

Item 16 - Bevan Place, Swanley Development Proposal

The attached report was considered by the Finance & Investment Advisory Committee on 11 January 2022 and the Housing & Health Advisory Committee on the 17 January 2022. The relevant Minute extracts are below.

Finance & Investment Advisory Committee (11 January 2022, Minute 46)

The Strategic Head of Commercial and Property presented the report which outlined the Council's plans to redevelop the former Swanley Working Men's Club site and adjacent car park at Bevan Place.

It was noted that paragraph 4 of the report should be altered to read as: "The proposed scheme included up to 93 homes."

The scheme would also incorporate retail uses along the High Street, a communal garden and landscaped surface car-parking for residents. The scheme would include the highest environmental and sustainability standards possible to ensure the scheme was not only an exemplar benchmark scheme for Swanley, but would also enhance residents well-being.

Officers were seeking approval to progress the scheme, applying for planning permission and procuring a lead design contractor to deliver the scheme subject to obtaining all the necessary statutory consents. Practical completion was expected by 2024.

It was moved by the Chairman and it was

Resolved: That under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of Appendices C and D. These documents are exempt from publication on the grounds that likely disclosure of exempt information is involved as defined by schedule 12A paragraph 3 of the Local Government Act 1972: (Information relating to the financial or business affairs of any particular person (including the authority holding that information.))

Members considered and discussed the exempt information as set out in the exempt appendices. Members expressed concern over the financial projections of the proposal as a longer-term ambition. Members expressed that the Committee would benefit from a level of certainty for the projections laid out in the report.

Members discussed an additional recommendation requesting Cabinet satisfy themselves with the assumptions and mitigations and the case for locking in to interest rates as early as possible and report to Council with the findings.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved that:

- a) The advisory committee endorse the redevelopment of the site to deliver a new residential-led development.
- b) The proposed recommendations to Cabinet below be endorsed:
 - (i) Cabinet endorses the development of a new residential-led scheme on this site which will deliver up to 93 new homes, retail uses, communal and public garden, resident car parking and highway improvements to Bevan Place;
 - (ii) Cabinet notes the viability challenges this site and scheme presents and approves the delivery of this scheme using an income-based financing model (rent model) that will result in the Council retaining housing and retail stock to generate income to repay the cost of the development;
 - (iii) Cabinet recommends to Council the provision of £26,575,836 in the 2022/23 - 2024/25 Capital Programme to deliver the scheme within the parameters set in Section 57 of this report and notes that this is in addition to the previously approved amount of £730,000 in the 2021/22 Capital Programme for this project;
 - (iv) Cabinet approves the acquisition/inclusion of the adjacent West Kent Housing Association land and buildings, known as 1-12 Bevan Place, Swanley, and to enter into a development agreement with West Kent Housing Association that will result in 14 residential units being transferred to West Kent Housing Association on a leasehold basis, the terms of which are outlined in the draft Heads of Terms in Appendix C and delegates authority to the Strategic Head of Property and Commercial Services and the Chief Officer Finance and Trading following consultation with the Cabinet Member for Finance & Investment to agree and finalise necessary agreements with West Kent Housing Association;

- (v) Cabinet recommends to Council to authorise officers to acquire any outstanding legal interests that may not be in the Council's ownership, which may include using its statutory powers, such as the use of compulsory purchase orders;
- (vi) Subject to Council's approval of the capital provision of £26,575,836 in the 2022/23 - 2024/25 Capital Programme, Cabinet delegates authority to the Strategic Head of Property and Commercial and the Chief Officer Finance and Trading, following consultation with the Cabinet Member for Finance & Investment to undertake further detailed design and feasibility work and to proceed with the scheme subject to final scheme viability and in accordance with financial parameters set in Section 57; and
- (vii) Subject to Council's approval of the capital provision of £26,575,836 in the 2022/23 - 2024/25 Capital Programme, Cabinet delegates authority to the Strategic Head of Property and Commercial in consultation with the Chief Officer Finance and Trading and the Head of Legal Services to submit a planning application and to enter into any necessary contracts to facilitate the development and construction of the proposed scheme in accordance with the Council's Contracts Procedure Rules and for the disposal of the residential units to be developed.
- (viii) Subject to Council's approval of the capital provision of £26,575,836 in the 2022/23 - 2024/25 Capital Programme, Cabinet delegates authority to the Strategic Head of Property and Commercial following consultation with the Chief Officer Finance and Trading and the Cabinet Member for Finance & Investment to prepare appropriate contractual arrangements to set up an appropriate delivery vehicle for the scheme and to return to Cabinet at a later date to approve the appropriate delivery vehicle.
- (ix) That it be recommended to Council that Council notes the proposed development scheme and financial model and approves the provision of £26,575,836 in the 2022/23 Capital Programme to deliver the scheme within the parameters set in Section 57 and detailed in Appendix D.
- (x) That Council authorises officers to acquire any outstanding legal interests that may not be in the Council's ownership, which may include using its statutory powers, such as the use

of compulsory purchase orders and return to Cabinet or Council to resolve invoking such powers if needed; and

- (c) That Cabinet be satisfied with the robustness of the assumptions and mitigations for the risks and evaluate the case for locking in the current rates; and report to Council.

Housing & Health Advisory Committee (17 January 2022, Minute 48)

The Strategic Head of Commercial and Property presented the report which outlined the Council's plans to redevelop the former Swanley Working Men's Club site and adjacent car park at Bevan Place.

It was noted that paragraph 4 of the report should be altered to read as: "The proposed scheme included up to 93 homes."

The scheme would also incorporate retail uses along the High Street, a communal garden and landscaped surface car-parking for residents. The scheme would include the highest environmental and sustainability standards possible to ensure the scheme was not only an exemplar benchmark scheme for Swanley, but would also enhance residents' well-being.

Officers were seeking approval to progress the scheme, applying for planning permission and procuring a lead design and build contractor to deliver the scheme subject to obtaining all the necessary statutory consents. Practical completion was envisaged by 2024.

Members discussed the report.

In response to questions it was confirmed that the gardens access to sunlight was being looked at and flood-risks were being investigated. Some concern was expressed as to the loss of trade and infrastructure in Swanley due to the new site.

It was confirmed that this was a strategic site and the project team were in discussions with KCC in order to provide adequate access and egress from the site. A sustainable Travel plan was also being prepared.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That

- a) The advisory committee endorse the redevelopment of the site to deliver a new residential-led development.

b) That it be recommended to Cabinet that the recommendations below be endorsed:

(i) Cabinet endorses the development of a new residential-led scheme on this site which will deliver up to 93 new homes, retail uses, communal and public garden, resident car parking and highway improvements to Bevan Place;

(ii) Cabinet notes the viability challenges this site and scheme presents and approves the delivery of this scheme using an income-based financing model (rent model) that will result in the Council retaining housing and retail stock to generate income to repay the cost of the development;

(iii) Cabinet recommends to Council the provision of £26,575,836 in the 2022/23 - 2024/25 Capital Programme to deliver the scheme within the parameters set in Section 57 of this report and notes that this is in addition to the previously approved amount of £730,000 in the 2021/22 Capital Programme for this project;

(iv) Cabinet approves the acquisition/inclusion of the adjacent West Kent Housing Association land and buildings, known as 1-12 Bevan Place, Swanley, and to enter into a development agreement with West Kent Housing Association that will result in 14 residential units being transferred to West Kent Housing Association on a leasehold basis, the terms of which are outlined in the draft Heads of Terms in Appendix C and delegates authority to the Strategic Head of Property and Commercial Services and the Chief Officer Finance and Trading following consultation with the Cabinet Member for Finance & Investment to agree and finalise necessary agreements with West Kent Housing Association;

(v) Cabinet recommends to Council to authorise officers to acquire any outstanding legal interests that may not be in the Council's ownership, which may include using its statutory powers, such as the use of compulsory purchase orders;

(vi) Subject to Council's approval of the capital provision of £26,575,836 in the 2022/23 - 2024/25 Capital Programme, Cabinet delegates authority to the Strategic Head of Property and Commercial and the Chief Officer Finance and Trading, following consultation with the Cabinet Member for Finance & Investment to undertake further detailed design and feasibility work and to proceed with the scheme subject to final scheme viability and in accordance with financial parameters set in Section 57; and

(vii) Subject to Council's approval of the capital provision of £26,575,836 in the 2022/23 - 2024/25 Capital Programme, Cabinet delegates

authority to the Strategic Head of Property and Commercial in consultation with the Chief Officer Finance and Trading and the Head of Legal Services to submit a planning application and to enter into any necessary contracts to facilitate the development and construction of the proposed scheme in accordance with the Council's Contracts Procedure Rules and for the disposal of the residential units to be developed.

(viii) Subject to Council's approval of the capital provision of £26,575,836 in the 2022/23 - 2024/25 Capital Programme, Cabinet delegates authority to the Strategic Head of Property and Commercial following consultation with the Chief Officer Finance and Trading and the Cabinet Member for Finance & Investment to prepare appropriate contractual arrangements to set up an appropriate delivery vehicle for the scheme and to return to Cabinet at a later date to approve the appropriate delivery vehicle.

c) That it be recommended to Council that Council notes the proposed development scheme and financial model and approves the provision of £26,575,836 in the 2022/23 Capital Programme to deliver the scheme within the parameters set in Section 57 and detailed in Appendix D.

d) And That Council authorises officers to acquire any outstanding legal interests that may not be in the Council's ownership, which may include using its statutory powers, such as the use of compulsory purchase orders and return to Cabinet or Council to resolve invoking such powers if needed.