of the former West Derby Library as a ‘childcare and community hub’ operated by Lister Steps supported by grant aid from the Heritage Lottery Fund (“HLF”). A ‘stage 1’ application is expected to be submitted in October 2013 seeking in principle approval of funding for the project; (ii) Cabinet approval for funding for interim holding works to the former West Derby library as match in support of Lister Steps’ HLF bid (iii) Cabinet approval for the grant of a long lease of 125 years for Lister Steps as owner / operator subject to their obtaining full ‘stage 2’ HLF approval for the project. <p>Background</p> <p>West Derby Library was closed to the public due to health and safety concerns in December 2006. It has since remained vacant and was declared surplus to Council requirements in 2011. The building was marketed by 2020 in 2012 (closing date for tenders was 21st March 2012), which resulted in Lister Steps being the successful bidder. Heads of terms have been</p>	

provisionally agreed with Lister Steps a view to exchanging once the necessary project funding has been secured.

Since its closure in 2006 the building has suffered severe deterioration, hastened by recent vandalism and lead and other metal thefts. It has extensive dry rot throughout. The dry rot has caused major damage to the historic fabric of the building including the loss of some significant features such as decorative plasterwork and wood panelling. There has been a noticeably marked deterioration in its condition over the past 12 months.

The Council has sought to halt deterioration since 2011 through interim urgent works to improve security and weather-tightness (total expenditure during 2011-13 was c.£65,000). It is estimated an additional £100,000 of investment would be required to prevent further deterioration in the short-term.

Lister Steps are seeking Council assistance in the short term due to the timescales involved in the HLF Heritage Grant application process. Accordingly the main restoration works are unlikely to start before summer 2016. If no holding works are undertaken considerable further damage and deterioration will occur and add to the overall costs of the project. This in turn is likely to have a detrimental impact on the viability of Lister Steps bid to HLF. The proposal is therefore for the Council to provide a match funding contribution to pay for interim holding works and monitoring of the building in lieu of the stage 2 HLF bid. The cost of interim holding works and monitoring has been identified at £100,000. These will safeguard the building and make it safe for access by the project team whilst they develop an application for full 'stage 2' approval from the HLF.

The library is a grade II listed building (listed June 1985). It was designed by the prolific Corporation City Surveyor Thomas Shelmerdine and was opened in 1904. In architectural terms it is one of the most distinguished of his branch libraries. Because of its condition it is on the 'Heritage at Risk' register.

The Lister Steps Project

Lister Steps is a registered charity providing childcare to the local communities in the Tuebrook and Stoneycroft ward. The organisation was successful in bidding for the acquisition of West Derby Library in 2012 further to the Council's marketing of the property. The organisation presently occupies the adjacent site, formerly a secondary school on Lister Drive. Lister Steps have been housed in temporary accommodation since the school buildings were demolished in 2004.

Lister Steps was established in 1997 and formed a company limited by guarantee in 2000 with charitable status. It provides a valuable role in the local community through the delivery of vital services, centred on childcare. The relocation of Lister Steps to the restored building would consolidate the organisation's presence in the community whilst potentially bolstering the range of beneficial services it currently offers.

In accordance with good practice in dealing with heritage assets an options appraisal and feasibility study was commissioned by Lister Steps in 2012 on behalf of the trustees. It examined the viability of future uses for the building. It was carried out by the Griffiths Thompson Partnership, a Liverpool based architectural practice. The conclusion was that a combination of uses relating to childcare heritage / amenity space and education could be viable with the assistance of public funding. The exercise gave rise to a credible business plan for the 2012-2017 period (see background documents) which was used to support the initial application to the HLF.

The findings of the study and proposed business plan were supported by the trustees and are now being developed the Lister Steps Capital Steering Committee, which was set up in September 2013 to meet on a regular basis in order to progress the funding bid and project development.

An initial 'stage 1' application was made to the HLF in December 2012 but this was unsuccessful owing, in part, to a lack of tangible financial support from Liverpool City Council. HLF has nonetheless encouraged Lister Steps to resubmit their proposals with minor amendments. An allocation of c.£4.1m is being sought from HLF by Lister Steps in respect to the fully worked-up scheme. The total cost of the scheme is just over £4.6 m.

A stage 1 pass from the HLF will release sufficient funds into the project to enable its development to stage 2 application as well as an in principle agreement of the full amount of grant being applied for.

The vision of Lister Steps is to restore and develop the former library as a 'community hub' serving the Tue Brook, Stoneycroft, Stanley and Newsham Park areas – a hub for essential community services, providing flexible workspace and a resource for heritage and education. Within the project an activity programme over 5 years will engage local people and others in learning about the heritage of the library and the surrounding area, and also about the practical construction skills involved in building restoration.

Lister Steps charitable mission is to enhance the life chances of all families and individuals living in Tuebrook and the surrounding districts of Liverpool; through the provision of holistic support and educational services that are: sustainable, relevant, affordable, accessible, and of the highest quality.

Project Partnership

Lister Steps have established a Capital Steering Committee composed of public and private sector partners to move the project forward. Lister Steps are expected to establish a company limited by guarantee with charitable status for the purpose of delivering the project. The existing organisation will be ultimate end user. Alternative arrangements will be considered by the Capital Steering Committee but at present this is the route likely to be favoured by the Lister Steps trustees.

The background and role of Lister Steps as the charitable development partner is as follows:-

Lister Steps was founded in 1997 by a group of local parents who were concerned about the lack of childcare and safe play opportunities for children generally in the Tuebrook area of Liverpool. It now provides a broad range of childcare services to over 750 Tuebrook children each week; led by a well qualified Board and senior management team drawn from its founders and staffed by local people.

Lister Steps is an established Charity trading as a Social Enterprise. It is a successful, financially sustainable business with social principles. The appended background paper entitled Business Plan April 2013 details the services provided to the community and plans for future sustainability.

Building upon the temporary redevelopment in 2006 the organisation wishes to maximise its capacity and deliver a 'flagship' state of the art centre for the benefit of current and future families and children in the area. Having successfully negotiated preferred developer status on the former West Derby Carnegie Library, Green Lane, Tuebrook Lister Steps plan to utilise a cocktail of public and charitable funds to restore this Grade II listed building. Not only will this development enable Lister Steps to deliver its full range of Charitable Objectives, in particular, to provide a sustainable community venue but bring a much loved community building back into use and off the 'Buildings at Risk' register.

The redevelopment will greatly enhance the organisation's Social Return on Investment by providing holistic support and educational services to an extremely deprived Liverpool Ward.

To achieve this aim Lister Steps will:

- Maximise the network of support that is already available, consulting and engaging with the local community and key stakeholders to ensure that the final result is relevant, energy efficient, cost effective and sustainable.
- Make best use of the organisations successful track record and relationships with funders to attract further external investment into the Tuebrook area.
- Support the ongoing professional development of all existing personnel to ensure that the services provided by the organisation are of the highest quality and uphold the principles of Early Years Foundation Stage (EYFS).
- Identify and create new jobs to enable the delivery of extended services.

Lister Steps is a voluntary organisation in the Tuebrook area which has the capacity and commitment to strive and change the outcomes for local residents. To ensure the longevity and financial sustainability of the vital

services it provides, the organisation must realise its aim to operate from a permanent facility that is accessible and in a suitable environment for the delivery of childcare and wider community support and recreational opportunities.

Project Delivery

The capital project will be delivered by a separate holding company limited by guarantee (registered at Companies House) to be set up by Lister Steps in the near future. The company will be established exclusively for this purpose. A Project Manager will be appointed in due course further to the recommendations of the Capital Steering Committee.

The holding company would have similar charitable objectives and non-profit distribution constraints to a building preservation trust. In its case the charitable objectives refer particularly, but not exclusively, to the former West Derby Library.

The HLF grant supplemented with match funding (currently being sought from Liverpool City Council, Lloyds TSB Foundation, Social Investment Business, various grant making trusts as well as voluntary contributions) will be used for the capital costs to bring the building back into good repair. Full repair works are scheduled to commence in summer 2016. On completion of the repair works the Director of Regeneration and Employment has sufficient confidence for the long-term sustainability of the centre based on the business plan providing a hub for essential community services, flexible workspace and a resource for heritage and education, along with the track record of Lister Steps as the operating organisation.

The proposal recommends the following delivery mechanism:

- a) If and when Stage 2 Heritage Lottery Funding is secured the Council and Lister Steps will agree enter into a lease for a term of 125 years at a peppercorn rent. The lease would be for the former West Derby Library and all the land within the curtilage of the listed building including the listed boundary wall outlined red on the attached plan. The lease will be a full repairing and insuring lease conferring repair, cost and maintenance obligations on Lister Steps during the term. The holding company created to act as a single purpose vehicle will undertake the repair works and conversion of the building as a charitable developer with the building reverting to Lister Steps upon completion as operator of the premises and legal owner. The Stage 2 HLF funding application is expected to be submitted in April 2015 with a decision envisaged in August 2015.
- b) In negotiating the terms of both leases, the Council will look to protect its interest in the event of Lister Steps defaulting on its repair, conversion, operation and other obligations by maintaining a right of re-entry to take possession of the former West Derby Library and its

curtilage if condition(s) occur or fail to occur. The lease will also include a landlord break clause.

In agreeing to lease the building and its curtilage the liabilities associated with this property would be transferred to Lister Steps. The Council would incur its own legal and surveying costs to complete the conveyance but otherwise would be divested of any further liability in respect to the listed building unless the lease was terminated.

The Council must be willing to agree to accept works by Lister Steps, with guidance from suitably qualified professional agents, and has the right to re-enter the property and forfeit the lease in the event that the works are not carried out within a specified timescale. The Council must not itself specify works or place an enforceable obligation on a contractor to carry out such works as this would constitute a public works contract, for which a procurement process would be required.

By re-inviting tenders the abovementioned opportunity for Heritage Lottery grant funding would be missed and the scheme – and its regeneration benefits – will be prejudiced. The previous marketing of the site resulting in no commercial interest in the property and this position is likely to be the same if the property were to be remarketed.

Best Consideration

Under the provisions of Section 123 of the Local Government Act 1972 “except with the consent of the Secretary of State, a Council shall not dispose of land.... for a consideration less than best price that can be reasonably obtained.” The Local Government Act 1972: General Consent Order 2003, however, removes the requirement to seek specific consent for any disposal of land where the difference between the unrestricted value of the interest to be disposed of and the consideration accepted is £2,000,000 or less and provided that the disposal contributes to:

- the promotion or improvement of economic wellbeing
- the promotion or improvement of social wellbeing
- the promotion or improvement of environmental wellbeing

The Cabinet will need to be satisfied that the granting of the leases to Lister Steps at a peppercorn ground rent and nil premium would improve or promote one or more of these well-being objectives, in order to justify the reduction in the consideration received.

The benefits may be summarised as follows:

- Economic wellbeing: The project will create jobs and training opportunities in one of the most deprived areas of Liverpool, both through the restoration of the building and its end use. It will complement other projects being delivered as part of the wider

programme of regeneration taking place within the Edge Lane Corridor. The site of West Derby Library is immediately adjacent to the Eastern Approaches Mayoral Development Zone on its northern boundary.

- Social wellbeing: The activity programme will engage local people and others in learning about the heritage of the library and the surrounding area, and also about the practical skills involved in restoration. The restoration of this much-loved but vacant building will have an immediate impact on the neighbourhood as a visible demonstration of positive change.
- Environmental wellbeing: The project will bring a historic building back into active use, which currently has a detrimental effect on the local environment due to its vacancy and poor condition.

Mayoral Recommendation:

That –

- (i) Liverpool City Council approve the award of match funding towards the Lister Steps project not exceeding £100,000. The contribution will be offered in the form of a programme of urgent remedial works to ensure the building is made weather-tight, to prevent the spread of dry-rot and to address any areas already affected. The works will be undertaken by Liverpool City Council as the current owner of the property at the earliest opportunity to help keep the project costs as low as possible. The works and all associated expenditure will comprise the whole of the Council’s match funding contribution towards the project;
- (ii) provided HLF Stage 2 funding (including necessary match funding), planning permission and listed building consent are secured Liverpool City Council will grant Lister Steps a lease on the former West Derby Library and its curtilage, shown edged red on the attached plan, for 125 years at a peppercorn ground rent, with full repairing and insuring obligations on Lister Steps to restore the former Library within an agreed time frame and otherwise on terms (including permitted uses) to be agreed by the Head of Property & Asset Management Services;.
- (iii) the Capital Programme be amended to contribute from Capital Receipts; and
- (iv) authority be granted to incur expenditure as set out in the report submitted.

Mayor’s Priorities

The former West Derby Library is located just outside the Eastern Approaches Mayoral Development Zone, the site being immediately adjacent to the northern boundary. The project is in line with the Mayor’s priorities as follows:

Create 20,000 new jobs – it is estimated that the project will create 30 new permanent jobs and give rise to 30-40 local job opportunities during the

course of the project.

Build 5,000 new homes – the project will facilitate plans for new housing in the Tue Brook / Stanley / Newsham Park area by improving the overall appearance of the area and providing jobs and community facilities.

Make Liverpool business and enterprise friendly – Lister Steps has a track record in facilitating community re-engagement and delivering employment opportunities through its provision of childcare and other means of support for local residents. The proposal is for the refurbished library building to operate as a hub for essential community services, providing flexible workspace and a resource for heritage and education.

Make the city greener, cleaner and healthier – the project will refurbish and bring back into use a building that is currently vacant and in poor condition, having a negative impact on the local environment.

Corporate Aim(s):

The Lister Steps / West Derby Library project aligns with the three themes of the Council’s Heritage Investment Framework (which in turn align with the corporate aims of the Council and of the Heritage Lottery Fund):

- Sustainable regeneration - protect and enhance Liverpool’s heritage assets, to realise their investment and tourism potential.
- Community participation - recognise and encourage people’s passion for Liverpool’s heritage, to maximise the contribution heritage assets can make to quality of life.
- Learning and skills development - unlock the learning potential of Liverpool’s heritage assets, including for specialist skills training.

Key Decision:

Yes.

28 Days’ Notice:

Yes.

Implementation effective from:

1 November 2013

Timescale for action:

In summary the projected timetable is:

- HLF Stage 1 bid re-submitted October 2013
- Liverpool City Council undertakes urgent remedial works to the former library

prior to submission of Stage 2 HLF bid

- HLF Stage 2 bid submitted April 2015
- HLF Stage 2 decision August 2015
- If HLF Stage 2 funding is granted in 2015, the parties enter into the proposed 125 year Leasehold agreement
- Contractor procurement (OJEU) to commence January 2016
- Contractor appointment June 2016
- Contract period August 2016 - November 2017
- Activity plan implementation from September 2015 to October 2018

Reason(s) for Recommendation:

To secure a sustainable future for the former West Derby Library building.

Options considered:

There are three main options available to the City Council in pursuing the aim of restoration and renewed use of the former West Derby Library;

Option 1: Disposal of the building to Lister Steps

Option 2: Go back out to market

Option 3: Do nothing

Option 1 is the approach recommended.

Option 2: Go back out to market

This would effectively be a repeat of the exercise previously undertaken, which did not result in alternative options or otherwise potentially viable bid. Since then, the costs of restoring the building will have increased (due to deterioration of the building fabric and inflation of construction costs).

Option 3: Do nothing

Alternatively the Council could either mothball the building or do nothing at all. Conservation practitioners Robinson Preservations Ltd and Markhams, quantity surveyors, have estimated that approximately £100k of work is required to halt deterioration of the building. There is currently no available budget to carry out this mothballing without the prospect of viable beneficial use. Without investment the building will continue to deteriorate and could eventually be lost.

Consultation including consultation with Ward Councillors and outcome:

Ward Councillors have been briefed on a periodic basis regarding West Derby Library. Cllr Maria McEvoy, the City Council's Heritage Champion, is involved with the Capital Steering Committee for Lister Steps and Councillor Malcolm Kennedy (Cabinet Member for Regeneration) is supportive of the initiative. All three Ward Councillors have demonstrated support for this project.

Financial implications (Efficiency Savings):

Transfer of the building asset and liability would result in a saving to the Council equivalent to the ongoing costs of maintaining the building. In 2011-13 this comprised a total of £65k on temporary repairs, plus nominal rates and utilities charges.

Legal implications:

Advice from Legal: provided the conditions outlined in this report are met the recommended option is allowable within procurement and the disposal of assets legislation. Legal Services will prepare and complete the necessary documentation.

In respect of the lease failure by Lister Steps to commence works within 10 months and to complete the project by a certain date will give rise to a contractual right of the Council to terminate but the Tenant will be able to seek relief from forfeiture from the Courts so such dates cannot be regarded as definitive.

Under Section 1 of the Localism Act 2011 the Council has a general power of competence to do anything that individuals generally may do; however that general power is subject to other statutory limitations.

Section 123 (2) Local Government Act 1972 provides that the Council must dispose of land for best consideration save for cases where the consent of the Secretary of State has been obtained for any disposal at less than best consideration. Under the General Disposal Consent Order (England) 2003, such specific consent is not required for any disposal where the difference between the unrestricted value and the consideration accepted is £2m or less. In determining whether or not to dispose of land at less than best consideration the Council should have regard to a number of factors including its accountability and fiduciary duty to local people, its community strategy, all normal and prudent commercial practices, clear and actual valuations of the assets in question.

Risk Management:

Within the recommended option, the main risks are:

- **Failure to secure Stage 2 HLF and/or match funding** – The Stage 1 approval would release funds for Lister Steps to develop the project proposal in more detail before submitting a Stage 2 application, currently programmed for April 2015. Continued close liaison with HLF during this period will maximise the chances of success at Stage 2. Also during this time all partners will work to explore and ultimately secure match funding. The match funding requirement is approximately £580k.
- **Failure of Lister Steps to deliver project** – The project requires grant

funding to go ahead. The Heritage Lottery Fund application appraisal will include a detailed risk assessment. HLF will monitor project progress closely against agreed milestones. Clauses in the leases would allow termination by the Council if conditions were breached (e.g. restoration and conversion did not take place within a given time period). In this instance the Council would regain ownership and liability of the building. The lease should be structured so that in the event of termination the Council can take back the library with vacant possession, quickly and cost effectively, if it wishes to.

- In the event that a material operation has not commenced within 3 months of the completion date of the second Lease, then the Council may serve written notice on Lister Steps requiring transfer of the property from Lister Steps back to the Council, within 20 days of service of the notice, with full title guarantee for a transfer consideration of £1, free of any financial charges and with vacant possession. Lister Steps will make good any damage caused to the property and remove all furniture, equipment, plant or machinery at the property to the extent reasonably required by the Council.
- **Lister Steps ceasing to exist** - Should Lister Steps cease to exist for any reason its constitution states that its assets will pass to the organisation closest in charitable aims. There is a national 'family' of Building Preservation Trusts (<http://www.ukapt.org.uk/>), which are under the umbrella of the Heritage Trust for the North West. In the event of Lister Steps ceasing to exist, the Council would work with Heritage Lottery Fund and Heritage Trust for the North West to agree the most appropriate organisation to host the project officer, continue to draw down the grant, complete the development and operate the facility.
- **Capacity of Lister Steps and impact on other Liverpool projects** – A Stage 1 Heritage Lottery Fund approval would include the cost of a dedicated project officer, based in Liverpool, so there will be no negative impact on other projects.
- **Stakeholder support** – The Lister Steps proposals have the support of the various Stakeholders. Stage 1 approval would release funding for project development including a programme of community engagement. Stage 2 approval will be partly dependent on demonstrating stakeholder support for the project.
- **Challenge under procurement or disposal of assets regulations** – As stated above, our legal advice is that this option does not contravene regulations. In addition, refurbishment of the library is not commercially viable at the present time and therefore the risk of challenge is low. However, the impact could be high since there would be costs associated with responding to a challenge and works may have to cease pending a resolution.

Equality implications/Equality Impact Assessment:

An Equality Impact Assessment has been prepared and has been approved at screening stage by the Council's Equal Opportunities Service.

Climate Change Strategic Framework and Climate Change Adaptation Framework:

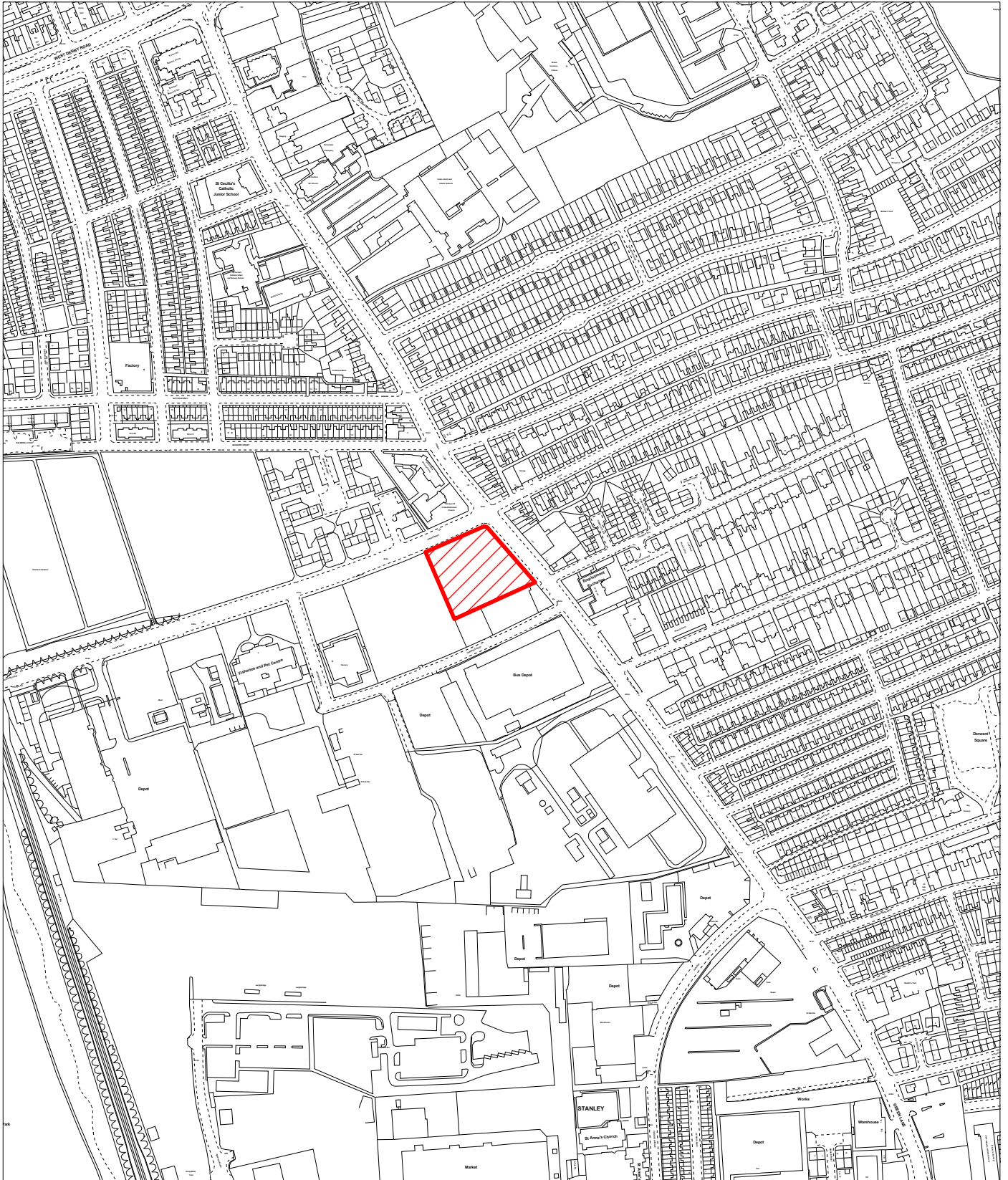
Building projects are subject to national environmental standards, for example as imposed by the Building Regulations. In most cases, re-use of an existing building – such as proposed here - will be the most 'green' option for development.

Budget and Policy Framework:

The recommended option is within the Budget and Policy Framework, including the Asset Management Plan.

Report attached:

Appendix 1: Location plan (NOT TO SCALE).



PLANNING & BUILDING CONTROL SERVICE

Application:

Address: **Former West Derby Library
Green Lane**

Date: **September 2013**

Scale: **1: 1,250**

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Liverpool City Council. 100018351, 2011

**MAYORAL RECOMMENDATION**

NORRIS GREEN WARD
PUBLIC

R/23

<p>Cabinet Member: Councillor Malcolm Kennedy Cabinet Member - Regeneration</p>	<p>Director: Nick Kavanagh Director – Regeneration & Employment</p>
<p>Date of submission: 25 October 2013</p>	<p>Subject: Ellergreen Scheme, Norris Green – Phase 3</p>
<p>Report No./Background papers: EDR/75/13</p>	<p>Contact Officer: Colin Green (233 3258)</p>

1. Executive Summary:

- 1.1. The purpose of this report is to seek authority to dispose of a further phase of the development of the Ellergreen scheme in Norris Green.
- 1.2. An application for support from the Growing Places Fund for infrastructure associated with the redevelopment of the former Boot Estate at Norris Green (which includes the Ellergreen project) has been successful. This is grant aid that has to be repaid and this report seeks authority for the repayment terms.
- 1.3. When completed the proposed development of phase 3 will deliver a further 150 new homes for sale. This is in addition to the 320 homes already delivered on phases 1 and 2 of this scheme and the 224 still to be delivered to complete phase 2. This will make a significant contribution to the Mayoral Priority to build 5,000 new homes.

2. Background

- 2.1. Ellergreen is the name for the part of the former “Boot Estate” that is being developed by New City Vision Ltd.
- 2.2. The Executive Board of 19th December 2003 approved the principle of a development agreement with Bishop Loch Homes (which now trades as New City Vision) in respect of 19.5 hectares of land within the Norris Green Boot Estate.
- 2.3. The Director of Regeneration in consultation with the City Solicitor was

authorised to agree and complete all necessary documentation in line with the heads of terms submitted and on such other terms they deem appropriate.

- 2.4. The development agreement with Bishop Loch was completed in 2005 and phases 1 and 2 have since been drawn down.
- 2.5. New City Vision (NCV) now want to draw down Phase 3 of the scheme in order to start building a new range of house types fronting on to Broad Lane to complement the development of phase 2 of Countryside Home's Norris Green Village scheme for which a planning application has recently been submitted.

3. Proposed terms

- 3.1. Under the terms as originally approved NCV are required to pay a licence fee of £500,000 on entering into the building licence for the new phase.
- 3.2. In view of the difficult market conditions it is proposed that this arrangement be varied so that NCV pay an initial fee of £50,000 and then 5 annual instalments of £90,000. Should market conditions improve and the site be built out before the 5 year period expires the balance of the licence fee will be paid in full.
- 3.3. The disposal will still be subject to an overage arrangement as specified in the original development agreement.

4. Growing Places Fund (GPF)

- 4.1. An allocation of GPF was given to Norris Green to fund infrastructure works.
- 4.2. It is proposed that some of this be used to pay for new road links to join up phase 1 of NCV's scheme with phase 2 of Countryside's Norris Green Village development. It is also proposed to invest some money in improvement to the Broad Lane entrance to Norris Green Park which runs between both schemes.
- 4.3. An undertaking from NCV to repay this grant funding in 5 instalments starting in 2017 is proposed.

5. Repayments

The schedule of repayments will therefore be as follows:

- an initial deposit of £50,000
- April 2014 - £90,000

- April 2015 - £90,000
- April 2016 - £90,000
- April 2017 - £185,000
- April 2018 - £185,000
- April 2019 - £95,000
- April 2020 - £95,000
- April 2021 - £95,000

Mayoral Recommendation:

That authority be granted to –

- (i) enter into a building licence agreement with New City Vision Ltd in respect of the land known as Ellergreen Phase 3 in accordance with the provisions of the development agreement for this scheme;
- (ii) accept staged payments of the licence fee to include an element in respect of the infrastructure improvements to be funded from the Growing Places Fund as set out in the report submitted; and
- (iii) include provision for payment in full in the event of earlier completion of the scheme.

Mayor's Priorities

The scheme for Phase 3 contributes to the aim of building 5,000 new homes. It will deliver 150 new homes.

Corporate Aim(s):

The Ellergreen scheme contributes to the aim of building strong, attractive and accessible neighbourhoods by::

Developing a shared sense of identity and community pride.

The redevelopment of the former Boot estate has been designed so that it is integrated into the surrounding community and it will help to sustain existing community facilities like schools, shops and the sports centre. Completing phase 3 will link up the Ellergreen scheme with the adjoining Norris Green Village development.

Improving the quality, range and choice of housing.

Phase 3 is intended to be developed with housing for sale in a range of house types and it will be offered with the benefit of shared equity products to make it easier for local people to buy their own homes.

Making all area of the city clean, vibrant, accessible and safe.

Modern energy efficient homes with gardens and off road parking will be built on phase 3.

Key Decision:

Yes.

28 Day Notice:

Yes.

Implementation effective from:

1 November 2013

Timescale for action:

It is intended to complete an agreement as quickly as possible to enable New City Vision to move on to this new phase.

Reason(s) for Recommendation:

The terms proposed for the disposal of the land to New City Vision Regeneration Liverpool reflect the depressed state of the market for residential land at the present time.

Development of this land will have three benefits:

- It will bring forward the development of 150 new homes further improving the choice for local people and attracting new residents into the area.
- It will create employment for construction workers.
- It will generate capital receipts

Alternative options considered:

Not to transfer the land to NCV – this would be against the terms and spirit of the development agreement. NCV is demonstrating steady progress on build and sales and this would enable that progress to be maintained.

Not to agree to the phased repayment schedule – NCV are not willing to progress this new phase unless the land payment is split into instalments so that it can be funded out of plot sales rather than having to be borrowed as an up front cost.

Consultation including consultation with Ward Councillors and outcome:

Ward Councillors: - Any comments received to be reported to Cabinet
Tim Povall – Head of Finance Economic Regeneration
Michael Kenworthy – Assistant City Solicitor

Financial implications (Efficiency Savings):

The draw-down of Phase 3 will generate capital receipts totalling £975,000 of which £475,000 will be used to repay the allocation of Growing Places Fund allocated to this scheme. The remainder will contribute towards existing capital receipts targets with the initial payment in 2013/14 and then in each financial year until 2018/19.

There is an overage provision in the agreement. The amount this may generate will depend on the performance of the housing market during the development period.

Legal implications:

Legal Services will complete the documentation in accordance with their instructions.

Risk Management:

There is a risk in accepting the proposed change to the payment mechanism in that should NCV fail part way through the development the Council may not be able to recover the full land value. The agreement will, however, contain provisions which should allow the Council to recover possession of the site in this scenario.

There is also a risk associated with the Growing Places funding. If NCV don't complete the scheme and so don't deliver the required outputs and/or the repayment of the grant the Council may be liable for the repayment of the grant to central Government.

Equality implications/Equality Impact Assessment:

Not applicable in this case

Climate Change Strategic Framework and Climate Change Adaptation Framework:

The new homes to be constructed by New City Vision will be to the latest standards for energy efficiency.

Budget and Policy Framework:

The development of this land will contribute to the overall objectives of regenerating the Norris Green area.

Report attached:

No

MAYORAL RECOMMENDATION

WEST DERBY WARD
PUBLIC

<p>Cabinet Members: Councillor Malcolm Kennedy Cabinet Member – Regeneration</p>	<p>Directors: Nick Kavanagh Director – Regeneration & Employment</p>
<p>Date of submission: 22 November 2013</p>	<p>Subject: Holly Lodge School – Contract Award</p>
<p>Report No: EDR/91/2013</p> <p>Background papers:</p>	<p>Contact Officer: Simon McEneny Assistant Director for Physical Assets Simon.mceneny@liverpool.gov.uk</p>
<p>Executive Summary:</p> <p>This report seeks authority to award the construction contract for Holly Lodge School to Kier Construction and to commence marketing the front part of the site for sale.</p> <p>Background Information:</p> <p>In November 2012, Cabinet approved a report to progress the delivery of the Liverpool School Investment Programme (LSIP). The report outlined an investment programme to deliver 12 new schools under the Mayoral priority and additional investment to the remaining estate that has not benefitted from either this Mayoral pledge or, previous investment through BSF, PFI or Primary Capital. The programme totals £169m over a 5-year period including investment to the secondary, special school and primary sector.</p> <p>From these 12 schools, Notre Dame is now complete with Archbishop Beck, St John Bosco and Millstead Primary all on site and due to open September 2014. Holly Lodge is the next school to start on site with a target completion of February 2015.</p> <p>Holly Lodge is a secondary school for girls located in grounds off Queens Drive and Mill Lane in West Derby, and as of the date of this report has approximately 700 mainstream pupils, and a further 110 Sixth Form pupils on roll.</p> <p>Proposal for Holly Lodge</p> <p>The current school premises are oversized for its pupil population. The</p>	

overall site size is very large (approximately 100,000sqm) with 15 separate buildings on the site dispersed around the perimeter of the site boundary. This current arrangement of buildings is very disruptive to the running of the school (with travelling distances between buildings resulting in lost teaching time) and creates supervision and safeguarding issues. In addition to this, many of the older buildings to the front of the site are no longer fit-for-purpose. Two buildings are Grade II listed, and a number of buildings to the front of the site are over or approaching 100 years old. As such the internal layouts are difficult to remodel into an arrangement that would best support the delivery of a 21st century curriculum.

The proposed development is for construction of a new 4,000m² main teaching block to be constructed on the school playing fields, along with an approximate 150m² extension to the existing Sports Hall. The 5 retained buildings (including the kitchen/dining block and sports centre) are all less than 25 years old and are in a good condition.

The arrangement of the new and existing buildings will facilitate a new and compact 'campus' design with a central courtyard between the existing retained teaching buildings and the new building. In addition, a new floodlit sand-based all-weather pitch will be provided creating greater opportunities for community usage whilst providing a suitable surface to allow the introduction of new sports such as hockey into the curriculum. The main entrance to the school will switch from Queens Drive to Mill Lane with the new extension to the sports centre acting as a new main school reception.

Land Ownership and Disposals

The existing school site is entirely within the ownership of the City Council. The proposal outlined above will enable the Council to dispose of the front half of the site for development (as verged red on the plan attached as Appendix 1) creating a capital receipt to support the LSIP.

A Certificate of Immunity (from listing) for the original Holly Lodge building will also be prepared and submitted to the Department for Culture and Media during Autumn 2013. Following a decision on this building, the front half of the site will be marketed for sale accordingly.

This report seeks authority to declare this front part of the site surplus to requirements, for the land and buildings situated on the site to be appropriated from Education to Regeneration purposes and for the Head of Property and Asset Management Services to arrange for the disposal of the land, with the resultant capital receipts to be used to support the LSIP funding arrangements.

Procurement

In March 2013 and following a mini-competition through the North West Construction Hub, the Council selected Morgan Sindall and Kier Construction to join Willmott Dixon (from the Scape National Framework) as the Council's

construction partners to deliver the LSIP. Subsequent to this selection, Holly Lodge was awarded to Kier.

Pre-construction activity (design, site investigations and planning) has been undertaken through Project Orders issued to Kier from April 2013. Subject to agreeing a final Target Cost with Kier and obtaining full planning consent, this report seeks authority to award an advanced works order and to award the full construction contract in December 2013 to achieve a February 2015 completion.

Planning Permissions and other consents

Planning

A detailed planning application was submitted on 30 August 2013 and the application is aiming to be presented to the planning committee on 29 October 2013.

Schedule 1 (Academies Act)

In preparation for the future anticipated disposal of the front part of the site, a Schedule 1 application under the Academies Act 2010 was submitted to the Education Funding Agency (EFA) in April 2012, and was approved by the Secretary Of State on 23rd October 2013. Schedule 1 to the Academies Act 2010 extends the requirement to obtain Secretary of State consent to dispose of community school land to include all land in which a freehold or leasehold interest is held by the local authority and which has been used for any school (including any Academy) in the last 8 years.

Section 77 (SSFA) – site for disposal

Following discussions with the EFA and updates to their legislation pertaining to the disposal of school playing field land, it was not deemed necessary to submit a Section 77 application under the School Standards Framework Act (1998). As such, all necessary educational consents to dispose of the front half of the existing Holly Lodge site have already been obtained.

Section 77 Change of use – new school site

The EFA has advised that a new Section 77 process came into effect this summer to deal with any 'Change Of Use' of school Playing Field land. The SATPF2 application will apply to Holly Lodge in this instance as whilst the Council are not disposing of any playing field land, the footprint of the new building will encroach upon the school's main grass playing field. Whilst Sport England are satisfied by the external sports proposals and mitigations for any 'loss' are already in place, the EFA approval must still be secured before any construction works take place. The EFA deals with SATPF2 applications locally, and unlike a full disposal of land under SATPF1, the application does not go to an independent panel for adjudication and approval via the Secretary Of State. The application was submitted in late-September and approval is expected in late-October, prior to awarding any construction orders/contracts.

Certificate of Immunity

An application for a Certificate of Immunity will be prepared and submitted to the Department for Culture and Media in Autumn 2013 prior to the front part of the site being marketed for sale. The outcome of the decision will determine the basis upon which this building can be developed.

Advanced Works

To maintain project timescales and to avoid the project running on or beyond the critical path for a February 2015 opening, it is proposed that a series of advanced works are undertaken to primarily prepare the site for the main scheme contract in early January 2014 through diversion of utilities cabling and the establishment of temporary site hoardings and access/egress points.

Local Spend and Employment

Local Spend and Employment will be maximised on the project in line with the commitment given at mini-competition. At this stage, Kier are indicated local spend targets of; Tier 1 (Liverpool) 85% and Tier 2 (Merseyside) 10%.

Opportunities for local apprentices will be maximised during the project and will be agreed with 'Liverpool in Work'. Kier are currently estimating 19 apprenticeships on the project. All labour working on the sites that pass through the site gates will be monitored by postcode. As with local spend, local labour will be formally reported to the Project Board.

Mayoral Recommendation:

That in relation to the development at Holly Lodge School –

- (i) subject to principle commercial terms being agreed with Kier Construction and planning permission being granted, the Council will sign a Memorandum of Agreement (construction contract) with Kier Construction under the Northwest Construction Hub Framework up to a maximum of £7,328,163 (including expenditure committed and spent through pre-construction stage Project Orders and Advanced Works and Contingency). In lieu of a bond, a Parent Company Guarantee is to be provided by the contractor;
- (ii) subject to principle commercial terms being agreed with Kier Construction and planning permission being granted, the Council sign a Project Order with Kier Construction under the Northwest Construction Hub Framework in advance of the main construction contract up to a value of £151,078 to carry out advanced (and programme critical) initial site setup/utility diversion activity so as to maintain construction programme timescales targeting a February 2015 opening;
- (iii) approval be granted for the Council commits total project expenditure up to a value of £7,695,432 (including expenditure committed and spent through pre-construction stages) to be financed over 2013/14

(through Mayoral City Deal funding) and 2014/15 (through Capital Receipts);

- (iv) the City Council's Capital Programme be amended accordingly and authority is granted to spend the resources as set out in the report submitted;
- (v) the land identified to the front of the site verged red on the plan and set out in Appendix 1 to the report submitted be declared surplus to Council requirements;
- (vi) the land and buildings to the front of the site and verged red on the plan set out in Appendix 1 to the report submitted be appropriated from educational purposes to regeneration purposes in accordance with Section 122 (1) of the Local Government Act 1972;
- (vii) the Head of Property and Asset Management Services be authorised to arrange for the disposal of the front part of the site verged red and set out in Appendix 1 to the report submitted; and
- (viii) the capital receipt resultant from the sale of the front part of the site verged red and set out in Appendix 1 to the report submitted is committed to support the LSIP.

Mayor's Priorities

New school

Delivering new schools is a priority of the Mayor of Liverpool. Holly Lodge will be the 5th school to be delivered under the pledge to deliver 12 new schools.

Development

The disposal of the front part of the site will release an attractive development site and secure a capital receipt to support the LSIP.

Local Spend and Employment

Local Spend and Employment will be maximised on the project with target expenditure in Tier 1 (Liverpool) at 85% and Tier 2 (Merseyside) at 10% of expenditure.

The contractor will assess each work package as it approaches sub-contract award stage to maximise local spend and this will be formally monitored monthly and reported back to the Project Board.

Low Carbon Agenda

Projects delivered under Liverpool's School Investment Programme will look to deliver sustainable solutions and processes to focus on the Mayors low carbon agenda including:

Designs will look to exceed Part L of the Building Regulations (Conservation

of fuel and power) target for emissions by 10%.

Designs will incorporate sustainable low carbon energy sources including photovoltaic panels on the roof.

The increased proportion of local spend on LSIP projects will reduce the amount of “carbon miles” on the project when compared to BSF projects.

Mechanical and electrical specifications, build standards and performance will be monitored to ensure they are used optimally to minimise CO2 reductions and cost in use.

Corporate Aim(s):

Making Liverpool the preferred choice for investment and job creation by:

Encouraging business creation, growth and productivity.

By ensuring schools and other facilities improves outcomes for young people and offer opportunities to other members of the community to improve the City’s skills base, promote local employment and support the local economy.

Empowering people to enjoy the best possible quality of life and reach their full potential by:

Giving children the best possible start in life

Raising skills and educational attainment for all age groups.

By the creation of 21st century learning environments that offer buildings that inspire, buildings that are flexible to offer a variety of educational environments to facilitate a variety of curriculum and learning styles for all children and, buildings that are adaptable to the changing needs of the neighborhoods and future educational needs.

Building strong, attractive and accessible neighborhoods by:

Encouraging more engagement with local people and groups.

By ensuring school buildings are equipped to offer themselves as a welcoming and accessible focal point in every neighbourhood for extensive and cohesive community use.

We will make Liverpool a more sustainable, connected and attractive city by:

Promoting new ‘green’ industries and encouraging new generation technologies.

Reducing carbon emissions from buildings, vehicles and operations.

By ensuring school buildings look to deliver sustainable building solutions.

Key Decision:

Yes

28 Days' Notice:

Yes

Implementation effective from:

1 November 2013

Timescale for action:

Schedule 1 (disposal site)	complete
Section 77 (SSFA) (disposal site)	complete
Section 77 Change of use (school site)	late-October 2013
Planning Permission	late-October 2013
Award Advanced Works Order	early-December 2013
Award Main Construction contract	mid-December 2013
Start on site (main contract)	early-January 2014
Building Complete	January 2015
Decant and ICT Fit out	February 2015
All works (externals) complete	February 2015
New School Opens	February 2015 (half-term)

Marketing of the surplus part of the school site will run in parallel with the school construction programme with the intention of legally disposing of the surplus site to be simultaneous with the completion/opening of the new school.

If the sale is not concluded at this time, and subject to a further report to Cabinet, the Council may arrange for non-listed building to be demolished so as not to pose a security risk to the new school campus or surrounding neighbourhood.

Reason(s) for Recommendation:

To award an advanced works order and the main construction contract for Holly Lodge School to achieve the project timescales To amend the capital programme accordingly.

To declare part of the site surplus and dispose accordingly.

Alternative Options considered:

The building principles for Holly Lodge School offers efficiencies in cost, programme and local spend with a building that is sympathetic to the surrounding buildings and site.

There has been extensive engagement with the School Headteacher and leadership staff who have developed the most appropriate site arrangement and internal layout for the school and local community in liaison with Kier Construction, the school Governors, the Council, and other key stakeholders.

Pre-construction expenditure has been committed against the scheme and the project needs to progress into construction phase to maintain the target completion date of February 2015.

Consultation including consultation with Ward Councillors and outcome:

Detailed Consultation has been undertaken during the past 6 months through the following forms and events:

- Weekly School Design Engagement Meetings (April – July 2013)
- Ward Councillors Presentation/Q&A Session – 19 June 2013
- School Governors Presentation/Q&A Session – 19 June 2013
- Public ‘Drop In’ Event (pre-planning submission) – 20 June 2013
- Public ‘Drop In’ Event (mid-planning process) – 02 October 2013

Financial Implications:

Construction Costs/Expenditure

The total project costs of Holly Lodge are £7,695,432 These costs are contained within the original Liverpool School Investment Programme report approved by Cabinet in November 2012. This expenditure includes all pre-construction commitments.

The design and build contract with Kier Construction accounts for up to £7,328,163 of these costs for design and construction services of which £408,180 has been committed through project orders for pre-construction stages with the balance financing the construction stage including the advanced works order of £151,078. These costs also include contingency sums for the Council’s exposure to the target cost mechanism and for identified risk as detailed in the ‘Risk Management’ section of this report.

In addition to the main contractor costs, there is budget for ICT equipment, highway improvements, statutory planning and building control fees, sport England Mitigation costs and fees for technical advice and contract

administration by 2020 Liverpool/Mouchel throughout the project.

This report seeks authority to commit expenditure and spend resources against this construction activity to be financed over 2013/14, and 2014/15 through Mayoral City Deal funding and capital receipts as shown below:

£000's	2013/14	2014/15	Total
Costs:			
D&B (Kier)	3,217	4,111	7,328
TA (2020/Mouchel)	40	81	121
Highways (Amey)	0	10	10
ICT (LDL)	0	75	75
Other Costs	0	111	111
LSIP Rev Costs	25	25	50
Total	3,282	4,413	7,695

£000's	2013/14	2014/15	Total
Funding:			
Mayoral City Deal	3,282	0	3,282
Capital Receipts	0	4,413	4,413
Total	3,282	4,413	7,695

The capital receipt resultant from the sale of the front part of the site (as verged red on the plan attached as Appendix 1) will be used to support the LSIP funding arrangements.

Legal Implications:

Northwest Construction Hub (NWCH)

The EU Procurement Regulations compliant Northwest Construction Hub (NWCH) High Value Framework was awarded on 7 April 2010 with 5 contractors selected onto the Framework. The Framework permits other contracting authorities such as the Council to purchase from the Framework.

In January 2013, the Council issued out mini-competition documents to select 2 of the 5 contractors to deliver LSIP projects. In March 2013 and following evaluation of submissions, Kier Construction and Morgan Sindall were selected.

A set of contract documentation was issued out with the mini-competition documents including output specifications, arrangements for pre-construction stages (projects orders and payment mechanisms) and a standard construction contract (based upon the NEC Option C).

NEC construction contract

To deliver the works, the Council will be entering into a Memorandum of Agreement (construction contract) with Kier Construction under the NWCH

Framework. The Memorandum of Agreement is pursuant the NEC Option C (Target Cost) Contract

The Council will not select a Performance Bond as a Parent Company Guarantee will be in place.

Planning

The Council will not enter into Advanced Works Orders or Construction Contracts until full planning consent is in place.

Property

The Council has the legal power, under Section 122(1) of the Local Government Act 1972, to appropriate land held for one purpose to another purpose, on the basis that the land is no longer required for the purpose for which it is currently held.

Any disposal of land will need to be at best consideration reasonably obtainable in accordance with s.123 Local Government Act 1972.

Risk Management:

Generally, programme management incorporates the Council's preferred risk management strategies and reporting methods. The project will be reported to the Project Board on a monthly basis in addition to senior officer level reporting. Individual risks as a result of the content of this report are listed below:

(i) Procurement risk using existing Frameworks (Risk – low)

The Northwest Construction Hub (NWCH) have advised the Council that there have been no legal challenges to the procurement or use of Framework Agreement with over 100 projects procured through the NWCH to date. NWCH have provided documentation that outlines the tender and selection process which states the process was in compliance with the Public Contracts Regulations 2006.

(ii) Affordability/Cost Management (Risk – medium)

Officers will manage any financial risks arising from the scheme as it develops and the Council will not enter into the construction contract until a Target Cost price has been agreed within the affordability envelope stated within this report.

The construction contract is an NEC Option C Target Cost contract. Payment is made against an agreed Activity Schedule profile and against defined actual costs incurred in an open book manner with the Council only paying the actual costs incurred, unlike a fixed price contract where the contractor prices risk into that fixed price. This risk is often not materialised yet costs

paid within the fixed price resulting in the client paying a premium. With Target Cost however there is a risk profile to the Council which is established though a 'pain and gain' mechanism applied as defined in the contract.

The construction costs established in this report include an allowance to cover the Council's potential costs through this pain and gain mechanism (3% of the building only cost) and for risk items (2% of the building only cost). Such risk may include unexpected ground conditions or obstructions which whilst have been minimised by site investigations, may still prevail. Such risks are established in the risk register which clearly defines the owner of each risk. The construction costs established in this report do not allow for major unforeseen unidentified risk or school and/or client led instructions (variations).

The NEC contract is a very process driven form of contract with emphasis on the use of an 'Early Warning Register' to regularly review 'potential' risks. When such notifications do become compensation events with an impact on cost and/or programme, there are clearly defined timescale for each party to agree the impact and value so that overall project outturn costs are regularly reviewed.

(iii) Planning (Risk – low)

The Council will not enter into the Advanced Works Order until the demolition consent is in place or Construction Contracts until full planning consent is in place.

(iv) Programme Delay (Risk – medium)

Kier Construction have produced a detailed construction programme that forms a key component in administering the NEC contract. As with project costs, a regular review of programme will be implemented. Any early warning of programme delay will be reported to the Project Board.

(v) Maximising Local Spend (Risk – low/medium)

The NWCH Framework was chosen as a procurement route for the scheme based upon its focus in leveraging local spend. By forming new and utilising their existing supply chain partners, Kier Construction are aiming to spend at 85% of the project budget in Liverpool (Tier-1) and at least 10% in Merseyside (Tier-2).

(vi) Land Sale & Anticipated Capital Receipts (Risk – medium)

The Property & Asset Management Team have previously visited site and are aware of the status of listed buildings and buildings of architectural merit in respect of future land disposals. A Certificate of Immunity is being sought to clarify whether the original Holly Lodge building will be listed or not as the current situation is unclear. Until the outcome of this process is known, the site

will not be marketed for sale as potential bidders for the site will have uncertainty as to the development opportunity for this building /part of the site. The outcome of the process will also determine the potential capital receipt that can be achieved.

Equality implications/Equality Impact Assessment:

An Equality Impact Assessment has been approved for this scheme. In addition, a Design and Access Statement has also been prepared. The Corporate Access Officer has been engaged in the project and the scheme will be reported to the Corporate Access Forum (CAF).

Climate Change Strategic Framework and Climate Change Adoption Framework:

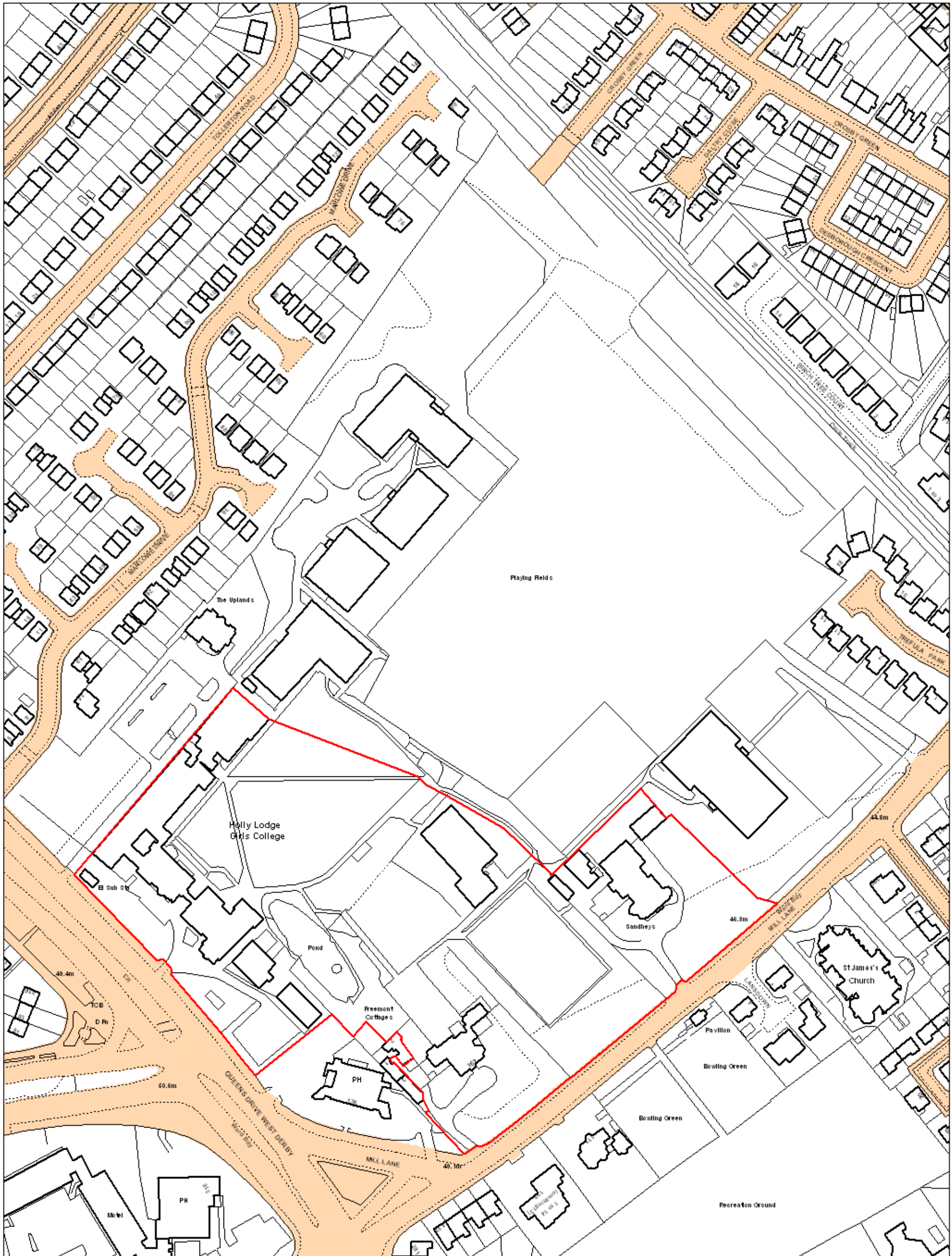
Schemes will be developed in cognisance of the Council's Climate Change Strategic Framework and Liverpool's Climate Change Adoption Framework

Budget and Policy Framework:

The Liverpool Schools Investment Programme is reflected in the Council's MTFP.

Report attached:

Appendix 1 – Location Plan



**Holly Lodge- land disposed
Area verged red about 33,635 sq.m.**

Data Management & Plans, Property & Asset Management Services, Regeneration
Millennium House, Victoria Street, Liverpool L2 2DH tel. 233 6712

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Date: 10/04/2013
Scale: 1: 1,600
Job Ref: pd

Status:

FINAL



The City of Liverpool

The City of Liverpool
LA076228
2001

**MAYORAL RECOMMENDATION**

KIRKDALE WARD
PUBLIC

R/25

<p>Cabinet Member: Councillor Malcolm Kennedy Cabinet Member - Regeneration</p>	<p>Director: Nick Kavanagh Director – Regeneration & Employment Services</p>
<p>Date of submission: 25 October 2013</p>	<p>Subject: Low Carbon Superport University Technical College</p>
<p>Report No./Background papers: EDR/89/13</p>	<p>Contact Officer: Nick Flanagan, Head of Property & Asset Management Services</p>
<p>Executive summary:</p> <p>The site of Bevington House, Gardners Row and adjoining land fronting Scotland Road has been identified as a preferred location for the construction of a Low Carbon & Superport University Technical College. This project is sponsored by John Moore’s University, Liverpool Community College, Laing O’Rourke, Peel & others. This report deals with the sale of the Council’s land required for the project and includes provision for the sale of part of the site at less than best price.</p> <p>Background</p> <p>This project for a University Technical College will address the education of school leavers who require further education of a technical nature, rather than the more academic education provided by sixth-form colleges and universities. It will attract students from a fairly wide catchment area and therefore needs to be close to good transport links. The proximity of other educational facilities and relatively good access to this site from the city centre is an added bonus.</p> <p>The scheme will involve the purchase of land from two private owners as well as from the City Council. Part of the site is presently adopted highway and discussions have taken place as to the requirements for a closing order. The other part in Council ownership is the freehold of Bevington House which is subject to a long lease to one of the private owners on a rent presently at £9,000 but which is subject to review, which reflects the value of the land, the leasehold owner having built an industrial unit on it.</p>	

Due to the number of site abnormalities affecting the highway land the EFA have advised that there is now insufficient budget available to cover the acquisition cost for this part of the site. The EFA have however agreed to an overage arrangement whereby the Council share in any future profit if the land is later sold on for an alternative use.

The following terms have been agreed for the sale of the Council's land interests in the site to Collaborative Training Solutions as follows:-

1. The Council to dispose of its freehold interest in Bevington House for £120,000, plus the Council's surveyors fees of £500 and legal costs of £450.
2. The Council to dispose of its freehold interest in adjoining land presently comprising an adopted highway verge fronting onto Scotland Road for the sum of £1 subject to the following conditions
 - The purchaser will apply for a road closure order prior to the sale being completed, and pay all fees and associated costs.
 - The sale is subject to other interests being acquired and planning permission being obtained for the proposed development as a University Technical College.
 - The use for educational purposes be restricted by way of an agreement that if the site is developed or sold for any other use within the next 50 years then the City Council should receive 50% of any increase in value of the property having regard to the change of use. Future purchasers will be required to renew this agreement within the 50 year period.
3. The purchaser is to bear the Council's surveyors fees of £500 and legal costs of £450.
4. Otherwise all other terms as set out in the Council's standard contract for sale.

Best Consideration

Under the provisions of s123 of the Local Government Act 1972 local authorities are under a statutory obligation to obtain best consideration or price when disposing of their land and property. Best consideration is generally interpreted to be the market value for the land.

Where voluntary conditions are imposed by the Council, such as a restriction on use, which materially reduces the market value of the land then such transactions should be treated as a sale at less than best price, even if the land value with the restrict in place represents best price having regard to that restriction.

In respect of the above transaction the disposal of the freehold interest in Bevington House represents best consideration for the City Council, as

certified by the Head of Property and Asset Management.

However the sale of the adjoining highway verge for £1 will need to be treated as a sale at less than best price as a higher land value could be achieved were the site to be sold for student housing which could have a potential market value in the region of £75,000 - £100,000 if granted. Notwithstanding that the value agreed for the land with the restriction in place for educational purposes represents best consideration given the restrictions on its use. It should be noted that if this land were marketed separately and not as part of a wider scheme, then the value of the land would be substantially lower.

Local authorities have the discretion (under the Local Government Act 1972 General Disposal Consent 2003) to dispose at less than best price without having to seek specific consent where the difference between the unrestricted value of the interest to be disposed of and the consideration accepted is £2,000,000 or less and provided that the disposal contributes to:

- (a) the promotion or improvement of economic well-being;
- (b) the promotion or improvement of social well-being;
- (c) the promotion or improvement of environmental well-being.

In supporting this transaction, the following well-being objectives will be satisfied by:

- (i) Providing a technical educational facility targeting students who do not wish to pursue a more academic further education.
- (ii) Providing a more productive use for this piece of highway verge which is now surplus to its original highway intentions.
- (iii) Improving the visual impact of this gateway to the City Centre with a modern environmentally friendly building.

Mayoral Recommendation:

That in order to enable Collaborative Training Solutions to develop a new Low Carbon and Superport University Technical College the City Council:-

- (i) sells its freehold interest in Bevington House for £120,000, plus the Council's surveyors fees of £500 and legal costs of £450;
- (ii) sells its freehold interest in adjoining land presently comprising an adopted highway verge fronting onto Scotland Road for the sum of £1 subject to the following conditions –
 - (a). the purchaser will apply for a road closure order prior to the sale being completed, and pay all fees and associated costs;
 - (b). the use for educational purposes be restricted by way of an agreement that if the site is developed or sold for any other use then the City Council should receive 50% of any increase in value of the property;

- (iii) the purchaser pays the Council's surveyors fees of £500 and legal costs of £450; and
- (iv) other terms as agreed with the Head of Property & Asset Management Services.

Mayor's Priorities:

To build 12 new schools – the scheme will complement this priority by developing an additional educational facility, which will cater for school leavers who require further education of a technical nature, rather than the more academic education provided by sixth-form colleges and universities.

Corporate Aim(s):

- **We will make Liverpool the preferred choice for investment and job creation.**
The project will lever in significant grant funding and will create construction jobs
- **We will empower people to enjoy the best possible quality of life and reach their full potential.**
The new UTC will provide alternative further education for 16 – 19 year old students wishing to develop their technical expertise.
- **We will make Liverpool a more sustainable, connected and attractive city.**
The scheme will provide an attractive high tech and environmentally friendly building fronting a key gateway to the city centre.
- **We will ensure services are efficient, effective and offer value for money.**
The sale will result in a capital receipt for the Council.

Key Decision:

No

28 Day Notice.

Not required.

Implementation effective from:

1 November 2013.

Timescale for action:

The purchaser will embark immediately on its planning applications and other actions pre-requisite to secure possession of all the land required, closure of highways where appropriate, and to proceed with the proposed development.

Reason(s) for Recommendation:

To deliver a new facility for alternative vocational education.

Alternative options considered:

Take no action. The council would continue to receive rent on Bevington House. The site would remain available for potential future development subject to land assembly and highway closures.

Consultation including consultation with Ward Councillors and outcome:

The ward councillors were consulted on 10 October and all three (Councillors Hanson, Fraenkel and Kennedy) support the proposed sale and development.

Financial implications (Efficiency Savings):

Capital Receipt 2013/14: £120,000 (premium for Bevington House)

Revenue Income 2013/14:	Surveyors Fees	£1,000
	Legal Fees	£ 900

Revenue Loss – 2014/15 onwards : £9,000 per annum rental income.

The capital premium contributes to the City Council's capital receipt forecast whilst the payment of surveyor's fees and legal costs all contribute to existing revenue targets.

The capitalised premium being received for Bevington House represents best price and the loss of annual rental income. The price agreed for the adjoining land reflects the restriction to educational purposes. However potentially a higher price might be obtained if the site were made available for commercial student accommodation.

The loss of rental income is a very small percentage (0.002%) of the total income generated by the investment estate. Rent review increases across other properties and enhanced rates paid for this developed property will more than cover this deficit in income.

Legal implications:

Under Section 1 of the Localism Act 2011 the Council has a general power of competence to do anything that individuals generally may do; however that general power is subject to other statutory limitations.

Section 123 (2) Local Government Act 1972 provides that the Council must dispose of land for best consideration save for cases where the consent of the Secretary of State has been obtained for any disposal at less than best consideration. Under the General Disposal Consent Order (England) 2003, such specific consent is not required for any disposal where the difference between the unrestricted value and the consideration accepted is £2m or less. In determining whether or not to dispose of land at less than best consideration the Council should have regard to a number of factors including its accountability and fiduciary duty to local people, its community strategy, all normal and prudent commercial practices, clear and actual valuations of the assets in question.

Risk Management:

The sale is conditional on the purchaser securing planning permission and a highway closure, and being able to acquire other land not in LCC ownership.

Equality implications/Equality Impact Assessment:

None in relation to the sale of the site

Climate Change Strategic Framework and Climate Change Adaptation Framework:

The new facility will be developed to appropriate Low Carbon standards.

Budget and Policy Framework:

The disposal is in accordance with Budget and Policy Framework

Report attached:

None.

**MAYORAL RECOMMENDATION**CITY
PARTIAL EXEMPTION

ASC/7

Cabinet Member: Councillor Roz Gladden, Assistant Mayor & Cabinet Member – Adult Services and Health	Director: Samih Kalakeche, Director – Adult Services & Health
Date of submission: 25 th October 2013	Subject: Award of Integrated Personal Care & Support Services in an Extra Care Housing Setting Contract (NWCE- 955GD7)
Report No. ASC/33/13	Reporting Officer: Natalie Markham

Executive Summary:

Extra Care Housing (ECH) brings together high quality housing provided (often by a Registered Provider of Housing, previously known as Registered Social Landlords) with Adult Social Care packages to provide an integrated housing, care and support solution for older people. The aim of ECH is to promote independence and choice for older people by enabling them to maintain their presence in the community through offering a home for life and a real alternative to residential care for older people.

The purpose of this report is to detail the proposed Contract Award for:

Lot	Address	Registered Provider of Housing	Ward Location
Lot 1: Brookside House	Brookside Avenue, Liverpool, L14 7LN	Housing 21	Knotty Ash
Lot 2: Latham Court	Bridgemere Close, Liverpool, L7 0LS	Riverside ECHG	Kensington & Fairfield
Lot 3: Linksview	Vale Road, Liverpool, L25 7FB	Guinness Trust	Woolton
Lot 4: Meadow Court	Porchfield Close, Liverpool L11 9DT	Liverpool Housing Trust (Symphony Group)	Croxteth
Lot 5: Millachip Court	White Rock Street, Liverpool L6 5LA	Your Housing Group	Everton

1. Background & Context

This report makes recommendations to Members following the evaluation of the Integrated Personal Care & Support in an Extra Care Housing Setting tender (NWCE- 955GD7) across 5 designated Extra Care Housing (ECH) schemes. Pre-Procurement Approval (Report No ASC/13/12) was given by Cabinet on 17th August 2012. This report was supported by the full pre-procurement business case.

Liverpool City Council previously funded two schemes that operated as effective ECH with onsite 'block' contracts offering 24/7 onsite care and support. In addition, there were a further eight schemes built to Extra Care specifications which accommodated and supported older people with a range of care needs. Personal care delivered in these buildings was via the wider Personal Care contract on a spot purchase basis which meant that there was no 24/7 onsite care staff to deliver care flexibly or respond to emergencies. This limited the ability to support older people with significant care needs resulting in inconsistent demand due to a lack of integrated and responsive care delivery in the 8 schemes.

Therefore, the Cabinet meeting in August 2012 approved the recommendation for Integrated Care and Support services to be commissioned and procured across five designated Extra Care Housing schemes as outlined in the pre-procurement business case. In the meantime, the remaining 5 buildings which were out of scope for the procurement exercise would revert to standard sheltered housing with Service Users continuing to receive Personal Care services according to their assessed needs, from suppliers in line with Personal Care Contract arrangements.

Governance

A Project Team and Project Board were established involving commissioning, finance, legal and procurement services representatives of the City Council to oversee the review and tender exercise. The project was managed according to a clear time-lined project plan, with associated risk and issue logs and communications plan. All decisions were taken by, and documented at, Project Board and approved as necessary by the Director.

The indicative volumes published in the tender documentation for each Lot is provided at Appendix 1.

2. The Tender Process Employed

The procurement of Integrated Personal Care and Support in an ECH Setting has been undertaken using a single stage Open Procedure.

An open invitation was published inviting organisations to complete an Invitation to Tender Document (ITT) comprising of the standard pre-qualification questionnaire (PQQ) and a Method Statement.

Each of the five sites represented a 'lot' in that bidders were invited to express an interest in supplying Integrated Personal Care and Support into an individual named scheme. Bidders were informed that they could express an interest in any number of 'lots' however they would only be awarded a maximum of two. This was to ensure a diverse and sustainable market of suppliers and to manage issues such as market share and risk.

The Tender opportunity was issued via The Chest on 14th June 2013 with a closing date of 9th August 2013. This attracted 11 submissions by the closing date. Tenders were evaluated using the following evaluation framework: Price 60% and Quality 40% and an overall total score for each 'Bid' was based upon a weighted quality / price formula. The Tender submissions were evaluated by a multi-disciplinary team of officers.

A short list of bidders was agreed based on the financial and legal standing of the organisations and the technical capacity and capability of those organisations to provide the services required. An invitation to attend a presentation day was then issued to shortlisted organisations. The marks for the presentation were scored as part of the overall evaluation.

3. Contract Award and Implementation Period

It is proposed that new contracts with successful suppliers commence on 2nd December 2013 and therefore replace previous contract arrangements, to enable the safe transition of service users from unsuccessful suppliers, supported by the appropriate social work input. The intention is that all transition will be completed by 30th January 2014.

The length of contracts awarded will be 3 years with an option for LCC to extend for a further year subject to performance and finance.

4. Impact and Expected Benefits

The new contract is expected to have a number of benefits:

- Delivery of a more flexible and integrated model of care and support
- A reduction in people inappropriately placed in Residential Care who wish to remain living independently within the community
- Building capacity and sustainability of the local workforce through introduction of targeted recruitment and retention provisions
- Inclusion of new supplier with ECH experience
- Increased take-up of assistive technology
- Value for money - cost of Integrated Care and Support to be contained within current budget and some efficiencies realised
- New contracts which best protect LCC's legal and commercial requirements

Mayoral Recommendation:

That the organisations detailed in Appendix 1 to the report submitted be awarded a contract for the supply of Integrated Personal Care & Support in an Extra Care Housing Setting Contract (NWCE- 955GD7) at the rates tendered and for a period of three years with an option for Liverpool City Council to extend for a further year subject to performance and finance.

Mayoral Priorities:

This proposal supports the following Mayoral priority:

New homes – the housing schemes that ECH care and support will be commissioned into have been built in the City in the last 10 years and are high quality, purpose built accessible housing for older people.

It is proposed that the new services being delivered will provide approximately 260 units of fully integrated accommodation for older people who may require 24/7 care.

Corporate Aim(s):

The proposals will support the delivery of the following corporate aims:

“Empowering people to enjoy the best possible quality of life and reach their full potential”

These services will provide high quality empowering care and support to older people to promote independence and independent living thereby offering a real alternative to residential care. In addition, Extra Care Housing has a role in reducing inequalities and protecting and promoting good health as national research shows that older people in ECH have fewer falls (due to accessible environments) and have improved health and well being.

“Building strong, attractive and accessible neighbourhoods by improving the quality, range and choice of housing.”

The buildings in which integrated care and support will be commissioned will provide high quality and accessible accommodation with a focus on engaging with local communities. ECH provides an opportunity for older people to remain in the communities of their choice, near to family, friends and local networks.

Key Decision:

Yes.

28 Day Notice:

Yes

Implementation effective from:

1 November 2013

Timescale for action:

Immediate action by officers – with contract start dates being 2nd December 2013.

Reason(s) for Recommendation:

There are a number of reasons for the recommendation:

- Contract award for the integrated model will provide new service models reconfigured and fully integrated to better meet the needs of older people
- Services have been developed to meet the needs and aspirations of older people, who contributed to development and service design
- Onsite care and support teams within the schemes will offer flexible approaches to people with mixed levels of dependency
- To develop options in line with the drivers to disinvest in residential care
- To meet the demands of an emerging ageing population and increase options available to meet the increasing prevalence of dementia and older people with learning disabilities
- To secure value for money
- To place new contracts with updated and more appropriate terms and conditions
- To ensure full compliance with LCC's Financial and Contract Standing Orders

Alternative options considered:

Alternative options have been considered:

- To allow the current service provision to continue. However, this would not meet the current service user requirements; will leave the Council with a lack of options to meet the drivers to disinvest in residential care and would leave older people who wish to remain living independently within the community with few alternative options.
- Commission Care and Support delivery under separate and distinct funding and contract arrangements. However, feedback from stakeholders, service users and carers indicated that the previous segregated funding for care and support provided a restrictive and artificial division of tasks which did not adequately meet Service User

needs. Separate contracting arrangements would not enable the Authority to meet the aim of greater integration of services for the benefit of users or achieve any efficiencies or economies of scale.

Consultation including consultation with Ward Councillors and Service users outcome:

Significant consultation took place with service users, providers and key stakeholders (commissioning, assessment and care management) to determine the key issues, concerns and areas for improvement. This included:

- Extra Care Housing 'vision' session with partners to agree objectives of the exercise and parameters of scope
- A series of meetings with Service Users at schemes designated to deliver the full Integrated Personal Care and Support model
- Cabinet members briefings
- Meetings with individual Registered Providers of Housing for each of the schemes
- Soft Market engagement session with stakeholders and prospective bidders
- Task and Finish Group of older people's representatives from the Older People Making It Happen Group to input into service design
- Representatives from the Older People Making It Happen Group who worked with officers to facilitate Service User engagement across each of the schemes
- Service user and carer representatives on the tender evaluation panel

Financial implications (Efficiency Savings):

The 2013-14 approved budget for the current ECH scheme provision was **£2.355m**, of which **£0.255m** was new 'invest' to save' funding. The contract awards put forward for recommendation within this report will result in an initial annual saving of £0.083.

The new service model will promote independence and well-being and prevent unnecessary or premature admission into residential care. ECH will increasingly be used as an alternative to long term residential care. The average ECH unit cost (i.e. per person, per week) is £124. This, when compared to the standard Residential Care package of £350 per week will deliver average gross savings of approximately £226 per client per week.

Legal implications:

The Services have been commissioned through a competitive procurement exercise following the City Council's usual procurement processes, utilising support from the Corporate Procurement Unit. The appointed Contractor/s will be required to sign contracts containing terms and conditions produced by Legal Services, which better protect the Council in terms of:

- risk/liabilities/insurance;
- appropriate warranties and indemnities;
- control, monitoring ,project management and reporting provisions;
- data protection and confidentiality;
- safeguarding;
- best value; and
- dispute resolution.

The Contract also includes a detailed service specification, which clearly identifies the roles of the Contractor and the expectations and requirements of the Council.

The Council's position is further protected by a unilateral right for the Council to (a) extend the Contract for a further year and (b) terminate the arrangement on ninety (90) days notice at any time.

Risk Management:

A Risk Register was established and has been refreshed and reported on throughout the project. The Project Board is satisfied that the robust financial and technical evaluation process together with the new form of contract will offer the Council the necessary level of assurance that the preferred suppliers are financially sustainable and can deliver quality services.

The supplier's approach to Risk Assessment and Management, including financial management and status has been assessed as part of the procurement process and the Project Board are satisfied that financial and technical requirements have been met.

Equality implications/Equality Impact Assessment:

A full Equality Impact Assessment, completed prior to the tendering exercise, updated to take account of Service User engagement and consultation has been published on the City Council's website. The EIA incorporates the new requirements and addresses the impact on all the protected characteristics. In summary:

- The recommendation will have a positive impact on older people as ECH is specialist housing for older people with care and support attached. The proposal will increase access to these schemes for

people aged 55 and older with care needs

- The recommendation will also have a positive impact on disabled people and people with mental health issues. ECH is designed and purpose built specifically with the needs of older people with care and/or health needs in mind. This means that all schemes are furnished with a wide range of accessible features, both within communal areas and in individual units of accommodation. By commissioning an increased number of schemes able to deliver a true ECH model of 24 hour on site care and support means that older people with higher levels of care and support needs will be able to remain living independently within their community, reducing the need for Care Home placements.
- The impact is neutral for the majority of the other protected characteristic groups; Gender re-assignment / Transgender, Sex (Gender) Race, Religion/Belief, Sexual Orientation and Pregnancy/Maternity.
- The impact is assessed as Unknown for Social Economic Status and Marriage and Civil Partnership

Climate Change Strategic Framework and Climate Change Adaptation Framework:

The report complies with the principles and the City of Liverpool Climate Change Strategic framework and with the Liverpool Climate change adaptation framework.

There is no direct climate change implications associated with the recommendations in this report. It should be noted that the procurement exercise took place utilising the City Council's E-Procurement framework, which limits waste. In addition, as part of the City Council's procurement process, potential suppliers are asked to outline how they address wider sustainability and environmental issues within the service provision and those that offer these wider social benefits are identified as offering added value.

Budget and Policy Framework:

This procurement exercise has been delivered within the Medium Term Financial Plan and required efficiency savings as well as Liverpool City Council policy framework.

Report attached:

Appendix 1 to this report is Exempt and not for publication by virtue of section 100 A (4) of the Local Government Act 1972 as defined under paragraph 3 of Part 1 of Schedule 12a of the Act as amended.

Appendix 1