
COMMERCIAL STREET SITE

**Responsible Cabinet Member(s) - Councillor Don Bristow,
Resource Management Portfolio and Councillor David Lyonette,
Regeneration and Planning Portfolio**

Responsible Director(s) - John Buxton, Director of Development and Environment

Purpose of Report

1. This report seeks agreement to the process for selecting a developer for the Council's land at Commercial Street and Kendrew Street.

Information and Analysis

2. Cabinet last month approved the Council's land at Commercial Street and Kendrew Street being marketed to obtain expressions of interest from developers wishing to progress a shopping centre development in line with the Town Centre Development Strategy. Details of the reasons for this and the land concerned are in the report to that meeting.
3. St Martin's Property Corporation are independently selling their property at land adjacent to Queen Street Shopping Centre to achieve the highest price. By marketing its land, the Council is gaining more control of the selection of a developer for shopping centre development. Development of the shopping centre on St Martin's land alone without the Council's land would not be feasible.
4. Substantial numbers of developers are showing interest in this opportunity. In order that the best scheme for the site and the best consideration for the Council's land are achieved, a two stage selection process is recommended, as follows:

First Stage

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| 30 November 2004 | Developers asked to submit an initial offer for the land, a sketch scheme for the development, information about their track record, financing of the development and various other matters. |
| December 2004 | Officers and the Council's advisors assess submissions against a clear set of evaluation criteria. |
| End December 2004 | A shortlist of about five developers invited to submit a more detailed scheme and further information, and offered the opportunity to revise their bid for the site. |

Second Stage

Dates to be determined

Submissions from shortlisted developers.

Shortlisted developers interviewed.

Public Exhibition of drawings for potential schemes.

Formal assessment of schemes and submissions against assessment criteria.

Report to Cabinet recommending selection of a developer.

5. The evaluation criteria for selecting a shortlist of developers would include:
 - (a) the extent to which the scheme meets the aims of the Town Centre Development Strategy and the Planning and Highways Requirements Statement for the site;
 - (b) the track record of the developer and their professional team in carrying out town centre shopping developments;
 - (c) the ability of the developer to fund the scheme;
 - (d) the financial offer.
6. More detailed evaluation criteria would be prepared for the second stage of selecting one developer. The Local Government Act allows the Council to dispose of their land in a way which promotes the well-being of the area in line with the Community Strategy. This is recognised by the General Disposal Consent (England)2003.
7. Public exhibition of potential schemes would allow public input into the selection by inviting public comment on the drawings. The public would be asked to comment on each of the proposed schemes but not be invited to express a preference between schemes because they would not have all the information on which to make a judgement (such as the track record of developer teams and their ability to fund the development). However, public comment could help to inform the selection process.
8. Taking the course of action outlined in this report does not, at this stage, commit the Council to selling its land. There will need to be further reports at the conclusion of this marketing and of St Martin's marketing of its adjoining property. This report does, though, recommend that the Council takes every course of action it can to get the Commercial Street development underway and to protect the Council's interest.
9. The two-stage process outlined in this report enables a more informed selection of developer by creating a shortlist of about five who can be expected to do more work on their schemes, funding and submissions.

Outcome of Consultation

10. Substantial consultations with the public and stakeholders took place on the Town Centre Development Strategy, which confirmed the importance of shopping centre development at Commercial Street.
11. Further public input is allowed for in this process, as described above.

Legal Implications

12. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1998

13. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect.

Council Policy Framework

14. The issues contained within this report do not represent change to Council policy or the Council's policy framework

Decision Deadline

15. For the purpose of the 'call-in' procedure this does not represent an urgent matter, provided a decision is reached to allow a shortlist to be determined by the 17 December 2004.

Recommendation

16. It is recommended that :-
 - (a) the two-stage selection process outlined in the report is adopted;
 - (b) the Director of Development and Environment is authorised, in consultation with the Cabinet Members for Resources and Regeneration and Planning, to select a shortlist of developers to proceed to the second stage of the process.

Reasons

17. The recommendations are supported by the following reasons :-
 - (a) to achieve the development set out in the Council's strategies;
 - (b) to benefit the economic well-being of the Borough;

(c) to achieve best consideration in any future disposal of the Council's land.

John Buxton
Director of Development and Environment

Background Papers

Report on Commercial Street Site to Cabinet on 19 October 2004

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