

## Community Strategy and the Development Partner

### Summary

The report outlines the need to make an amendment to the Community Strategy to include direct reference to the Development Partner as part of the delivery mechanisms to achieve the overall aims and objectives. The need for inclusion to meet the requirements of the Local Government Act 2000 are outlined. The proposed addendum to the Strategy is outlined in the appendix and the LSP is requested to authorise advertisement of this addition. A short update on other aspects of the development partner process is provided.

### Introduction

The report considers a technical amendment to and consultation on the Community Strategy with inclusion of the Development Partner process and an update on the negotiations with the preferred development partner. Tunbridge Wells Borough Council has selected John Laing / Gladedale as the preferred development partner to enable the delivery of objectives of the Sustainable Community Strategy. Discussions with the preferred partner have been ongoing over the last few months.

### Development Partner

The key aspects of why the Council is seeking to consider the development partner route are already highlighted in the Community Strategy. However the Community Strategy does not contain direct reference to the proposals for a development partner. This is hardly surprising, as the proposals to engage with a development partner had not been considered at the time the current Community Strategy was drafted.

There is a need to ensure that the Community Strategy refers to the development partner to reflect the changed circumstances but also to demonstrate how the development partnership meets the aims and objectives of the adopted strategy. The vision in the Community Strategy already includes maintaining a prosperous local economy and identifies this as being achieved through:

- Encouraging the continued development of a wide range of enterprises in the borough.
- Enhancing the attractiveness of towns and other centres in the borough as thriving places to visit, shop and establish new enterprises.
- Supporting the sustainable development of the more rural areas and communities.

The development partner route will support this vision being achieved but the Council and its partners must ensure that they have the necessary powers to actual enter into the arrangement. The Well-Being powers contained in section 2 of the Local Government Act 2000 allow for the promotion or improvement of the economic, social and environmental well-being of the area. In seeking to establish a partnership structure with John Laing/Gladedale the Council must be able to demonstrate that it is doing so for the benefit of the whole or part of the borough and in accordance with the Community Strategy as set out in section 4(1) of the Local Government Act 2000.

It is therefore recommended that there is specific reference to the development partner process included in the Sustainable Community Strategy and that this is identified as a key driver for future partnership delivery during the life of the strategy. Therefore the Council needs to revise the Community Strategy accordingly. To enable us to do this it is essential that we consult with the full range of stakeholders (in accordance with our statutory duties) within the LSP and other interested parties.

The Council could either consult the members of the LSP directly for their views or advertise in the local media seeking comments which would enable a wider breadth of response. It is recommended that we seek to advertise and consult for a reasonable period.

If Members agree to this course of action it is proposed to go to advert as soon as possible seeking views on the amendment. It is suggested that 21 days are allowed for formal response to the notification. A paper will be considered by the LSP at their meeting on 18 July that the advert is placed in their name.

A wider review of the Sustainable Community Strategy is due next year and at this point it is proposed that an addendum to the Strategy is prepared. A draft addendum to the strategy is attached as appendix 1.

#### **Extension of Preferred Bidder negotiation**

Initially a 6 month period of exclusive negotiation with John Laing / Gladedale as our preferred development partner was agreed. The 6 month period came to a close at the end of June 2008. The Council has written to John Laing / Gladedale agreeing to extend the period of negotiation for up to a further 6 months to enable the discussions that have already progressed to complete. It should be pointed out that it is not expected that it should take a further 6 months but that some scope is provided should an element of slippage occur for whatever reason. Both parties are looking towards completing in early September.

#### **Partnership Structures**

Over the last few months and in discussion with the partner the partnership arrangement has been clarified. We are looking at a partnership arrangement rather than a development agreement and detailed examination of the benefits and disbenefits in establishing a partnership has led us to the conclusion that a Joint Venture Share Company is the preferred structure that should be developed to help us meet our regeneration objectives.

#### **Conclusion**

Since selecting John Laing / Gladedale as the Council's preferred Development Partner significant progress has been achieved in moving towards a legal agreement. A number of solutions to the partnership and legal structures have been considered with a Joint Venture Share Company being identified as the partnership structure to move forward with. The initial six month period of exclusive negotiation has come to an end and an extension of this has been offered to enable both parties to complete negotiations.

An addendum to the Sustainable Community Strategy is required to highlight the role and delivery of the existing agreed objectives through the development partnership. Comments are to be sought on this addendum with an advert being placed informing of change. The LSP are being requested to agree that notification of the addendum is published in its name.

**Recommendations**

The Partnership is requested to

1. agree to advertise an amendment to the Sustainable Community Plan allowing 21 days for formal response to the notification.
2. consider and agree to the wording of the amendments as proposed in appendix 1

**Addendum to the Sustainable Community Strategy – Development Partner**

Page 16 Maintaining a Thriving Economy

Add to the section A Prosperous Local Economy

To achieve our ambition of maintaining a prosperous economy and looking towards the challenges of the future Tunbridge Wells Borough Council has engaged with John Laing / Gladedale as a preferred development partner to create Tunbridge Wells Regeneration Company Limited. This innovative partnership arrangement will have a specific role in supporting and taking forward the priorities of the local strategic partnership within the borough including the four centres of Royal Tunbridge Wells, Southborough, Paddock Wood and Cranbrook.

Page 17 Future Challenges

Add to the section on Our Town Centres:

These future challenges will be addressed through partnership working including the innovative partnership with John Laing / Gladedale.

Page 20 – Building on Success – our priorities for the future

Add to the 'Enhancing the attractiveness of town centres in the borough as thriving places to work, visit, shop and establish new enterprises'.the following paragraph:

The creation of a partnership approach with John Laing / Gladedale in creating a regeneration company will be a key delivery agency in taking forward and delivering the objective of enhancing the town centres as thriving places to work, visit and shop.