

Briefing Note

Committee name:- Cabinet

Date:- 15th April 2010

Responsible officer :- David Roberts Head of Property and Asset Management

Subject: Progress Update on Midwinter Area Improvement.

Members may recall that Cabinet approval was given on the 4th September 2007 to the appointment of Bloor Homes as the preferred developer, subject to a satisfactory flood risk assessment by the Environment Agency, and instructed the Head of Property, in consultation with the Leader and Head of Legal Services, to take such actions as necessary to secure the development including:

1. Negotiating terms with Bloor Homes
2. Negotiating terms with the Rugby Club to secure access
3. Negotiating with the Allotments Association on the works to be carried out to the retained and new allotments.
4. Applying to the Secretary of State for consent to release the allotments for development.

The Cabinet decision also requested that a report be brought back to Cabinet if the flood risk assessment was not satisfactory, and instructed officers to negotiate with Bloor Homes a minimum Level 4 of the code for sustainable homes.

Following the Cabinet decision negotiations stalled due to adverse market conditions, the inability to resolve satisfactorily the Rugby club access. Negotiations with Bloor Homes resumed 12 months ago following a request by the Leader to Jeremy Williamson to see whether it was possible to resurrect the proposals given pressure on housing delivery. This required the following actions in light of the previous requirements and changing circumstances.

- The Environment Agency (EA) in response to the floods of 2007 regraded their indicative flood risk from an understood flood Zone 1 to Zone 3b, which would prohibit any form of development. The developer's consultant engineers involved in the earlier analysis, Halcrow, have undertaken further comprehensive modelling work and believe that their initial appraisal is correct. They are currently consulting with the EA.
- Originally, the access road to the site from Tommy Taylor's Lane was to run across the training pitch used by the rugby club. The line of the access road has now been re-aligned so as not to impact on the training pitch and is therefore no longer an issue.
- Certain area-wide improvements have been negotiated including the provision of new allotments with the Allotments Association on the Elmfield Road playing field, which will require the relocation of the playing field to land adjoining Tommy Taylor's Lane north of the Prince of Wales Stadium.
- Secretary of State approval has been obtained to release those allotments that would be affected by the proposed development.
- The development of the whole of the site to Eco code rating 4 would render the development uneconomic and therefore the negotiated proposal is to develop the whole of the site to a minimum of code rating 3 with 25 percent being to code level 4. It should be recognised that a de minimis Code 3 rating is above the minimum requirements and is also beyond the initial proposal put forward by Bloor Homes which preceded the code for sustainable homes and had previously targeted eco homes very good rating. This approach has been discussed with the Homes & Communities Agency who have given their support.

Negotiations with Bloor Homes are still therefore ongoing and the intention is to report back to Cabinet for approval to the principal heads of terms, including abnormal costs, area wide improvement costs and confirmation of a satisfactory flood risk assessment prior to entering into any binding commitments.

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