

# WESTMINSTER CITY COUNCIL

## STATEMENT OF DECISION

### SUBJECT: EBURY PHASE 2 ADVANCED BUDGET

Notice is hereby given that Councillor Heather Acton, Cabinet Member for Communities and Regeneration and Councillor Paul Swaddle, Cabinet Member for Finance and Smart City, has made the following executive decision on the above mentioned subject for the reasons set out below.

Cabinet Member approval sought.

### Summary of Decision

#### 1. Recommendations

- 1.1. That Appendix B of the report is exempt from disclosure as it involves the disclosure of information as prescribed by paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, (as amended), in that it contains information relating to the financial or business affairs of any particular person (including the authority).
- 1.2. The Cabinet Member for Finance and Smart City and the Cabinet Member for Communities and Regeneration approved an advanced budget of £5.1M to progress the detailed design and associated works (as detailed in sections 3.7 to 3.12 of this report) for Phase 2A up to completion of RIBA Stage 3.
- 1.3. The Cabinet Member for Communities and Regeneration delegated authority to the Executive Director of Growth, Planning and Housing, to award appointments to the consultants to form the design team for commencing the Phase 2A design works, in consultation with the Cabinet Member for Communities and Regeneration.

#### 2. Reasons for Decisions

- 2.1. Decisions around the delivery route for Phase 2 are to be taken in due course through an Outline Business Case and subsequent Cabinet Member Report that is currently being developed and due to be presented and formalised in Summer 2021.
- 2.2. The total Phase 2 budget for Ebury was agreed by full Council on 3<sup>rd</sup> March 2021 as part of the approval of the council's capital programme.
- 2.3. An advanced budget approval is important to maintain a continuation of activity on the Ebury delivery programme because (subject to planning permission and subject to further Council decisions) it is viewed as beneficial if there can be a

start date of Spring 2021 for the Phase 2A design work, which supports a proposed start on site in March 2023 for Phase 2A.

- 2.4. An advanced budget approval is required in order to spend against the various consultant appointments up to completion of RIBA Stage 3 for Phase 2A.
- 2.5. Subject to the approvals and delegated authority requested in this report, the project team can appoint the necessary consultants to form the design team for Phase 2A.
- 2.6. The fee for these appointments will be for the entirety of Phase 2 however the spend against them will be managed by the parameters set out in this report.
- 2.7. The advanced budget of £5.1M shall be used to appoint the following key consultants required for Phase 2A:
  - Architect
  - Multi-disciplinary Design Team
  - Project Manager/Employers Agent
  - Planning & Viability Consultant
- 2.8. All contracts will include clauses to allow for termination at the end of each RIBA Stage if the Council did not wish to continue with the appointment.
- 2.9. In addition to the termination clauses, the contracts will also be set up on the basis that they are capable of novation to a third-party Contracting Authority. This is in the event that a Delivery Partner is confirmed as the preferred delivery route through the Outline Business Case in Summer 2021 and therefore contracts need to allow for flexibility in the appointing party.
- 2.10. A portion of the advanced budget also allows for Phase 2 associated work relating to commercial and residential valuation advice, viability and delivery support, relocation of existing retail elements and an accelerated demolition of Bridge House in Phase 2A.
- 2.11. If approved, the Hybrid Outline Consent for Phase 2 will include planning conditions governing many elements of the ongoing redevelopment, including all future demolition on the site.
- 2.12. The relevant planning condition would be fully cleared prior to the demolition of any of the Phase 2 buildings and would be post determination of the Hybrid Planning Application.
- 2.13. Further reports will be submitted for future budget approvals for the remainder of Phase 2. No further spend will occur once the advanced budget is used and a further report will be submitted to ask for approval to spend after this point.

- 2.14. Subject to further Council approvals around Phase 2, the above-mentioned key consultants will continue for the entirety of Phase 2. It is anticipated the Council may need to appoint a Compliance Monitoring Team and Sales Agent later in the programme and subject to further Council approvals.
- 2.15. Full details of the budget requested is included within Appendix B of this report.
- 2.16. Good progress has been made to date in enabling the scheme and the proposals in this report will maintain that momentum and continue delivery of the Council's promises to the existing community.

### **Reasons for Decision**

**Stuart Love, Chief Executive,  
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LONDON SW1E 6QP**

**Publication Date:** 30 March 2021

**Implementation Date:**

**Reference:**