



**WATFORD  
BOROUGH  
COUNCIL**

# **CABINET**

**Monday, 4th July, 2016**

**7.00 pm**

**Town Hall Watford**

**Publication date: 24 June 2016**

**Contact**

If you require further information or you would like a copy of this agenda in another format, e.g. large print, please contact Caroline Harris Democratic Services Manager on 01923 278372 or by email – [legalanddemocratic@watford.gov.uk](mailto:legalanddemocratic@watford.gov.uk) .

Welcome to this meeting. We hope you find these notes useful.

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## **Cabinet Membership**

Mayor	D Thornhill	(Chair)
Councillor	P Taylor	(Deputy Mayor)
Councillors	K Collett, S Johnson, I Sharpe and M Watkin	

## **Agenda**

### **Part A – Open to the Public**

**1. Apologies for Absence**

**2. Disclosure of Interest (if any)**

**3. Minutes of previous meeting**

The minutes of the meeting held on 6 June 2016 to be submitted and signed.

Copies of the minutes of this meeting are usually available seven working days following the meeting.

*(All minutes are available on the Council's [website](#).)*

**4. Conduct of meeting**

The Cabinet may wish to consider whether there are any items on which there is general agreement which could be considered now, to enable discussion to focus on those items where the Cabinet sees a need for further debate.

**5. Appropriation of the Farm Terrace Allotment Land (Pages 5 - 66)**

Report of the Managing Director

**6. Contract for the support of Syrian refugees (Pages 67 - 76)**

Report of Head of Community and Customer Services

**7. Investment in Watford's Adventure Playgrounds (Pages 77 - 88)**

Report of Head of Community and Customer Services

**8. Summary of the Financial Outturn 2015/16 (Pages 89 - 110)**

Report of Director of Finance

**9. Publication of Local Plan 2006-2031, Part 2, Site Allocations and Development Management Policies (Pages 111 - 120)**

Report of Planning Policy Section Head  
(Appendix printed separately)

**10. Ascot Road/Croxley View Masterplan Study (Pages 121 - 138)**

Report of Regeneration and Development Manager

**11. Watford Junction Development Brief / Masterplan (Pages 139 - 148)**

Report of Planning Policy Section Head  
(Appendix printed separately)

**12. Amendments to the Various Agreements for the Watford Health Campus Partnership LLP (Pages 149 - 164)**

Report of Property and Regeneration Section Head

**13. Exclusion of press & Public**

**The Chair to move:** that, under Section 100A (4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during consideration of the item there would be disclosure to them of exempt information as defined in Section 100(1) of the Act for the reasons stated below in terms of Schedule 12A.

**Note: if approved, the Chair will ask members of the press and public to leave the meeting at this point.**

**14. Industrial Zone South Watford Health Campus**

Report of Property and Regeneration Section Head

This report is considered Part B in accordance with Paragraph 3 Part 1 Schedule 12A as it contains information relating to the financial or business affairs of both the Watford Health Campus Partnership LLP, Kier and Watford Borough Council



## Part A

**Report to:** Cabinet  
**Date of meeting:** 4 July 2016  
**Report of:** Managing Director  
**Title:** Watford Health Campus: Farm Terrace Appropriation

### 1.0 **Summary**

- 1.1 This report provides an update on the Farm Terrace allotment site following the Secretary of State for Communities and Local Government's decision on 26 May 2016 to grant permission for the Council, under s8 of the Allotments Act 1925, to allow the Council to appropriate the land under s122 of the Local Government Act 1972 for planning purposes to facilitate the delivery of the Watford Health Campus scheme.
- 1.2 It also provides an overview of current progress on Watford Health Campus with particular reference to how the allotment land will facilitate, and speed up, the delivery of the scheme.

### 2.0 **Recommendations**

Cabinet to:

- 2.1 Following the grant of consent by the Secretary of State for Communities and Local Government under s8 of the Allotments Act 1925 for the land known as Farm Terrace allotments to be appropriated for planning purposes under s122 of the Local Government Act 1972 to enable the site to be used for the benefit of the Watford Health Campus scheme, to so appropriate the Farm Terrace allotments site as shown edged red on the attached plan (Appendix I).
- 2.2 Note and agree the recommendation to terminate the remaining 24 Farm Terrace allotments tenancies following appropriation, in line with s1(1)(d) of the Allotment Acts 1922, to enable the plans for the land to be brought forward to facilitate the delivery of Watford Health Campus.
- 2.3 Note the progress of Watford Health Campus and the importance of the allotment land to the delivery of the next phases of the project. This is particularly in relation to the West Hertfordshire Hospitals NHS Trust's emerging plans for the Watford Hospital site and the overall requirements

for appropriate infrastructure to support the new community that will be created through the Health Campus.

**Contact Officer:**

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**Report approved by:**

Manny Lewis, Managing Director

### 3.0 Detailed Proposal

In December 2012, Watford BC's Cabinet agreed to seek consent from the Secretary of State for Communities and Local Government under s8 of the Allotments Act 1925 to appropriate the Farm Terrace allotment land under s122 of the Local Government Act 1972 for planning purposes for the benefit of the Watford Health Campus scheme. The proposed incorporation of the land into the scheme would allow for a number of benefits to be realised including:

- providing additional space for West Hertfordshire Hospitals NHS Trust's plans for Watford Hospital,
- securing much-needed family homes and additional open community space
- improving the viability of the overall Watford Health Campus scheme which, due to the challenges and constraints of the site, faces high 'abnormal' costs arising from its topology, the levels of contamination and requirements for flood mitigation
- providing for a better designed Campus scheme to be developed of sufficient size to make a greater overall improvement for residents of West Watford
- speeding up the development of the site

Following Cabinet's approval, the Council undertook to apply for consent to appropriate in accordance with the provisions of s8 of the Allotments Act 1925 and associated government guidance.

This was granted by the Secretary of State on 26 May 2016. The decision letter is attached at Appendix II.

Following consent being received the Council can now formally appropriate the land for planning purposes under s122 of the Local Government Act 1972 and Cabinet is recommended to make that appropriation.

#### 3.1 Timing of terminations and associated compensation

- 3.1.1 Under s 1 (1) (d) of the Allotments Act 1922, where land is let on a tenancy for use by the tenant as an allotment garden, the tenancy of the land shall not be terminable by the landlord by notice to quit or re-entry except by:

re-entry under a power in that behalf contained in or affecting the contract of the tenancy after three months' previous notice in writing to the tenant on account of the land being required by the local authority for a purpose for which it has been appropriated under any statutory provision.

- 3.1.2 All allotment tenancy agreements quote the above provision as a potential ground for termination of a tenancy.

3.1.3 Once the Council has appropriated the allotments for planning purposes under s122 of the Local Government Act 1972, the Council is able to terminate the tenancies in accordance with s1(1) (d) of the 1922 Act as quoted above.

Under section 2 of the Allotments Act 1922 and s 3 of the Allotments Act 1950 in the event that notice is served on a tenant pursuant to Section 1(1) (d) of that Act then the tenant is entitled to the following compensation:

1. cost of crops being grown on the site
2. cost of manure used on the site
3. one year's rent

3.1.4 In view of this, the Council is proposing to instruct Veolia, who manage allotments on the Council's behalf, to issue Notices to Quit to the remaining 24 tenants on the site. This would give current tenants three months on site and coincides with the end of the standard allotment growing season, which runs from 1 April to 1 October. For existing plot holders willing to relocate, there are two allotment sites within close proximity to Farm Terrace, Holywell and Brightwell, with existing capacity for 27 plots (as of June 2016) and the proposed extension of the Paddock Road allotment site will add to this (see 3.4 below).

3.1.5 Whilst the 1922 and 1950 Acts set a minimum level of compensation for these circumstances, in July 2014, Cabinet agreed a more substantial compensation package for Farm Terrace allotment tenants. This set out the total amount payable as: £1,000 for those giving up a tenancy altogether or £750 for those moving a tenancy to another site plus help with the move.

The Secretary of State's decision letter notes this compensation and comments:

*the Secretary of State has also taken into account the Council's commitment to provide a compensation package and to provide assistance to plot holders to bring replacement plots up to standard and move larger items to the new site (para 67)*

It is recommended that the same levels of compensation be offered for the remaining 24 allotment holders (the above amounts include the statutory requirements for compensation) depending on whether they wish to give up or move and the compensation payment would be made at the end of the notice period (subject to there being full compliance with the notice served) or earlier by agreement.

## 3.2 **Watford Health Campus: update on progress**

3.2.1 Since Cabinet agreed to seek the Secretary of State's consent to the appropriation of the Farm Terrace allotment land in December 2012, a significant amount of progress has been made on the delivery of the Health Campus. This includes:

- **Watford Health Campus road**  
The construction of the new road is progressing well. It is scheduled to finish on time and be opened in autumn 2016. This new road is critical infrastructure for the Health Campus as it provides improved and faster access to Watford Hospital. It also facilitates access to other parts of the Health Campus site thus bringing forward new zones for development.
- **Industrial Zone South**  
Planning approval has been secured for the zone known as Industrial Zone South and construction work will start on site this summer. Marketing for the new industrial units has been underway since early 2016 and completion is programmed for summer 2017.
- **Watford Health Campus Compulsory Purchase Order**  
The Secretary of State confirmed the Watford Health Campus Compulsory Purchase Order (CPO) on 21 January 2016. The CPO includes 26.5 hectares of land encompassing the Health Campus Site but does not include the allotment land. In confirming the CPO, the Secretary of State's view was that:

*the proposed purpose of the Order including the facilitating of the delivery of the Watford Health Campus, will significantly contribute to the achievement of the promotion of improvement of the economic, social and environmental wellbeing of the area. (DL10)*

- **Riverside / Willow residential**  
These areas will deliver the majority of the new homes on the site. Architects have been appointed to work on the design of these residential areas and work is also underway on feasibility with the aim to submit planning applications in the first half of 2017 and completion of Phase 1 by summer 2020.

### **3.3 Watford Health Campus: next phases and requirement for Farm Terrace land**

- 3.3.1** At the heart of the Watford Health Campus is the Central zone. This area is critical to ensuring successful place making and will strengthen the connection between the public spaces within the scheme and the people who live, work and visit the new development. It will deliver retail units, leisure/community facilities, shared public spaces and some residential. Together this will create a vibrant 'hub' at the centre of the Health Campus, which will provide the facilities and activity needed to create a strong sense of place that is so important to building a successful new community. This area is shown on the attached masterplan (Appendix III) as zone 3.

3.3.2 Whilst work has progressed across a number of areas within the Health Campus as set out above, the Central zone remains challenging without the inclusion of the allotment land into the overall scheme. Being able to access the land from October this year would enable facilities, including current Hospital visitor parking, to decant to the site and allow for speedier delivery of the Central zone phase. It also enables plans for both residential units and a new school to start to come forward. These outcomes will also improve the viability of the Health Campus scheme.

3.3.3 Prior to any temporary or permanent use, a full ground investigation would need to be carried out as understanding the land condition is critical to determining its future use beyond the 40% allocated to the Trust. Additionally, the Health Campus partners would want to commission a topographical survey of the site and undertake works to prepare the levels of the zone for any development. These investigations and preparatory works will take a number of months and so the earlier access is available, the less risk of delay in the project is incurred. Accordingly, it is proposed that appropriate work will start on the allotment site during the notice period in consultation with allotment holders.

#### 3.4 **Paddock Road allotments and other alternative allotment sites**

3.4.1 The Secretary of State's decision also means that the council can now progress the provision of additional allotments at Paddock Road. These new plots will be made available to any displaced allotment holders who wish to take tenancies on the new site. Works will be undertaken through to spring 2017, which means they will be available for the start of the 2017 growing season.

3.4.2 As well as the extension to the Paddock Road allotments, which will ensure the amount of allotment space available to Watford residents remains at the same level following the appropriation of the Farm Terrace site, any vacant plots at other sites will be made available to Farm Terrace tenants. This includes Brightwell and Holywell sites (currently 27 plots), which are situated in west Watford within walking distance of Farm Terrace and vacancies at the existing Paddock Road site (currently 34 plots).

#### 3.5 **The test for appropriation**

3.5.1 Under s122 of the Local Government Act 1972 the Council may appropriate the allotment land for any purpose for which it is authorised by any Act to acquire land by agreement (such as for planning purposes) if it is no longer required for the purpose for which it is held immediately before the appropriation. In relation to s122 the courts have held:

- Whether land is still or is no longer required for a particular purpose, meaning no longer needed in the public interest of the locality for that purpose, is a question for the local authority.
- Section 122 is concerned with relative needs or uses for which public land has been or may be put. It does not require it to fall into disuse before the authority may appropriate it for some other purpose.

- An authority is entitled when exercising its appropriation power to seek to strike the balance between comparative local (public interest) needs: between the need for one use of the land and another with the wider community interests at heart. It is for it to keep under review the needs of the locality and is entitled to take a broad view of local needs.

3.5.2 The grant by the Secretary of State of consent to appropriate the allotment land does not oblige the Council to appropriate the land now or in the future, nor does it remove the need for the Council to consider the merits of appropriation afresh.

3.5.3 In deciding whether the land is no longer required in the public interest as allotment land, the Council is entitled to compare the two needs in issue: the need it currently fulfils for allotment land and the need to incorporate the land in the Watford Health Campus so as to achieve the benefits referred to in the Secretary of State's decision letter and summarised above. For the reasons set out in this report it is the view of officers that the need now to incorporate the land in the Watford Health Campus scheme clearly outweighs the need to retain the land as allotment land and justifies both the appropriation of the land for planning purposes and the termination of the remaining tenancies.

#### 4.0 **IMPLICATIONS**

##### 4.1 **Finance**

The cost of compensation and the development of new allotments at Paddock Road have already been considered by Cabinet and are factored into the capital & revenue budgets.

##### 4.2 **Legal**

4.2.1 The legal implications are contained within the body of the report

##### 4.3 **Equalities**

4.3.1 An Equality Impact Assessment was undertaken to support the council's decision to request the Secretary of State for Communities and Local Government to consent to the appropriation of the Farm Terrace allotments under the Local Government Act 1972. This assessment has been updated over the last four years as the Health Campus scheme has developed and in response to the changes in the tenants on the site. See Appendix IV.

4.3.2 The Secretary of State considered both the public sector equality duty and the Human Rights of current allotment holders under Article 1 of the First Protocol.

The Secretary of State was of the view:

*that the Scheme's negative impacts on the elderly or disabled plot holders are being adequately mitigated by the accessible alternative provision close by and the other measures outlined above. (para 68)*

In terms of Human Rights the Secretary of State's decision letter notes:

*Having taken into account the rights of the current plot holders under Article 1 of the First Protocol and having balanced this against the wider public interest, the Secretary of State considers that the interference with the allotments holders rights is justified by the advantages to the wider public interest by proceeding with the Scheme as a whole (para 65)*

- 4.3.3 Notwithstanding the conclusions of the Secretary of State, it is for the Council observe the public sector equality duty and to consider how the proposed appropriation and termination of tenancies might affect persons with protected characteristics (in particular, the elderly and disabled). It is also for the Council to consider whether the interference with the allotment holders Human Rights is justified. In the view of officers, the proposals outlined above are likely to mitigate to a great extent the adverse impacts of the appropriation of the allotment land and the termination of tenancies. The public benefits of incorporating the allotment land in the Health Campus Scheme also outweigh any interference with the allotment holders' rights under Article 1 of the First Protocol to the Convention.



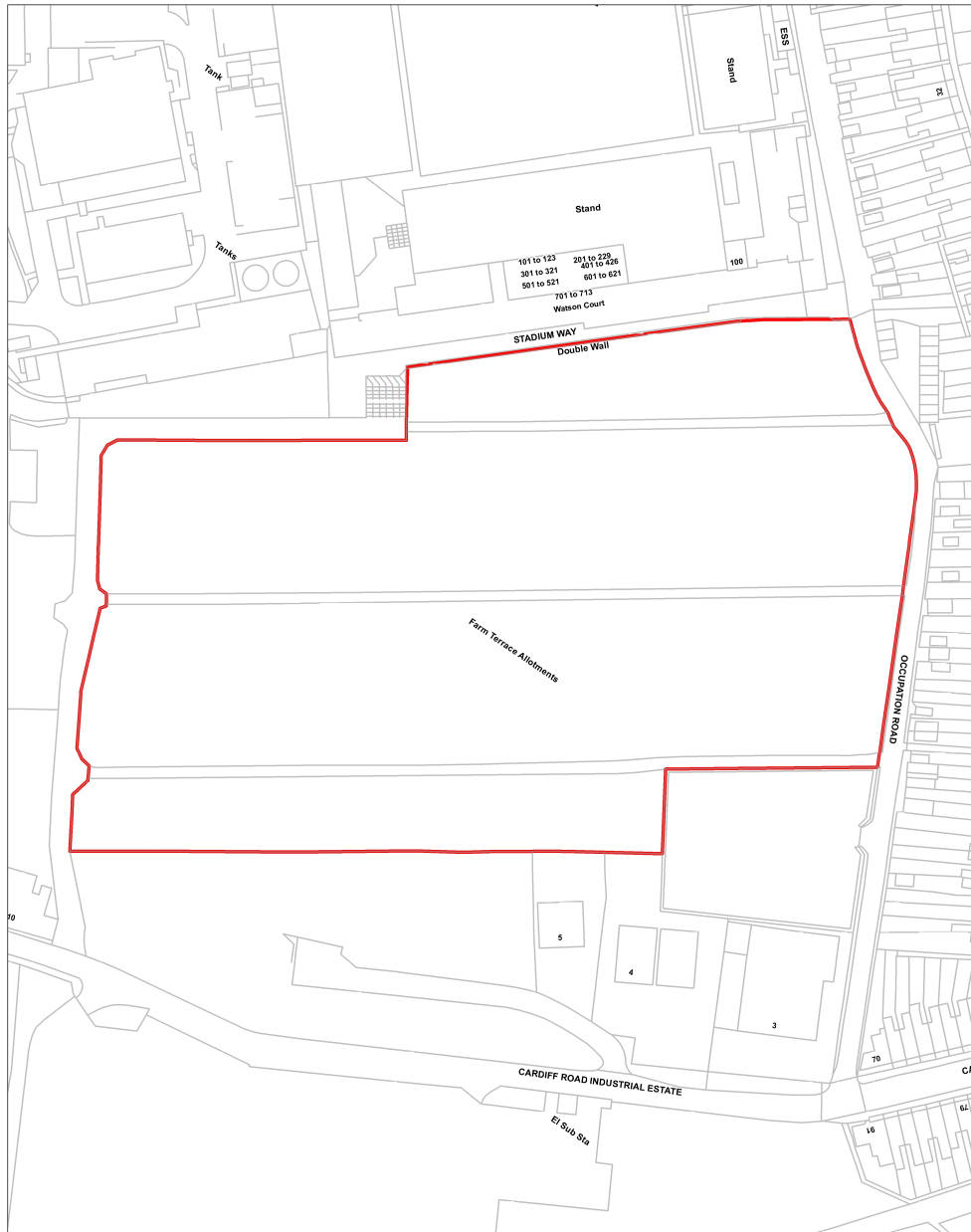
#### 4.4.1

Potential Risk	Likelihood	Impact	Overall I score	Mitigation
Failure to appropriate the land for inclusion in the Watford Health Campus scheme following approval of Secretary of State at a time that supports successful delivery	1	4	4	Robust report to Cabinet outlining the benefits to the scheme
Failure to provide suitable alternative plots for those allotment holders who wish to relocate	1	4	4	Sufficient plots are available at current sites within the borough. New allotment plots at Paddock Road will be available for the start of the growing season in April 2017
Failure to use the allotment land when it becomes vacant due to lack of sufficient forward planning	1	4	4	Watford Health Campus partners to develop initial plans for use of site in preparation for October 2016

#### Appendices

- I. Outline of Farm Terrace allotment site
- II. Secretary of State for the Department of Communities and Local Government's decision letter – 26 May 2016
- III. Watford Health Campus masterplan showing development zones
- IV. Watford Health Campus. Farm Terrace Equality Impact Analysis - updated







**Watford Borough Council**  
Town Hall  
Watford,  
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Visit the Watford Borough Council website  
www.watford.gov.uk

**Farm Terrace Allotments**

Produced by Corporate GIS, February 2013



Scale: 1:1,000  
at A3

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## Department for Communities and Local Government

Carol Chen  
Head of Democracy and Governance  
Watford Borough Council  
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**Please ask for:** Ray Colbourne  
Lorraine Gamble  
  
**Tel:** 0303 44 48050  
**Email:** NPCU@communities.gsi.gov.uk  
**Our ref:** NPCU/ALLOT/Y1945/74866

26 May 2016

Dear Ms Chen

### **Allotments Act 1925 Section 8 Farm Terrace Allotments, Occupation Road, Watford**

1. I am directed by the Secretary of State for Communities and Local Government to refer to your letter of 17 December 2014 and to subsequent correspondence regarding Watford Borough Council's ('the Council') proposal for the appropriation of Farm Terrace Allotments, Occupation Road, Watford.

2. The Government is committed to ensuring adequate protection is afforded to allotments. The Secretary of State's consent for disposal will only be given if he is content that Section 8 (the statutory criteria) of the Allotments Act 1925 is satisfied:

*'consent may be given unconditionally or subject to such conditions as the Minister thinks fit, but shall not be given unless the Minister is satisfied that adequate provision will be made for allotment holders displaced by the action of the local authority or that such provision is unnecessary or not reasonably practicable'.*

3. The Secretary of State's Allotment disposal guidance: Safeguards and alternatives published on 30 January 2014 ('Guidance'), sets out the assessment criteria against which applications for consent to dispose of statutory allotments are to be determined. These criteria are intended to provide a safeguard against the erosion of allotment sites through pressure on local authorities to provide land for other purposes.

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## **Reason for Disposal Request**

4. The Council wishes to appropriate the statutory allotment site and change its use to facilitate the delivery of the Watford Health Campus Scheme ('the Scheme') under section 122 of the Local Government Act 1972. The Scheme is a regeneration project involving (in summary) the potential improvement/expansion of Watford General Hospital, new road access arrangements, residential development of over 600 new homes including affordable housing, commercial office development, shopping, community and leisure facilities and green space/infrastructure.

5. The master plan for the Scheme shows that it is intended to deliver the following facilities on the allotment site: expansion of the adjacent hospital facilities and services (1.1 ha or 40% of the allotment site); family housing (c 69 new dwellings, approximately 1.4 ha or 52% of the site); a community Garden (0.4 ha, within the area designated for housing); and a replacement car park for Watford Football Club (approximately 0.2 ha or 8% of the site).

6. The inclusion of the allotment land in the planned future expansion of the hospital facilities is considered by the Council to provide the Hospital Trust with the most cost effective option, the best configuration of its requirements and the optimum quality of new or replacement provision. The Council considers that without the allotment land the Trust's aspirations for the site will be compromised and the constraints imposed will result in increased disruption to the hospital's operational facilities as no other suitable decant land is available.

7. Another key reason relied on by the Council for the inclusion of the allotment land is to provide an opportunity for a further 69 three bedroom homes with gardens, enabling a more balanced mix of housing across the Scheme. The Council also rely on an updated appraisal of the viability of the Scheme, reported to the Secretary of State in March 2015, to demonstrate that the inclusion of the allotment land would support the financial viability of the Scheme and reduce the risk of key elements of the Scheme proceeding in a sub-optimal way, in light of the Scheme's vulnerability to market conditions. Recent financial information was also provided in April 2016 and is considered further below.

## **Background**

8. A previous application was approved by the Secretary of State on 8 May 2013. The decision was quashed by consent by the High Court on 28 August 2013 pursuant to a judicial review brought by allotment holders. On 18 December 2013, following the resubmission of the application, the Secretary of State issued a further decision granting consent. The decision was again challenged by allotment holders in the High Court and a decision was made in favour of the claimants on the grounds that the Council had failed to inform the Secretary of State of changes to the amount of housing proposed on the site since the application was submitted which were material to the question of viability. A new application was made to the Secretary of State in December 2014 by the Council. The Council has kept the Secretary of State informed and updated on matters relating to the application since that time.

9. Hertsmere Borough Council, within whose area the new Paddock Road allotment land lies, approved the planning application for the change of use of 0.63 ha of land from paddock to allotment land on 27 May 2015 thus extending the existing Paddock Road Allotment site. A planning application for the Watford Health Campus, excluding the allotment land (14/00511/OUTM), was approved by the Council in September 2014. A planning application for the Watford Health Campus, including the allotment land (14/00512/OUTM), is currently under consideration.

10. The Secretary of State wrote to interested parties following receipt of the application from the Council in December 2014 to seek their views. Those parties included the National Allotment Society ('NAS') and the Farm Terrace Community Association. Approximately 50 responses were received all of which have been taken into account by the Secretary of State when making his decision. A number of different issues were raised in these responses which are considered below.

### **Compulsory Purchase Order**

11. The Secretary of State confirmed the Borough of Watford (Watford Health Campus) Compulsory Purchase Order 2014 ('the Order') on 21 January 2016. The Order Lands include 26.5 hectares of land encompassing the Watford Health Campus Site but not including the allotment land. The purpose of the Order is to facilitate the delivery of the Scheme.

12. The Inspector who heard the inquiry into the Order concluded that he would have recommended that the Order be confirmed with modifications had agreement with the joint promoters of the Croxley Rail Link been reached (IR 153). Subsequently, the Croxley Rail Link Order objections were resolved and the Secretary of State decided to confirm the Order. In doing so, the Secretary of State's view was that:

*"the proposed purpose of the Order including the facilitating of the delivery of the Watford Health Campus, will significantly contribute to the achievement of the promotion of improvement of the economic, social and environmental wellbeing of the area."* (DL10)

13. The Secretary of State found that there was a compelling case in the public interest for the confirmation of the CPO. In doing so, the Secretary of State adopted the conclusions and reasons of the Inspector on the following matters. The Inspector found that there were strong economic benefits of the proposal (IR134-136) in terms of regeneration and decontamination works creating jobs for local people on otherwise constrained land. There were strong social benefits in terms of the significant housing contribution the scheme would make and the provision of education, open space and retailing. The inspector found that the hospital, however, did not present a compelling case because the ultimate plans for the hospital are as yet uncertain (IR138). The "utterly compelling case" in principle was made by the improved road access to Watford General Hospital to replace the current poor and life-threatening access (IR139).

14. Further the Secretary of State agreed with his Inspector that there would be strong environmental benefits as the decontamination works were unlikely to occur without the CPO and the reduced flood risk to the area at risk provided a compelling argument (IR140-141).

15. As to resources and viability, the Secretary of State noted the Inspector's conclusions that the first phase of the scheme was viable and that *'subsequent stages are viable and would be made more viable by the inclusion of [the Allotments] if permission is given for their appropriation'* and that *"even if permission is not given, alternative courses of action can be explored"* (IR145). The Secretary of State also noted his Inspector's conclusion that *'an adverse decision on the application to appropriate the [Allotments] would not be an impediment'* (IR146) and that there was a *'more than reasonable prospect that the scheme would proceed'* (IR147).

16. Finally, on alternatives, the Secretary of State agreed with his Inspector that *'it is clear that if the CPO is not confirmed, an alternative is unlikely to be found'* (IR150).

17. It is noted that the Council's evidence to the Inspector (IR55), and as explained in its application for consent, was that the possibility of a new primary school on the allotment site was being explored as an alternative to the Council's preferred option of expanding the existing primary school.

### **Further representations**

18. The Secretary of State wrote to all interested parties on 28 January 2016 seeking further representations on the Council's application following the confirmation of the Compulsory Purchase Order. Both NAS and the Farm Terrace Community Association wrote to the Secretary of State (on 9 and 18 February 2016 respectively) in order to make further comments and to confirm that they remain opposed to the appropriation of the allotment site. Both parties consider that the Council has failed to demonstrate exceptional circumstances that support disposal of the allotment land and that the CPO decision demonstrates that the allotment land is not needed to ensure that the Scheme is completed or viable.

19. A further 11 representations objecting to the appropriation of the allotment land were received, 5 of which are stated as being from existing Farm Terrace plot holders. Some of the objections raised in the representations were similar to those made by NAS and the Farm Terrace Community Association but in addition it was said, amongst other things, that: the allotment site needs to be preserved as a green recreational space; allotments are important for conservation, health and food supply; the Scheme will create additional traffic problems; appropriation of Farm Terrace will set a precedent for other allotment sites; new houses on the allotment land will not help the hospital; the new allotment site is too far away and the government should protect allotments and support development on brown field sites rather than green field (allotment) land. All representations received following the confirmation of the CPO have been taken into account by the Secretary of State when making his decision.



20. The Council submitted a further update on 21 April 2016 enclosing information on the increased infrastructure costs of the Scheme (phase 1 is now showing a £3.8m increase in costs compared to 2013 and in relation to the second phase under development, Business Zone South, a £1.88m increase in construction costs is reported). In their view, this information highlights the importance of the incorporation of the Farm Terrace Allotment site into the Watford Health Campus to aid the overall viability of the Scheme.

21. The Secretary of State wrote to all interested parties on 29 April 2016 to seek their views on this information. Two representations were received from NAS, one from the Farm Terrace Community Association and a further 7 from other third parties (including one received outside the deadline for replies). All representations received, including the late response, have been taken into account by the Secretary of State.

22. The representations made as part of this most recent consultation included the following issues (grouped into 3 categories):

- the site will not be used for a hospital or other health connected purpose; the allotment site will become a building site for developers; the term 'Health Campus' should have been dropped long ago; if disposal is refused the road will still need to be finished so what other options are available; the plan for the hospital element of the Health Campus is still uncertain and this is confirmed by the Council's table which shows the omission of the Block Central Zone because of "uncertainty with the hospital"; the Trust's clinical strategy will not be finalised until December 2016 and the decision should be deferred until then, the Secretary of State has not been informed of this; if Watford General is not developed then the need for disposal of Farm Terrace is removed.
- the Council's viability case needs to be qualified with alternative financing options; revenue from increased land values will easily outweigh additional development costs; the viability information is incoherent and unclear; allotments should not be disposed of to cover the financial losses of a local authority; the costings and consultant's reports on infrastructure are not provided; what are the issues which continue to impact on viability and why were increased construction costs unforeseen; the updated viability information is not sufficient or detailed enough for a robust decision to be made; the December 2014 application from the Council has omissions and contains information over 4 years old so the design of the Scheme has changed since that time and elements of the Scheme are uncertain; insufficient evidence of cost increases for an informed judgement and the Secretary of State should scrutinise the change in infrastructure costs; the funding agreement with the Trust would trigger extra funding in the event of infrastructure costs increasing to this level.

- the destruction of well used allotment land for housing is unsatisfactory; Farm Terrace Allotment should be allowed to continue; there is no need for disposal of the allotments; the decision-maker needs to consider the significant value of these historic, mature allotments to the community in terms of health, well-being and green-space; the value of this resource to the community should outweigh its financial value.

23. In particular, comments received from NAS on the updated viability information included: there is still no clear plan for what the allotment land will be used for; the clinical strategy is still undecided therefore it is impossible for Health Campus viability information to be adequately defined; changes to costs are not itemised/justified/explained therefore it isn't possible to evaluate the programme; escalating costs are a concern and appear to be above inflation and NAS representations from February 2015 and February 2016 are still applicable. NAS considers that the updated viability information does not change their view that the inclusion of the Farm Terrace Allotment site is neither essential nor vital to the Health Campus Scheme.

24. The responses received from the viability consultation were circulated to all third parties and Watford Borough Council on 16 May 2016 in order to provide an opportunity for additional comments arising from the representations received. One response was received from Watford Borough Council who stated that *'having reviewed the representations, the Council takes the view that there is nothing significantly new being raised that has not been covered within our application and the Council's subsequent updates to the Secretary of State'*.

25. The Farm Terrace Community Association wrote separately to the Secretary of State on 7 April 2016 drawing his attention to correspondence received from the Mayor of Watford Borough Council on 6 April. The Community Association considered that the comments made by the Mayor were in contrast to the positive messages previously portrayed in the application and demonstrated that the West Hertfordshire Hospital Trust still has no permanent plans in place. The Mayor's email states that *'the hospital are (sic) now getting closer to knowing what they want'*. The Secretary of State has noted the comments of both the Council and the Farm Terrace Community Association and has taken them into consideration.

26. In this regard, the Secretary of State notes that he had been provided by the Council on 27 January 2016 with an update regarding the Trust's position in a letter to the Mayor from the Trust dated 9 January 2016. This explained that the Trust had now published its Strategic Outline Case which identified a short-list of 3 options for the Watford General Hospital redevelopment: (i) provide acute care at a new location; (ii) centralise acute care at Watford and (iii) emergency / specialised care at Watford and planned care/complex diagnostics at St Albans, the latter being identified as the "preferred option", with further feasibility work ongoing on the various options. Both options (ii) and (iii) would involve use of the allotment land and therefore the Trust's position was that *"some or all of the allotment land is very likely to be required by the Trust to support our strategic development plans."* As to the timeline, the Trust expected to *"have a fairly definitive view of the planned way forward by the summer of 2017."*

## Statutory criteria

27. Section 8 of the Allotments Act 1925 sets out 3 mandatory criteria, one of which must be met in order for the Secretary of State to grant consent for the disposal of allotment land. The criteria are:

- i) The Secretary of State is satisfied that adequate provision will be made for allotment holders displaced by the action of the local authority or
- ii) The Secretary of State is satisfied that such provision is unnecessary or
- iii) The Secretary of State is satisfied that such provision is not reasonably practicable.

28. The Secretary of State is satisfied that adequate provision will be made for allotment holders displaced by the action of the local authority. The allotment site which would be lost is 2.63 ha. The Council in its application stated that, as of 17 December 2014, 31 plot holders were cultivating 37 plots (including the 4 who at the time of the application had given notice). The Secretary of State has been informed that, as of 26 January 2016, there were 24 tenants cultivating 31 plots (277 poles).

29. The Council submitted a review of alternative sites which was undertaken by an independent consultant on behalf of the Council. As a result of the recommendations made, the Council decided to provide 110 plots at an alternative 2.63 ha site in Lower Paddock Road. Although there are fewer plots, provision will match the number of plots lost at Farm Terrace as plot sizes will be designed to meet the requirements of any displaced plot holders. This new site borders the existing Paddock Road Allotment site and will therefore increase the capacity of the established allotment community at that site. The Secretary of State was informed by the Council on 5 February 2015 that the proposed extension to the Paddock Road allotments was to be slightly increased and would therefore now be able to provide a total of 2.7 ha of alternative provision on that site. Other potential new allotment sites were considered unsuitable.

30. As stated in paragraph 9, Hertsmere District Council granted the relevant planning permission for this to occur. Provision for the displaced Farm Terrace allotment holders would therefore be available to existing plot holders at Paddock Road or on available plots closer to Farm Terrace (Holywell and Brightwell) or on other allotment sites within the Borough.

31. Paragraph 2.2 of the allotment disposal guidance states that “*adequate alternative provision should ideally be within three-quarters of a mile of the existing allotment site and be easily accessible. If this is not the case, an explanation will be required*”. The Secretary of State notes that Paddock Road is clearly not within three-quarters of a mile of Farm Terrace Allotment. The Council considers Paddock Road to be 1.7 miles by shortest car journey and 1.5 miles on foot from the site, however other interested parties consider the distance by car to be greater, for example the NAS considers it to be 2.1 miles and have objected to the alternative provision on this basis.

32. Further, early discussions with NAS raised the importance of soil quality and waterlogging on the new Paddock Road site. External consultants have been appointed to work on issues around soil quality as well as the relocation of tenants. All necessary remediation work will take place on the new Paddock Road site, funded by the allotment investment programme, to ensure that the land is suitable for cultivating and all appropriate facilities will be provided on site. The Secretary of State therefore considers that NAS's concerns on these issues would be addressed through the level of investment being allocated to Paddock Road which would allow for new subsoil and topsoil with associated drainage.

33. The Council considers that two sites (Holywell and Brightwell), both within three-quarters of a mile of Farm Terrace (c. 0.5 miles from Farm Terrace), would be able to accommodate displaced plot holders if they did not wish to relocate to Paddock Road. As at 17 December 2014, the two sites had combined vacancies of 52 plots. The Council considers that this number of vacant plots could easily accommodate the displaced Farm Terrace allotment holders who, between them at the time of the application, rented 33 plots comprising 284.5 poles (not including the 4 plot holders who at the time of the application had given notice). The NAS in their representation to the Secretary of State of 10 February 2015 disputed this and claimed that there were only 199.5 poles on the 52 plots at the Holywell and Brightwell sites. Subsequent correspondence from Watford Borough Council dated 8 February 2016 however, stated that there are 57 plots and 301 poles available at the Holywell and Brightwell sites (28 and 29 plots available respectively). The Secretary of State also notes from the application (page 28 question 7) that if necessary, the Council would be prepared to provide additional capacity at the Holywell allotment site.

34. Taking account of the re-provision at Paddock Road and availability of plots at Holywell and Brightwell as quoted by the Council on 8 February 2016, the Secretary of State considers that adequate provision would be made for displaced allotment holders and that **this statutory criterion is met.**

### **Policy Criteria**

35. In accordance with the guidance, the Secretary of State's consent will normally only be given if he is satisfied that the following policy criteria have been met:

- i). the allotment in question is not necessary and is surplus to requirements;
- ii). the number of people on the waiting list have been effectively taken into account;
- iii). the council has actively promoted and publicised the availability of sites and has consulted the National Allotment Society;
- iv). the implications of disposal for other relevant policies, in particular local plan policies, have been taken into account.

Policy criterion i - Is the Allotment in question unnecessary and surplus to requirements?

36. The Secretary of State must consider the following when seeking to establish whether or not councils have met the criteria of whether the allotment in question is not necessary and is surplus to requirements: a) the number of plots (if cultivated) and their size, b) the number of existing plot holders, c) the number of people on the waiting list for that site and d) if the waiting list has closed and at what number.

37. As of 26 January 2016, there were 24 tenants on the allotment site cultivating 31 plots (277 poles). The site contains 128 plots in total - predominantly 10 and 5 pole plots however there are some non-standard size plots of for example 4 and 7 poles. All plots are planned for disposal. The waiting list for the Farm Terrace Allotment site was closed by the Council in December 2012 so effectively removing the need for the site in terms of new plot holders since that time. There were 8 potential plot holders on the waiting list for the Farm Terrace site at the time of its closure. The Council states that all 8 people were offered a plot on alternative sites with vacancies but that as at December 2014 this offer had not been taken up.

38. As explained above at paragraphs 33-34, the Secretary of State is satisfied that adequate alternative provision is being made on the enlarged Paddock Road site along with existing sites at Holywell and Brightwell.

39. However, the Secretary of State concludes that although adequate alternative provision for displaced plot holders has been provided, there is still a need for the current site as there are existing plot holders. The Secretary of State has also noted that the waiting list for the Farm Terrace Allotment site was closed to new potential plot holders by the Council in December 2012. The Secretary of State has therefore decided that **criterion i) has not been met.**

Policy Criterion ii - Have the number of people on the waiting list been effectively taken into account?

40. The Borough currently has 13 allotment sites. As of 10 February 2016, there were 39 people from across the borough on the waiting list for an allotment. Of these, 4 are waiting for a specific plot to become available and 11 have been contacted about viewing available plots on the site of their choice. Since the application to dispose of the allotment site in December 2014, the waiting list on the Briar Road allotments has been opened. The total number of vacant plots on allotment sites in the borough is 160 as of 10 February 2016. The Council considers that there is adequate allotment provision within the Borough to accommodate those on the waiting list. Vacant plots are also available within 0.75 miles of Farm Terrace on the Holywell and Brightwell allotment sites.

41. The Secretary of State concludes that the waiting list has been taken into account and there is sufficient provision within the Borough to meet the needs of all those on the waiting list. The Secretary of State has therefore decided that **criterion ii) has been met.**

Policy criterion iii - Has the council actively promoted and publicised the availability of sites and consulted the National Allotment Society

42. Consultation and meetings have taken place between the Council and NAS since 2012. NAS has also made a number of representations to the Secretary of State since 2013 outlining its objection to the disposal of Farm Terrace. The objections raised during that time include:

**March 2013** - the allotments should not be used to further increase housing in the Scheme; the alternative provision is unsatisfactory as it is not possible to walk to and is 2.1 miles away by road; displaced plot holders will need to travel by car adding traffic to congested highways; retaining the allotment site in the Scheme would be a great asset; lack of publicity and promotion of allotment sites; the numbers of those on the waiting list are inaccurate; the allotment site is not surplus to requirements; those on the waiting list have not been adequately taken into consideration.

**October 2013** - the Council did not consult with NAS prior to resubmitting their application; if no new information is forthcoming then the grounds for quashing the original decision still stand; Farm Terrace still has a waiting list even though the Council closed the waiting list in 2012; the need for the use of the allotment site for the redevelopment remains unclear; the allotment site is not needed for the redevelopment to take place; and the Council continues to not actively promote its allotments.

**February 2015** - all previous representations remain relevant and in particular the application is challenged due to: inadequate alternative provision; uncertainty of what the allotment land will be used for; exceptional circumstances put forward by the Council are not clear cut and are open to interpretation; there has never been any attempt by the Council to compromise; the density of housing suggested within the Scheme only provides for a relatively small area of land to cater for growing produce and lack of consideration for existing tenants.

43. The National Allotment Society also provided a further response after the confirmation of the CPO on 9 February 2016 to confirm that it remains opposed to the appropriation of the allotment site. This is addressed elsewhere in the decision, along with the substance of NAS's other particular concerns. NAS also responded to the updated viability information provided by the Council on 21 April 2016 (see paragraph 23). It is however clear that they have been consulted as part of the Council's application process.

44. As to the question of promotion and publicity of allotments by the Council, this is one of the areas where NAS has raised concerns. Indeed, the waiting list for the Farm Terrace Allotment site was closed by the Council in December 2012 so effectively removing the possibility of promoting the site in terms of new plot holders since that time.

45. The Secretary of State considers that the Council, however, does actively promote the availability of allotment sites in its area. The Council publicised the £820k allotment investment programme which was completed in December 2014, except for the new Paddock Road site. This is achieved mostly through the council's website but also by bus/bus shelter posters, dedicated leaflets, articles in the council's magazine (most recently to coincide with the allotment investment programme) and news releases. The Council has also explained that it engages with the Allotment Stakeholder Panel, which represents Watford plot holders, in order to inform the promotion and publicity programme. The Council has reported that there has been a steady increase in the numbers of people accessing the Council's allotment website in the 4 years to November 2014 and a marked improvement in allotment occupancy rates has been maintained.

46. Accordingly, the Secretary of State concludes that the Council is actively publicising and promoting Watford's allotment sites and that NAS has been consulted. The Secretary of State has therefore decided that **criterion iii) has been met.**

Policy criterion iv - Have the implications of disposal for other relevant policies, in particular local plan policies, been taken into account.

47. The allotment site is not specifically referenced in the adopted Local Plan and there is no relevant Neighbourhood Plan for the area. The allotment site lies within an area known as the Watford Health Campus which is designated for significant regeneration and improvement within the Watford Borough Council Local Plan Part 1 Core Strategy and is designated as a Special Policy Area 3 (SPA3) within the Plan. The emerging Local Plan Part 2 will include the extension and delineation of the boundary of the SPA 3.

48. The 2014 Housing Strategy identifies the Watford Health Campus as a delivery vehicle for its aims. The Council's emerging Economic Development Strategy 2015-2020 reinforces the critical importance of sustaining the employment base in the Borough supported by developments like Watford Health Campus. The Council has further indicated that it considers that the approach taken by the scheme is supported by the Green Spaces Strategy 2013-2023.

49. In light of the above, the Secretary of State concludes that the Council has considered the implications of the disposal for local plans and policies. The Secretary of State has therefore decided that **criterion iv) has been met.**

#### Exceptional Circumstances

50. Although the statutory criteria are met and policy criteria (ii), (iii) and (iv) in the Guidance are satisfied, policy criterion (i) is not. Paragraph 1.7 of states that '*In exceptional circumstances, the Secretary of State may be content to grant consent for disposal where the statutory criteria, but not all the criteria in the policy guidance, are satisfied.*'

51. In summary, the exceptional circumstances put forward by the Council are *‘(i) supporting the viability of the proposal as a whole by providing readily developable land which could support important elements of the proposals as identified below’*.

These are identified as: *‘(ii) providing land on which some of the important land uses underpinning the scheme can be located, including health facilities and family housing; (iii) providing an opportunity through the location of the allotments the urban design opportunities of the site to secure a well-designed and sustainable proposal’* and *“(iv) the allotment land sits in a central and strategic location with respect to the Watford Health Campus site. Its incorporation within an enlarged Watford Health Campus would greatly assist in achieving the overall vision and objectives of this important regeneration scheme’*.

52. NAS and the Farm Terrace Community Association are of the view that exceptional circumstances have not been demonstrated by the Council as the allotment land has not been shown to be crucial to the viability of the West Hertfordshire Hospitals NHS Trust project to expand services and facilities or to the delivery of the regeneration project. Both parties also consider that this view was supported by the Compulsory Purchase Order Planning Inspector.

53. Objections put forward by third parties on the exceptional circumstances cited by the Council were similar to those made by NAS and the Farm Terrace Community Association but also included concerns that (i) the exceptional circumstances are not clear and are open to interpretation by the Secretary of State; (ii) the concept was introduced after WBC failed in their first submission; (iii) exceptional circumstances over-riding the allotments is a serious cause for concern; (iv) the exceptional [circumstances] addition means that the policy criterion can effectively be ignored; (v) a better designed site overall and/or building houses are not exceptional circumstances justifying a deviation from policy.

54. The Secretary of State has considered carefully the Council’s representations, the CPO decision and the representations from NAS, the allotment holders and others to the effect that the basis for the inclusion of the allotments in the Scheme are inadequate to justify their disposal when they bring such benefits to the allotment holders themselves and the wider community. The Secretary of State has borne in mind in particular that, in light of the findings of the CPO Inspector and his own decision to approve the CPO, the Council is committed to implementing the Scheme without the inclusion of the allotment land and there is a reasonable prospect that this will occur.

55. However, the Secretary of State does consider that there are exceptional circumstances in the public interest in this case to allow the use of the Farm Terrace allotment land to be developed as part of the Watford Health Campus and that their use to support the regeneration initiative with its significant benefits to the population of Watford outweighs the benefits of the site remaining as statutory allotment land. This is for the following reasons.



56. First of all, the Secretary of State has recognised the importance of the Scheme and its wider regeneration benefits for Watford in confirming the CPO itself (see paragraphs 11-17). One of these benefits is the significant contribution the Scheme makes towards meeting Watford's housing needs (12.28% of Watford's total identified housing need, see IR50 and IR137).

57. A major intended use of the allotment land is to provide c 69 family houses with gardens and thus ensure a balanced housing mix (significantly increasing the ratio of houses, in comparison to flats/maisonettes, if the allotments are included) at a time when the Council reports an increasing need for family housing in the area. Further, in light of the Scheme's increased vulnerability to market conditions without the allotments, if risks materialise, there may be a need to increase the density of the flatted development further and potentially undermine the quality of the housing provided as part of the Scheme. Further, the use of the allotment land which supports its viability thereby improves the likelihood of the Scheme being able to achieve the 35% affordable housing ratio. The Secretary of State notes the potential that c.0.9 ha of the area intended for housing might need to be used for a new primary school (which would itself bring a public benefit) but that this is not yet a settled proposal.

58. In addition, although it is noted that the intentions of the hospital are not yet certain despite the recent update from the Trust (see paragraph 26 above), the Secretary of State is of the view that the allotment land would permit the best configuration of the future expansion of hospital facilities onsite in a cost effective way, including by permitting decant land for the reconfiguration process. The wider public benefits of ensuring cost effective yet optimum improvements at the hospital are clear. Further, the Secretary of State is also persuaded that the incorporation of the allotment land into the Scheme would assist in achieving the overall vision and objectives of the Scheme, and allow the opportunity for the best urban design solutions to be achieved to deliver a sustainable mixed community by regenerating contaminated and otherwise constrained land in Watford.

59. Further, without the allotment land, the Secretary of State accepts that the financial viability of the Scheme is at the lower end of the industry accepted viability scale due to a number of up front abnormal development costs to address including mitigation of the flood plain, access, contamination and topography, and it is thus vulnerable to market conditions. It is acknowledged nonetheless that the first phase of development is funded and underway, and subsequent stages are considered to be viable by the Council, as the CPO inspector found.

60. The Secretary of State considers that the recent limited information from the Council on increased infrastructure costs does not enable him to draw any specific further conclusions on the impact of the Scheme's overall viability without the allotments, as consultees pointed out. However, in light of the overall evidence, the Secretary of State agrees with the view taken by the CPO Inspector (IR145) that the inclusion of the allotments would improve the Scheme's overall long-term viability. The Secretary of State considers that this would thereby reduce the risk of the quality of the overall scheme being undermined.

61. Accordingly, the Secretary of State considers that, in combination, the above benefits of the allotment land to the Scheme constitute exceptional circumstances justifying the granting of consent for the allotments despite the fact that policy criterion i) is not met. In reaching this view, the Secretary of State has kept in mind that the statutory criterion of adequate alternative provision for allotment holders is met, and that all other policy criteria are met.

## **Human Rights**

62. The Secretary of State has carefully considered whether the interference with the allotments holders' rights as tenants of the allotments under Article 1 of the First Protocol is justified and proportionate.

63. Although current plot holders are being deprived of their existing allotments which have been tended over many years, alternative sites are being offered in the Borough within 0.75 miles of Farm Terrace. Plots on two active allotment sites (Holywell and Brightwell), located within 0.5 miles of Farm Terrace, could also be used for the relocation of current Farm Terrace allotment tenants if required. Compensation is being offered to affected plot holders and assistance given to relocate.

64. The loss of the existing provision for current plot holders and the alternative provision and assistance available to them must be balanced against the wider public interest in terms of the benefits to be gained by the wider community by including the allotment land in the Watford Health Scheme.

65. Having taken into account the rights of the current plot holders under Article 1 of the First Protocol and having balanced this against the wider public interest, the Secretary of State considers that the interference with the allotments holders rights is justified by the advantages to the wider public interest by proceeding with the Scheme as a whole, as outlined above.

## **Public Sector Equality Duty**

66. In making this decision, the Secretary of State has had due regard to the need to (a) eliminate unlawful discrimination, harassment, victimisation; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, pursuant to s 149 of the Equality Act 2010.

67. The Secretary of State considers the loss of allotment land will have significant potential negative impacts on protected groups in terms of age and disability. The Secretary of State has carefully considered these potential negative impacts and he notes that they are likely to be significantly, if not wholly, mitigated by the proposed alternative suitable provision in the Borough on sites within 0.5 miles and a 5-10 minute walk of the Farm Terrace site (i.e. Holywell and Brightwell). Moreover, the Secretary of State has also taken into account the Council's commitment to provide a compensation package and to provide assistance to plot holders to bring replacement plots up to standard and move larger items to the new site.

68. The Secretary of State is therefore of the view that the Scheme's negative impacts on the elderly or disabled plot holders are being adequately mitigated by the accessible alternative provision close by and the other measures outlined above.

### **Decision**

69. Accordingly, for the reasons given above and in pursuance of his powers under section 8 of the Allotments Act 1925, the Secretary of State gives consent for the disposal of Farm Terrace Allotments, Occupation Road, Watford.

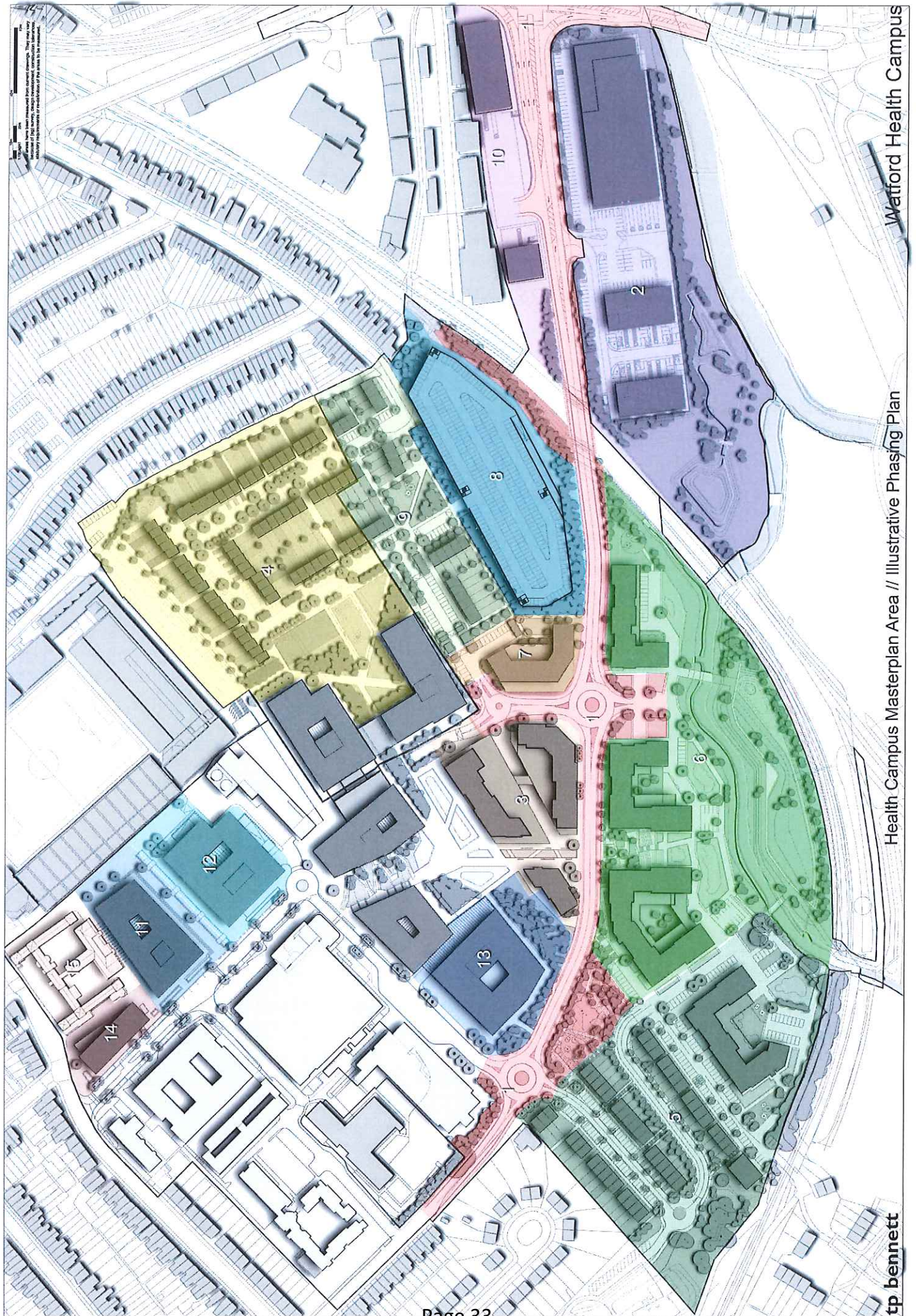
Yours sincerely

*Ray Colbourne*

**Ray Colbourne**  
**Team Leader - Central**

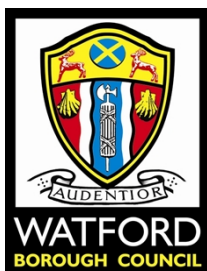












# Equality Impact Analysis

<b>Title of policy, function or service</b>	<b>Watford Health Campus Farm Terrace Allotments relocation options</b>
<b>Lead officer</b>	Manny Lewis
<b>Person completing the EIA</b>	Kathryn Robson
<b>Type of policy, function or service:</b>	<div>Existing (reviewed) <input type="checkbox"/></div> <div>New/Proposed <input checked="" type="checkbox"/></div>
<b>Version</b>	v.05- June 2016 (updated from November 2012 & September 2013 & December 2014 & February 2016)

## **Background**

An Equality Impact Analysis (EIA) on the Watford Health Campus Farm Terrace Allotments options appraisal was undertaken in November 2012 to support the Watford Borough Council Cabinet report on the Watford Health Campus that was considered by Cabinet on 3 December 2012.

This EIA identified both positive and negative impacts of the scheme, based on the information available at the time. It also identified actions to both mitigate the negative impacts and ensure that the positive impacts are delivered.

Importantly, the EIA acknowledged that the planned, further engagement with the Farm Terrace allotment holders would provide more equality information that could better inform a future EIA. In view of this the EIA identified an update as a future action.

This initial version of the EIA, therefore, was updated in September 2013 and subsequently in December 2014 and February 2016.

### **Revised focus for Equality Impact Analysis**

This EIA considers the potential equality related impacts, both positive and negative of the prospective loss of Farm Terrace allotments and alternative provision of allotments elsewhere on the people in the groups or with the characteristics protected in the Equalities Act 2010, should the Secretary of State be minded to grant consent under S8 of the Allotment Act 1925 for the change of use of Farm Terrace allotment land so that it can be incorporated into the Watford Health Campus scheme.

These are:

1. Age
2. Disability
3. Gender Reassignment
4. Pregnancy and maternity
5. Race
6. Religion or belief
7. Sex (gender)
8. Sexual Orientation
9. Marriage and Civil Partnership.

## **The Watford Health Campus scheme**

### **Objectives**

Watford Health Campus is a multi-million pound project (currently estimated at circa £350million), which will bring enormous benefits to residents in west Hertfordshire and Watford in particular. It brings together public and private sector partners who are committed to working together to deliver the Campus on a site of nearly 30 hectares in west Watford. Much of the site today is old brownfield land that is contaminated, unattractive and currently providing little in the way of amenities and services for the local community.



**Watford Health Campus is an ambitious long-term scheme which will be completed over a 15 to 20 year period and will deliver:**

- The opportunity to develop facilities at Watford Hospital, which serves up to 500,000 people: an improved road network and better use of space will offer greater flexibility for the hospital's future plans
- New business and work opportunities: with premises and facilities to attract new businesses to west Watford and creating up to 1,300 new jobs.
- 750 much needed new homes, including affordable homes.
- Better access and modern infrastructure, including a new road to the hospital site: this will help reduce congestion and allow much easier and quicker access for hospital vehicles, patients, staff and visitors. There will also be better walking routes and cycling facilities. The Metropolitan Line Extension - <https://tfl.gov.uk/travel-information/improvements-and-projects/metropolitan-line-extension> (formerly the Croxley Rail Link) provides a new station (Watford Vicarage Road) within a short walking distance of the Health Campus.
- Green, open spaces for the whole community to enjoy: attractive, new landscaped spaces are planned including riverside walks to open up the River Colne for the community. They will provide new wildlife habitats and encourage bio-diversity.
- A community garden: where local people can enjoy the benefits of growing fresh produce.
- Local community facilities: with a new community hub forming the heart of the Watford Health Campus. Local people as well as patients, staff and visitors to the hospital will enjoy a lively neighbourhood centre with shops and community facilities.
- Cleaning-up of former industrial and contaminated land.
- Progressive environmental and sustainable solutions: these will be promoted throughout the scheme.

In August 2012, the Watford Health Campus partnership (Watford BC and West Hertfordshire Hospitals NHS Trust [WHHT]) appointed Kier Property as the preferred private sector partner to support the delivery of the scheme. From August to June 2013, work was undertaken on the financial and legal agreements between the partnership and Kier, in order to take the Campus to the next stage of delivery – the appointment of Kier as approved partner and the establishment of the joint venture partnership (a Local Asset Backed Vehicle – LABV). This LABV is known as the Watford LLP.

This legal and financial agreement was signed on 18 June 2013 and the LABV established. As part of those agreements a masterplan and detailed infrastructure plan were agreed.

Significant work was then undertaken to develop a masterplan for the site. This delivered a draft masterplan for use during an extensive programme of consultation and engagement with the community in January / February 2014. Following this engagement, the masterplan was then refined for submission for planning permission in April 2014. At this stage, the LABV submitted two planning applications: a hybrid application for outline planning permission for the scheme without Farm Terrace (and a detailed application for the scheme's first business zone) and a separate planning application for Farm Terrace. The latter is yet to be determined.

The hybrid application was granted conditional consent on 18 September 2014 subject to a S106 agreement and conditions. The final terms of the S106 agreement and final conditions were agreed by the Council as local planning authority on 16 December 2014.

A separate planning application for what is known as the Health Campus link road, which improves access to the site and Watford General Hospital in particular, and associated infrastructure was submitted in early

September 2013 and was granted planning permission in December 2013. Work on the road is expected to start in early 2015.

**Update: February 2016**

Over the last 12 months, there has been considerable progress made in delivering the Watford Health Campus.

- Work has begun on the construction of the link road. This is progressing well and is expected to be completed by autumn 2016. This will be the first phase of the scheme completed and opens up the opportunities to take forward other elements of the scheme
- Planning approval has been granted for the business units on the zone known as Business Zone South, which will deliver the first phase of employment opportunities on the site
- Work has begun on planning the first residential zone on the site
- Work has also begun on the Metropolitan Line Extension, which is now being led by Transport for London. Trains are now expected to be running on the line from 2020

## **The Farm Terrace Allotments**

### **Overview**

Farm Terrace is an allotment site located in the Vicarage ward of Watford, directly behind Watford Football Club. It is 2.63 hectares in size. There are 128 plots ranging in size from 3 poles to 10 poles (a 10 pole plot is 250m) on the allotment. A number of plot holders have several plots, with 9 households having 20 or more poles. The majority of Farm Terrace tenants live in West Watford although there are a number who live in other areas of the town and 1 that lives outside the borough. As of 17 December 2014, there are 31 tenants on Farm Terrace. However, of these 31, four have given notice of termination, in line with a compensation package agreed for Farm Terrace allotment holder in July 2013. This means that there will be a maximum of 27 allotment holders on site by the end of 2015 who would be affected by any disposal.

As of 20 February 2016, there are 24 tenants on 31 plots.

## **Farm Terrace and the Watford Health Campus Scheme**

The main reasons for considering the relocation of the Farm Terrace allotments are that it would:

- i) provide space for the re-provision of hospital facilities and activities on the Watford site.
- ii) improve the viability of the Campus scheme and speed up the development of the site.
- iii) secure more much-needed family housing – 69 3 bedroom houses have been included in the masterplan for the site
- iv) provide for a better designed Campus scheme to be developed of sufficient size to make a greater overall improvement for residents of west Watford including improved open and green space, which includes a community garden that has been identified for the Farm Terrace site
- v) provide re-provision for Watford Football Club's staff car park, which is being lost from another area of the Health Campus site
- vi) remove the impact on the amenity of being part of a development area. By relocating the site it avoids significant disruption and the impact of pollution that the allotment holders will otherwise be subject to over the duration of the Campus development.

In addition, the local education authority (Hertfordshire County Council) has asked Watford BC if there is potential for some of the allotment land could be for a 2 FTE primary school. This means that on the site would be: space for the hospital, houses, a school and a car park for Watford Football Club.

## **Application to the Department for Communities and Local Government**

Cabinet gave its approval on 3 December 2012 to submit an application to the Secretary of State for the Department of Communities and Local Government (DCLG) under S8 of the Allotment Act 1925 for the appropriation of the Farm Terrace allotments into the Watford Health Campus scheme. It was also agreed at this time to continue to actively engage with the allotment holders through the next stage of the process, in anticipation of the Secretary of State's decision. Should this decision be for the inclusion of the allotments, then relocation of existing tenants would be required. The council wanted the current Farm Terrace tenants to have the opportunity to discuss their future options as early as possible and in a way that allowed them to identify their individual requirements and issues.

An application was initially submitted in February 2013 and a decision from DCLG received dated 8 May 2013. This granted consent to appropriate the Farm Terrace allotment land for the benefit of the Watford Health Campus scheme.

DCLG's original decision was quashed in on 28 August 2013. The council submitted a revised/updated submission in September 2013. On 18 December 2013, the Secretary of State again gave his consent for appropriation of the allotments. This decision was quashed at Judicial Review in October 2014 on what was deemed 'narrow' grounds.

In December 2014, the council resolved to submit a further application to the Secretary of State.

On 26 May 2016, Secretary of State granted permission for the Council, under s8 of the Allotments Act 1925, to allow the Council to appropriate the land under s122 of the Local Government Act 1972 for planning purposes to facilitate the delivery of the Watford Health Campus scheme.

Following the decision, the council is seeking to appropriate the Farm Terrace land for planning purposes under s122 of the Local Government Act 1972 to enable the site to be used for the benefit of the Watford Health Campus scheme (report to Cabinet on 4 July 2016).

### **Engagement survey (attached at Appendix i)**

A significant programme of engagement has been undertaken with Watford allotment holders from June 2012.

### **Engagement update**

A survey was developed in January 2013 to ascertain the requirements of Farm Terrace allotment holders should relocation be required. The survey was made available at this time on request and at an engagement event on 23 January 2013 but was sent to all Farm Terrace allotment holders in June 2013, following receipt of the DCLG's initial decision.

As well as covering issues such as:

- **Preferred site for relocation**
- **Allotment structures that the tenant might want moved to a new site**
- **Plants that the tenant might want moved to a new site**
- **Compensation,**

the survey also gave allotment holders the opportunity to provide personal information that could affect a decision taken to relocate and the requirements of a new site. In particular, the survey had questions relating to age and disability as well as one on access to a car that the allotment holder could drive.

The original EIA identified: age, disability and access to a car as areas that potentially could negatively affect an individual's ability to access alternative allotment provision. It also clearly demonstrated that these requirements would need to be known and understood on an individual basis for the council to update the EIA and to fully work through the mitigating actions that might be necessary.

### **Compensation package**

As, from December 2013, consent had been granted by the Secretary of State to appropriate the Farm Terrace land for inclusion in the Watford Health Campus scheme, the council considered what would be an acceptable compensation package for the allotment holders who would be displaced. This also applied to the Farm Terrace allotment holders who had relocated since December 2012 and who had been waiting, in some cases over a year, to find out about the compensation package.

In July 2014, Watford BC's Cabinet agreed a compensation package comprising:

- **Category 1** - £750 for a tenant relocating (or previously relocated) voluntarily before notice is served, plus support with relocation including moving existing plants and structures as appropriate and clearing of new plot(s) so they are ready for cultivation. 50% (£375) of the compensation is payable at the time of agreeing to relocate and 50% (£375) when completed;
- **Category 2** - £1,000 for a tenant giving up completely and by agreement before notice is served. This is on the condition that the tenant will not apply for another plot within 3 years of giving up. 50% (£500) of the compensation is payable at the time of agreeing to terminate and 50% (£500) when the allotment is finally vacated ; and
- **Category 3** - statutory minimum for those served with notice for termination. Notice will be served to those tenants deciding not to take up the voluntary offers under category 1 and 2 above. The council has not set a timetable for serving notice as this will depend on the judicial review and the timescales involved in reaching a final decision. How, and when, a council serves notice on an allotment tenant is also governed by allotment legislation. For Farm Terrace, the council has agreed to give Farm Terrace tenants 12 months' notice.

All Farm Terrace allotment holders were contacted to inform of the details so they could consider their future options.

This package included the statutory compensation as set out under section 2 of the Allotments Act 1922 and s 3 of the Allotments Act 1950 in the event that notice is served on a tenant pursuant to Section 1(1) (d) of that Act.

The revised compensation package is as set out in the July 2016 Cabinet report.

## **What we know about Farm Terrace Allotment Holders**

Current number on site:

The number of allotment holders has reduced during the development of this EIA;

- Nov 2012: 65 allotment holders affected by potential disposal
  - Sept 2013: 60 allotment holders affected by potential disposal
  - Dec 2014: 27 allotment holders affected by potential disposal (with an additional 4 having submitted notices of termination to the council)
  - Feb 2016: 24 allotment holders affected by potential disposal
- 

A survey of all Watford allotment holders was undertaken in 2011. This survey was sent to all tenants and covered a range of allotment related questions. Four hundred allotment holders responded to the survey. Four equality related questions were included in the survey – the results are outlined below and provide a good baseline for an understanding of the profile of allotment holders in Watford.

### **Allotment Tenant Profiles**

- 1. Sex**  
Male - 57%      Female - 43%
- 2. Ethnicity**  
White British - 95%      Other - 5%
- 3. Disability**  
16% have a disability
- 4. Age**  

16-24 years - 1%	25-34 years - 5%	35-44 years - 15%	45-54 years - 19%
55 – 59 years - 12%	60-64 years - 14%	65+ years - 34%	

The most notable result was that 95% of allotment holders are White British. Watford's population overall is now around 62% White British (75% before the results of Census 2011 were known). This has been noted by the service and one of the recommendations of the council's revised Allotment Strategy (approved April 2013) will be to promote allotments in a way that ensures all parts of the community are aware of the availability of allotments across the borough and the potential benefits of allotment gardening.

### **Farm Terrace Allotment Tenant Profiles (taken from the results of the Allotment Survey 2011)**

In terms of Farm Terrace allotment holders, 30 completed the survey in 2011, which provided the following information. In addition, we were able to do an analysis of plot holders by sex from our records (as of 8 November 2012):

1. **Sex**  
Male - 51%      Female - 49%
2. **Ethnicity**  
White British - 90%      White other - 7% (1 not answered)
3. **Disability**  
13% have a disability
4. **Age**  
16-24 years - 3%      25-34 years - 13%      35-44 years - 17%      45-54 years - 17%  
55-59 years - 1%      60-64 years - 20%      65+ - 27%

These figures indicate:

- Higher percentage of people with disabilities using Farm Terrace allotments than the Watford population overall
- Higher percentage of White British users of the allotments than the Watford population overall
- Higher percentage of 60+ years users of the allotments than the Watford population overall

#### **Farm Terrace Allotment Tenant Profiles UPDATED – September 2013 (taken from engagement survey 2013)**

In the initial EIA on the options for Farm Terrace, building an improved understanding of the equality needs of the Farm Terrace allotment holders was identified as an action. This was to be achieved through including key equality questions in the engagement survey on relocation (Appendix i).

Thirty seven Farm Terrace tenants responded to the survey. Not all respondents completed the survey, so not all questions have responses.

At 9 September 2013, there were 60 allotment tenants on Farm Terrace.

1. **Sex**  
**i. Not taken from survey but from tenancy information (ALL TENANTS)**

**Male - 56%**      **Female – 54%**

- ii. Taken from survey (total of 33 people answered this question)**

**Male - 17 (52%)**      **Female – 16 (48%)**

2. **Ethnicity (total of 30 people answered this question)**

**White British - 24 (80%)      White other - 3 (10%)      Asian - 1 (3%)      Other – 2 (7%)**

### 3. **Disability** (total of 32 people answered this question)

Seven (22%) respondents have a level of disability. Of these three stated that this disability limits day to day activities a lot and four that it limits them a little.

**Yes limited a lot** - 3 (9%)

**Yes limited a little** - 4 (13%)

**No** - 25 (78%)

### 4. **Age**

Thirty three people responded to this question.

**16 - 24 years** – 1 (3%)

**25 - 34 years** – 1 (3%)

**35 - 44 years** - 8 (24%)

**45 - 54 years** - 9 (27%)

**55 - 59 years** – 1 (3%)

**60 - 64 years** – 1 (3%)

**65+** – 13  
(39%)

These figures, compared with results from the Census 2011, indicate:

- Higher percentage of people with disabilities using Farm Terrace allotments than the Watford population overall (14% for Watford overall compared to 22%)
- Higher percentage of White British users of the allotments than the Watford population overall – this is significantly higher (62% for Watford overall compared to 80%)
- Higher percentage of 60+ years users of the allotments than the Watford population overall (12.3% for Watford overall compared to 42%)

The responses also show a strong correlation between age and disability – six of the seven respondents with a disability are over 65.

### 5. **Access to a car**

The survey also asked people about their access to a car. This was purposely asked in this way rather than could people drive as an ability to drive would not necessarily mean people had access to a car.

**Question: Do you have access to a car that you are able to drive?**

Thirty one people responded to this question.

**Yes** - 22 (71%)

**No** – 9 (29%)

We know from our Allotment Survey 2011 that more than half of allotment holders do choose to drive to their allotments (55%) but for those without access to a car that they are able to drive, accessibility to an allotment (in terms of distance) would be a key consideration.

## **How will the council ensure equality is promoted as part of the relocation of Farm Terrace allotments**

Under the Equality Act 2010, three areas need to be considered when analysing the equality impact of the potential relocation of Farm Terrace allotments:

1. **eliminate** discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
2. **advance** equality of opportunity between people who share a relevant protected characteristic and people who do not share it
3. **foster** good relations between people who share a relevant protected characteristic and people who do not

### **1. Positive impacts**

Should the Secretary of State agree that Farm Terrace allotments can be included in the Watford Health Campus scheme and it is then appropriated, the following positive impacts have been identified:

- **the delivery of Watford Health Campus objectives overall will be facilitated**

The delivery of the Watford Health Campus scheme will have positive outcomes for the community as a whole, including those members of the community with protected characteristics. It will provide an opportunity to foster good relations between people who share a relevant protected characteristic and people who do not through the delivery of improved community space and facilities in what will be a new community in West Watford.

In specific terms, it will improve access to:

- health facilities within the borough (positive impact for all protected characteristics)
- open public space, which is easily accessible for all. Issues of accessibility by people with disabilities or age related infirmities will be taken into account when these public spaces are designed. The expectation is that they will be accessible and there will be no barriers to people enjoying these new amenities. These open spaces will help foster good community relations by providing open, shared facilities for the West Watford community and beyond
- affordable housing, which is likely to be of particular benefit to people with families and within the age group when family homes are needed. See below for analysis of housing needs:

#### **Social housing needs in Watford, Priority Band A-D**

A breakdown of the borough's social housing needs in November 2014 shows that Watford currently has 903 households on its housing register in the four high priority bands

Band A Urgent Housing Need - 1 household	0.1%
Band B Very High Housing Need – 129 households	14.3%
Band C High Housing Need - 55 households	6.1%



The demand for different types of home from applicants in Bands A, B, C and D in November 2014 was as follows:

1 bedroom	324 households	35.9%
2 bedroom	336 household s	37.7%
3 bedroom	220 household s	24.5%
4+ bedroom	18 households	2.0%

- jobs and employment, which will benefit those of working age
- a range of amenities for the local community, including those which will enhance opportunities for local people to meet and engage, thus building improved community relations (positive impact for all protected characteristics)
- should a school be included on the Farm Terrace land, this will be of benefit to younger people and people within the age group with children from ages 4-11 years

**Recommendation 1:** the masterplan (excluding Farm Terrace), which has outline planning permission and the Farm Terrace masterplan indicate where the scheme can provide community facilities and amenities that will foster good relations between people who share a relevant protected characteristic and people who do not. As more detailed planning applications for each zone are brought forward the Watford Health Campus LLP need to ensure that the quality and accessibility of these facilities is considered and delivered to a standard that achieves the overall aim of the scheme for a vibrant, sustainable community. This includes the health benefits identified above and the potential education benefits, should this option be pursued

#### **Community gardening concept**

This has been highlighted as an initiative that could be considered within the Watford Health Campus scheme, given the additional space within the site overall that would be generated by the use of Farm Terrace allotments.

Although not a replacement for the allotments, a fundamental aspect of community gardening would be to design it in such a way that promotes inclusion and strong community links. This would support fostering good relations between protected characteristics as outlined in the Equality Act 2010. The design would also need to take into account how the garden would be accessible to people with protected characteristics such as the very young, the elderly and people with a disability

**Recommendation 2:** to ensure that the community garden concept is shared with the wider local community so that it is developed in a way that meets local requirements. There should be encouragement for people to get involved in shaping the space and in utilizing it once it is available.

## **2. Negative impacts**

In relation to the impact of the Watford Health Campus scheme on Farm Terrace allotment holders, the following negative impacts can be identified.

- **Access impact**

If relocation is required it might be more difficult for tenants with a disability or older tenants to travel to a site further from home. We know from national research that people with disabilities and older people are less likely to drive and are more dependent on public transport than other groups in the community. In order to mitigate any potential impact, the council would need to consider these issues on an individual basis with each allotment holder. Age and some disabilities do not necessarily mean that the individual is unable to walk or drive, whereas for others this is clearly the case.

The council will also take into account those allotment holders who do not have access to a car they can drive when considering relocation options.

Equally, where an allotment holder's family member has access needs, these will be considered and addressed where possible. Issues of this nature can only be fully understood through effective one to one engagement, which is being facilitated by an individual employed for the purpose

The current potential number of allotment holders who might be seeking relocation (27 are still using the site without having given notice to vacate) can all be accommodated on vacancies at sites local to Farm Terrace (Holywell and Brightwell). These two sites have over 50 vacancies at present, which mean the allotment holders would have a good choice of alternative plots (33 are required). These are within a 5-10 minute walk or 2 minute drive from Farm Terrace.

- **Ability to cultivate new plot / bring it to workable standard**

There is a possibility that new plots might require work in order to bring them up to cultivation standard. This might be the case, in particular, if people choose existing plots, which have been left uncultivated for a period of time and so are overgrown etc.

The council is actively improving vacant plots in those sites close to Farm Terrace so they are in the best condition possible if required. This includes removing overgrown plants, digging over of soil, removal of unwanted structures etc.

Additionally, the council will expect the quality of soil on any new provision to be independently assessed as of sufficient quality for cultivation and for growing plants.

**Recommendation 3:** given that the equality information we have indicates there are issues that might impact on tenants (particularly in terms of disability and age), we will work with current Farm Terrace tenants to mitigate potential impacts where possible. This will be particularly relevant when considering support needed to relocate and undertake initial management of a new plot

- relocation options
- people's ability to travel to alternative sites
- people's ability to cultivate a new plot in terms of soil, structures, equipment, replanting etc
- **Fostering good relations**

The presence of the allotments on the site has helped support community relationships and spirit over the years. The loss of the site might impact on community relations. However, the recommendation would be to include an alternative form of community gardening on the Watford Health Campus site overall. This would provide an excellent opportunity for the existing and the new community that will emerge from the development to enjoy open space / interaction through growing food etc.

The engagement survey includes a question regarding who a current tenant might wish to be relocated close to. This is to build understanding of the existing relationships / connections and to consider if there is scope to maintain these on a new site.

### **3. Overall conclusion**

Considering the information within this report and both the positive and negative impacts together, this analysis shows that, should Farm Terrace allotments be incorporated into the Watford Health Campus scheme, the overall impact on the Watford community is positive.

This is because the benefits of releasing the land will have a positive impact on all Watford residents (as well as on people from outside the borough whose main access to health facilities is at Watford Hospital), outweighing the potential negative impacts identified.

In addition, by working with the allotment holders on an individual basis, the council can identify any potential negative impacts for each individual and address them where feasible. In terms of those who might require an alternative plot on a site close to Farm Terrace, the council is managing vacancies at sites within west Watford which are, in some cases, around 500 metres from Farm Terrace and could be even closer to people's homes than their current plot. It has also put plans into place to provide support for those relocating and will be able to address those with specific requirements once these are raised and understood.

**Recommendation 4:** to update this EIA in light of developments on the Watford Health Campus scheme as and when new information / data received

## Summary of potential positive and negative impacts on protected characteristics

Protected Characteristic	Positive	Negative	None	Reasons for decision
Age	✗	✗		<p>The reprovision of Farm Terrace and potential relocation of tenants has both positive and negative impacts in terms of age.</p> <p><b>Positive impacts</b></p> <ul style="list-style-type: none"> <li>As outlined in this EIA, the Health Campus will bring a range of positive outcomes for all the community, across the range of protected characteristics. In particular, improved hospital facilities and access to open green space and improved community areas will benefit the whole community and foster good relations between people with and without a protected characteristic</li> <li>New provision can be designed to ensure issues that might make it difficult for older people to manage an allotment are taken into account</li> <li>Affordable housing on the Health Campus will address the housing needs of young people and people with families (categories identified as in housing need in Watford)</li> <li>Job opportunities generated by the Health Campus will benefit people of working age</li> <li>The potential school places that might be delivered on the Farm Terrace site would have a positive impact on younger people (4-11 years) and on their parents / carers</li> </ul>

Protected Characteristic	Positive	Negative	None	Reasons for decision
				<p><b>Negative impacts</b></p> <ul style="list-style-type: none"> <li>Older people might find it harder to get to a new plot if they are unable to drive / access a car – in these cases priority will be given to relocation to local sites / plots (i.e. those where there are vacancies close to their homes). Current local vacancies mitigate this issue significantly as adequate spaces are available in close proximity to the site and to current allotment holders' homes.</li> <li>Older people might find it harder to bring a new plot up to cultivation standard and to transfer plants / structures / equipment – in these cases support will be given to bring a new plot to a manageable standard ready for cultivation (digging over, transplanting, erecting sheds etc)</li> </ul>
<b>Disability</b>	<b>x</b>	<b>x</b>		<p>The reprovision of Farm Terrace and potential relocation of tenants has both positive and negative impacts in terms of disability</p> <p><b>Positive impacts</b></p> <ul style="list-style-type: none"> <li>As outlined the Health Campus will bring a range of positive outcomes for all the community, across the range of protected characteristics. In particular, improved hospital facilities and access to open green space and improved community areas will benefit the whole community and foster good relations between people with and without a protected characteristic</li> <li>New provision can be designed to ensure issues that might make it difficult for people with disabilities to manage an allotment are taken into account</li> </ul>

Protected Characteristic	Positive	Negative	None	Reasons for decision
				<p><b>Negative impacts</b></p> <ul style="list-style-type: none"> <li>• People with disabilities might find it harder to get to a new plot if they are unable to drive / access a car – in these cases priority will be given to relocation to local sites / plots (i.e. those where there are vacancies close to their homes). Current local vacancies mitigate this issue significantly as adequate spaces are available in close proximity to the site and to current allotment holders' homes.</li> <li>• People with disabilities might find it harder to bring a new plot up to cultivation standard and to transfer plants / structures / equipment – in these cases support will be given to bring a new plot to a manageable standard ready for cultivation (digging over, transplanting, erecting sheds etc)</li> </ul>
<b>Ethnicity</b>	<b>x</b>		<b>x</b>	<p>The re-provision of Farm Terrace and potential relocation of tenants has positive impacts in terms of ethnicity.</p> <p><b>Positive impacts</b></p> <ul style="list-style-type: none"> <li>• As outlined in this EIA, the Health Campus will bring a range of positive outcomes for all the community, across the range of protected characteristics. In particular, improved hospital facilities and access to open green space and improved community areas will benefit the whole community and foster good relations between people with and without a protected characteristic</li> <li>• The west Watford community (particularly Vicarage ward) is the most ethnically diverse in Watford. This is not currently reflected in the take up of allotments in the area. Once the allotment investment programme is completed (December 2014) and as part of the implementation of the Allotment Strategy 2013, a promotional plan will be implemented with the aim of engaging black and minority ethnic communities on becoming allotment holders.</li> </ul>

Protected Characteristic	Positive	Negative	None	Reasons for decision
Sex	✗		✗	<p>The re-provision of Farm Terrace and potential relocation of tenants has a positive impact in terms of sex.</p> <p><b>Positive impact</b></p> <ul style="list-style-type: none"> <li>As outlined in this EIA, the Health Campus will bring a range of positive outcomes for all the community, across the range of protected characteristics. In particular, improved hospital facilities and access to open green space and improved community areas will benefit the whole community and foster good relations between people with and without a protected characteristic</li> </ul>
Sexual orientation	✗		✗	<p>The re-provision of Farm Terrace and potential relocation of tenants has a positive impact in terms of sexual orientation.</p> <p><b>Positive impact</b></p> <ul style="list-style-type: none"> <li>As outlined in this EIA, the Health Campus will bring a range of positive outcomes for all the community, across the range of protected characteristics. In particular, improved hospital facilities and access to open green space and improved community areas will benefit the whole community and foster good relations between people with and without a protected characteristic</li> </ul>
Religion	✗		✗	<p>The re-provision of Farm Terrace and potential relocation of tenants has a positive impact in terms of religion.</p> <p><b>Positive impact</b></p> <ul style="list-style-type: none"> <li>As outlined in this EIA, the Health Campus will bring a range of positive outcomes for all the community, across the range of protected characteristics. In particular, improved hospital facilities and access to open green space and improved community areas will benefit the whole community and foster good relations</li> </ul>

Protected Characteristic	Positive	Negative	None	Reasons for decision
				between people with and without a protected characteristic
<b>Pregnancy/maternity</b>	<b>x</b>		<b>x</b>	<p>The reprovision of Farm Terrace and potential relocation of tenants has a positive impact in terms of pregnancy / maternity</p> <p><b>Positive impact</b></p> <ul style="list-style-type: none"> <li>As outlined in this EIA, the Health Campus will bring a range of positive outcomes for all the community, across the range of protected characteristics. In particular, improved hospital facilities and access to open green space and improved community areas will benefit the whole community and foster good relations between people with and without a protected characteristic</li> </ul>
<b>Gender orientation</b>	<b>x</b>		<b>x</b>	<p>The reprovision of Farm Terrace and potential relocation of tenants has a positive impact in terms of gender orientation.</p> <p><b>Positive impact</b></p> <ul style="list-style-type: none"> <li>As outlined in this EIA, the Health Campus will bring a range of positive outcomes for all the community, across the range of protected characteristics. In particular, improved hospital facilities and access to open green space and improved community areas will benefit the whole community and foster good relations between people with and without a protected characteristic</li> </ul>



## Summary of potential positive impacts and ways in which they can be ensured

Positive Impact	Protected characteristics	Ways to ensure the positive impact
<p><b>Watford Health Campus scheme and delivery of community amenities and facilities</b></p> <p>Contribution made to the delivery of Watford Health Campus project, particularly in terms of additional space to enable expansion and re-provision of hospital facilities, the delivery of more family houses and affordable homes on the site and financial viability of the scheme overall.</p> <p>This will benefit Watford and the wider community – the facilitation of new and better hospital facilities will have a positive impact on all protected characteristics. Accessible open and green spaces and community spaces are also proposed for the Watford Health Campus and these need to be fully considered in equalities terms to ensure they too contribute to the fostering of good community relations.</p> <p>In addition, the local education authority (Hertfordshire County Council) has asked Watford BC if there is potential for some of the allotment land could be for a 2 FTE primary school. This means that on the site would be: space for the hospital, houses, a school and a car park for Watford Football Club.</p>	All	<p>The masterplan for the Watford Health Campus was developed for submission for planning approval in April 2014.</p> <p>The masterplan shows that the aspirations for the Health Campus are being incorporated into the plans including:</p> <ul style="list-style-type: none"> <li>• Expansion space for the new hospital facilities and services</li> <li>• Family houses on the allotment land</li> <li>• Open and green space</li> <li>• Community areas</li> </ul> <p>There is flexibility within the masterplan to allow for a school should this requirement need to be brought forward.</p>

Positive Impact	Protected characteristics	Ways to ensure the positive impact
<b>Quality and accessibility of new allotment provision</b> Opportunity to improve the quality and accessibility of allotment plots where re-provision has been identified	All – particularly for those with a disability / mobility problems	<p>Ensure that when designing the new allotment provision, the site and the new plots take equalities issues into account.</p> <p>In particular, re-provision will need to consider ease of access to the new plots (in terms of entrance to the site), ease of working the new plots (in terms of ensuring some are level to take into account mobility and age related infirmities) and that the layout is conducive to building and maintaining community relations (people are able to interact easily whilst working on their site). Southern Green consultants are working on the design and initial proposals have been submitted for the first phase.</p>
<b>Community garden</b> Community gardening concept to foster good community relations	All	<p>Outline proposals for this are included within the masterplan. However, this is not in detail and will not be until the final decision is known on Farm Terrace. If approval is received, a more detailed plan will be developed. Engagement will be carried out with the community on any plans to understand what local people feel would be of benefit and can be sustained through community involvement.</p>
<b>Individual needs and requirements</b> Consideration given to individual needs and requirements through ongoing engagement	All but with particular consideration to those needs that would affect the choice of a potential relocation site / plot	<p>Ensure discussions with each allotment holder take place to identify any equality issues to be addressed if relocation is required.</p>

Positive Impact	Protected characteristics	Ways to ensure the positive impact
		Current analysis shows that some allotment holders do have needs relating to disability and age. These will be considered during individual discussions and addressed. Provision is available to support these needs both in relation to new plots and help in bringing them to cultivation standard if necessary.
<b>Promotion of allotments across the community</b>	Ethnicity	Work with community to understand if there are any barriers to engaging in allotment gardening and what might support greater take up amongst the non White British community. The current promotion plan for allotment holders in Watford identifies engagement with the community as a priority for 2016.

**Summary of potential negative impacts and ways in which they can be removed or mitigated:**

Negative Impact	Protected characteristics	Ways to mitigate the negative impact
<b>Ability to access to allotment amenity impact</b>	Disability  Age	<p>As for positive impact - consideration given to individual needs and requirements. These can also cover issues around ability to drive and consideration of family members' access to a new site/plot.</p> <p>If relocation is required then issues that might impact on ongoing access to participating in allotment gardening need to be identified and mitigated. These will differ from individual to individual, which is why the council's engagement programme has been established. Data on individual needs is being recorded to enable understanding of the profile of Farm Terrace allotment holders to be assessed and considered.</p>
<b>Ability to cultivate new plot / bring it to cultivation standard</b>	Disability  Age	<p>Consideration to be given to state of new plots and ability of potential plot holder to move to new site in terms of cultivation, plants, structures and equipment.</p> <p>The council's relocation programme has allowed for appropriate support to be available to mitigate issues around the state and readiness of alternative plots for cultivation.</p>
<b>Fostering good relations</b>	All	<p>Ensure that the provision within the Watford Health Campus masterplan to create opportunities for building good community relations through best use of open space and possibly community gardening is delivered based on the principles of good urban design and creating a strong sense of place.</p>

### **Monitoring the review**

This analysis is reviewed on an on going basis and as information is received that affects Farm Terrace allotments and potential reprovision and relocation.

**This initial EIA has been approved by:**

**Manny Lewis**

..... **Date .....17.12.14.....**



## Appendix i Farm Terrace Allotments Questionnaire

June 2013

### Background

We were informed on 8 May that our application to the Secretary of State for the Department of Communities and Local Government to include Farm Terrace allotments in the Watford Health Campus scheme has been successful.

As part of our application to the Secretary of State, the council had to demonstrate that we would re-provide the allotment land and that alternative, good quality sites and plots were available to you as current plot holders. Earlier in the year, we promised that, when the time was appropriate, we would continue our engagement with you on your future options as allotment holders, initially through a short questionnaire we had developed. Now that the decision has been received, we want to offer you the opportunity to complete the questionnaire.

Once we have received your responses (the deadline is **19 July 2013**), we can start work on mapping people's preferences and requirements. Although we would hope to accommodate all your needs we cannot guarantee this in every case. However, we will start to provide options on alternative provision that is currently, or will shortly be, available as soon as possible after you make us aware of your needs.

This questionnaire is, therefore, a starting point for these discussions with you. The more information you can give us at this stage, the better the picture we can build of your needs, which will help us work with you on your future tenancy.

If you have any questions on this survey, please contact:

Kathryn Robson on 01923 278077 or [kathryn.robson@hotmail.co.uk](mailto:kathryn.robson@hotmail.co.uk)

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### About your allotment

In this section, we would like to find out about your current allotment plot.

**Q1. What is your current plot number (if you know it)?** Please write in below.

.....

**Q2. What size is your current plot(s) in poles (if you know it)?** Please write in below.

.....

**Q3. Do you want to continue as an allotment holder in Watford at a different site?**

☐

Yes

(please go to Q4)

☐ No

(please go to Q11)

**Q4. Do you have any of the following on your plot that you would like us to consider helping relocate.**  
Please tick all those that you have and then whether you would like help to move them and how many.

	On my current allotment	Would like help to move to another allotment site	How many to move (please write in)
Shed .....	<input type="checkbox"/>	<input type="checkbox"/>	.....
Greenhouse .....	<input type="checkbox"/>	<input type="checkbox"/>	.....
Polytunnel .....	<input type="checkbox"/>	<input type="checkbox"/>	.....
Cold frame .....	<input type="checkbox"/>	<input type="checkbox"/>	.....
Chicken house .....	<input type="checkbox"/>	<input type="checkbox"/>	.....
Beehives .....	<input type="checkbox"/>	<input type="checkbox"/>	.....
Compost bin .....	<input type="checkbox"/>	<input type="checkbox"/>	.....
Lawnmower .....	<input type="checkbox"/>	<input type="checkbox"/>	.....
Water butt .....	<input type="checkbox"/>	<input type="checkbox"/>	.....
Wheelbarrow .....	<input type="checkbox"/>	<input type="checkbox"/>	.....
Rotovator .....	<input type="checkbox"/>	<input type="checkbox"/>	.....
Raised beds .....	<input type="checkbox"/>	<input type="checkbox"/>	.....
Large hand tools .....	<input type="checkbox"/>	<input type="checkbox"/>	.....
Other (please write in)	..... .....		

	<p>.....</p> <p>.....</p>
--	---------------------------

**Q5. Is there any other information you want to let us know about items / things you have on your allotment. Please write in below.**

.....

.....

.....

.....

**Q6. Do you have any of the following growing on your plot that you would like help to move from Farm Terrace to another allotment site? Please state how many.** Please tick all those that you have and then whether you would like help to move them and how many and what type.

	On my current plot	Would like help to move to another allotment site	How many to relocate (please write in)	What type (please write in)
Fruit trees .....	<input type="checkbox"/>	<input type="checkbox"/>	.....	..... .....
Vines .....	<input type="checkbox"/>	<input type="checkbox"/>	.....	..... .....
Fruit canes/bushes ...	<input type="checkbox"/>	<input type="checkbox"/>	.....	..... .....
Rose trees/bushes ...	<input type="checkbox"/>	<input type="checkbox"/>	.....	..... .....
Ornamental trees/shrubs .....	<input type="checkbox"/>	<input type="checkbox"/>	.....	..... .....
Established plants, e.g. herbs, strawberries etc .....	<input type="checkbox"/>	<input type="checkbox"/>	.....	..... .....



Other (please write in)	<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
----------------------------	---

**Q7. Is there any other information you would like us to be aware of in relation to plants growing on your current plot? Please write in below.**

.....

.....

.....

.....

**Q8. Are there any other allotment holders that you would like to be located next or close to if possible? Please give details below.**

.....

.....

.....

.....

## Alternative sites

**Q9. Which of the following sites would be your preference to move to? Please mark your choices 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup>.**

We cannot guarantee any preferences at this stage but the information provided will be useful in building a picture of the overall requirements of Farm Terrace allotment holders.

	Choice number (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> or 4 <sup>th</sup> )
<b>Brightwell allotments</b> - (Tolpits Lane)	.....
<b>Paddock Road allotments</b> (current vacant plots)	.....
<b>Paddock Road allotments</b> (new plots*)	.....
<b>Wiggenhall allotments</b> - (Longcroft)	.....

<b>Holywell allotments</b> - (Scammell Way) (current vacant plots)	.....
<b>Holywell allotments</b> - (Scammell Way) (new plots*)	.....
<b>Other</b> – please write in below .....	.....

*\* The council will be re-providing allotments to replace Farm Terrace allotments by expanding the sites at Paddock Road and Holywell. These plots will not be available until works have been completed to prepare the sites. Existing vacancies on these sites can be made available to Farm Terrace Allotment holders who wish to re-locate sooner.*

**Q10. Is there anything else you want us to consider that would help us work with you on the best possible location for your new allotment plot?**

.....

.....

.....

.....

## Compensation

Under the law, allotment tenants are entitled to compensation if their tenancy is ended by their landlord (which is Watford Borough Council in this case).

The legal requirement for compensation is:

**‘for crops growing upon the land in the ordinary course of the cultivation of the land as an allotment garden or allotment gardens, and for manure applied to the land’.** *Allotment Act 1922 – Section 2*

**‘compensation equal to one year’s rent of the land’.** *Allotment Act 1950 – Section 1*

We are considering the compensation package that we might offer, if needed.

**Q11. Thinking about the compensation package are there any other issues you think we should take into consideration?** Please write in below.

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

## About you

This information is confidential and will not be used for any other purpose. It helps us ensure we are aware of any specific needs that you may have and that our approach takes these into account.

**Q12. Your Name** .....

**Q13. Your Address** .....

.....

..... **Postcode** .....

**Q14. Your phone number** .....

**Q15. Your email** .....

**Q16. Do you have access to a car that you are able to drive? Please tick.**

☐

Yes

☐

No

**Q17. What is your age range? Please tick.**

16 to 24 years .....

☐

55 to 59 years .....

☐

25 to 34 years .....

☐

60 to 64 years .....

☐

35 to 44 years .....

☐

65 to 70 years .....

☐

45 to 54 years .....

☐

70 years + .....

☐

**Q18. Are your day-to-day activities limited because of a health problem or disability which has**

lasted, or is expected to last, at least 12 months? Please tick.

- ☐ Yes, limited a lot  
☐ Yes, limited a little  
☐ No

**Q19. Which of these groups do you consider you belong to?**

**White or White British**

- English / Welsh / Scottish /  
Northern Irish / British ☐  
Gypsy or Irish Traveller ☐  
Irish ☐  
Any other White background ☐  
(✓ and write in below)

.....

**Mixed / multiple ethnic groups**

- White & Black Caribbean ☐  
White & Black African ☐  
White & Asian ☐  
Any other mixed / multiple ethnic ☐  
background  
(✓ and write in below)

.....

**Black or Black British**

- Caribbean ☐  
African ☐  
Any other Black background ☐  
(✓ and write in below)

.....

**Asian or Asian British**

- Indian ☐  
Pakistani ☐  
Bangladeshi ☐  
Chinese ☐  
Any other Asian background ☐  
(✓ and write in below)

.....

**Other ethnic group**

- Arab ☐  
**Other ethnic group**  
(✓ and write in below) ☐

.....

**THANK YOU FOR COMPLETING THIS QUESTIONNAIRE**

**ONCE COMPLETED PLEASE RETURN IT IN THE ENCLOSED PRE-PAID ENVELOPE**



## Part A

**Report to:** Cabinet  
**Date of meeting:** 4 July 2016  
**Report of:** Head of Community & Customer Services  
**Title:** Contract for the support of Syrian refugees

### 1.0 **Summary**

- 1.1 On the 14 October 2015 the Council took the decision to take part in the national initiative to assist Syrian Refugees. The Council has procured properties to assist the first cohort of arrivals. We are required to provide intensive support to households coming through the programme.
- 1.2 We have worked closely with 7 other Hertfordshire district councils to negotiate support provision with a nationally recognised provider, the Refugee Council. We have entered into a contract with them, which is fully funded from the grant coming from the Home Office.
- 1.3 There was an urgent need to establish arrangements to receive families, which left insufficient time to go through a formal tendering of the support element. The exemptions route has been used to approve the letting of this contract. The exemptions procedure requires Cabinet to be informed of all such decisions.

### 2.0 **Recommendations**

- 2.1 Cabinet are asked to note the contents of the report.

**Contact Officer:**

For further information on this report please contact: Ayaz Maqsood, telephone extension: 8902 email: [ayaz.maqsood@watford.gov.uk](mailto:ayaz.maqsood@watford.gov.uk)

**Report approved by:** Alan Gough, Head of Housing & Community Services

### 3.0 Detailed Proposal

- 3.1 The Syrian vulnerable persons scheme was launched in January 2014. The scheme was relatively small in scope and the number of individuals moved through the scheme were in the hundreds. On the 7 September 2015 the Government announced the decision to accept 20,000 Syrian refugees over the next 5 years.
- 3.2 Families and individuals are selected for the Syrian Resettlement Programme by the United Nations High Commissioner for Refugees (UNHCR) if they have a particular vulnerability or other need to live in the country. The criteria that the UNHCR use are:
- women and girls at risk;
  - survivors of violence and/or torture;
  - refugees with legal and/or physical protection needs;
  - refugees with medical needs or disabilities;
  - children and adolescents at risk;
  - persons at risk due to their sexual orientation or gender identity; and
  - refugees with family links in resettlement countries.
- 3.3 All Councils were asked what capacity they had to assist refugees. On the 14 October 2015 at the full Council meeting Members agreed that we should support the scheme to resettle Syrian refugees, and gave authority to the Head of Community and Customer Services to work with a range of partners to this end. This is consistent with what other Councils have agreed and within the County 9 out of the 10 District Councils are supporting the scheme.
- 3.4 The commitment that Watford has made is to accept 50 individuals over the 5 years of the scheme, or around 10 individuals a year. To date the Council has accepted 3 families, comprising of 11 individuals.
- 3.5 The Home Office has set out the requirements to take part in the scheme which stipulates what should be provided, including support and access to services such as ESOL (English as a Second Language). Given that many of the families come from war torn areas with often little or no grasp of English, or familiarity with the culture and society to which they will be moved. To make the move successful high levels of support are needed, particularly in the first year.

The details of what is required from the Home Office in its 'Statement of Requirements' is set out in Appendix 1.

- 3.6 Discussions had taken place, amongst the 9 Districts in the County that had agreed to accept Syrian refugees, regarding how best to support Syrian refugees. Only one of the Councils considered that they had sufficient local resources to properly support refugees. The remaining 8 Councils agreed that additional support would need to be



arranged. Although at this point there was insufficient time to go through a full procurement exercise.

- 3.7 Discussions have taken place with the Refugee Council. The Refugee Council is a charity that operates nationally with substantial experience of supporting the resettlement of refugees.
- 3.8 We have entered into a contract with the Refugee Council. The term of the contract is for a year starting from the 27 April 2016, with the recognition that each refugee will be supported for a 12 month period from the point of arrival. Therefore a refugee arriving near the end of the contract term would receive the same level of support as those arriving sooner. This contract does not cover refugees arriving after 26 April 2017, unless the contract has been extended or varied to cover such circumstances.
- 3.9 The contract value is expected to be in the region of £41k for the first year. This is fully funded through the grant provided by the Home Office.
- 3.10 Due to the urgent need to have a contract in place to be able to support the arrival of the first refugees the exceptional circumstances provisions of the exemptions to the contract procedure rules were invoked and the letting of the contract to the Refugee Council was approved by the Head of Community and Client Services and Managing Director. As required by the rules this is being reported to Cabinet for information.

#### 4.0 **Implications**

##### 4.1 **Financial**

- 4.1.1 The Head of Finance (shared services) comments that the costs of this proposal are fully funded from a Home Office grant. Should that grant be subsequently withdrawn then a budget pressure would arise and a budget growth bid to council would have to be made in future years.

##### 4.2 **Legal Issues** (Monitoring Officer)

- 4.2.1 The Head of Democracy and Governance comments that the legal implications are contained within the report

##### 4.3 **Equalities**

- 4.3.1 The equalities impacts have been reviewed and it is considered that there are no negative impacts on those with protected characteristics. Given the focus on assisting vulnerable people it is likely that there will be a positive impact given the selection criteria as set out in paragraph 3.2 above. The criteria for the scheme include: women and girls at risk; people with disabilities; children and adolescents at risk; and those at risk due to sexual orientation and gender identity.

#### 4.4 Potential Risks

Potential Risk	Likelihood	Impact	Overall score
The Contractor fails to deliver contract commitments. This risk will be mitigated through regular contact liaison meetings.	1	3	3

#### Appendices

Appendix 1: Home Office Requirements for the Syrian Refugee Programme

#### Background Papers

No papers were used in the preparation of this report.

#### File Reference

None

## **Appendix 1: Home Office Requirements for the Syrian Refugee Programme**

### **ANNEX C – STATEMENT OF REQUIREMENTS**

#### **1. Section 1 – Delivery Requirements**

1.1 The Syrian VPR scheme is made up of two elements.

1.1.1 **Pre arrival** – Provision of medical and travel services enabling the migration of accepted Beneficiaries to the UK;

1.1.2 **Post arrival** – Housing provision, initial reception arrangements, casework and orientation support including English language provision.

1.2 The Authority requires the following deliverables:

#### **2. Post Arrival services**

Provision of accommodation:

2.1 The Recipient will meet and greet arriving Beneficiaries from the relevant airport and escort them to their properties briefing them on how to use the amenities

2.2 The Recipient will arrange accommodation for the arriving Beneficiaries which meets local authority standards and which will be available on their arrival and is affordable and sustainable

2.3 The Recipient will ensure that the accommodation is furnished appropriately. The furniture package should not include luxury items. This means that food storage, cooking and washing facilities can be provided but the facilities should not include the provision of other white goods or brown goods, i.e. TV's, DVD players or any other electrical entertainment appliances.

2.3.1 The Recipient will ensure that the Beneficiaries are registered with utility companies and ensure that arrangements for payments are put in place (no pre pay/card accounts)

2.3.2 The Recipient will provide briefings on the accommodation and health and safety issues for all new arrivals including the provision of an emergency contact point

Casework support service:

2.4 The Recipient will ensure that Beneficiaries are provided with a welcome pack of groceries on their arrival

2.5 The Recipient will provide a cash/ clothing allowances for each Beneficiary of £200 – this is to ensure they have sufficient funds to live on while their claim for benefits is being processed.

2.6 The Recipient will provide advice and assistance with registering for mainstream benefits and services and signposting to other advice and information giving agencies – this support includes:

2.6.1 Assisting with registration for and collection of Biometric Residence Permits following arrival

2.6.2 Registering with local schools, English language and literacy classes

2.6.3 Attending local Job Centre Plus appointments for benefit assessments

2.6.4 Registering with a local GP

2.6.5 Advice around and referral to appropriate mental health services and to specialist services for victims of torture as appropriate

2.6.6 Providing assistance with access to employment

2.7 The Recipient shall put in place a support plan for each family or individual for the 12 month period of their support to facilitate their orientation into their new home/area.

2.8 The Recipient shall put in place arrangements for the provision of English language classes which Beneficiaries should be able to access within one month of arrival. This should be provided following an assessment to determine the appropriate level of provision. This provision should be delivered by an accredited English for Speakers of Other Languages (ESOL) provider. This ESOL provision should be made available until such time as suitable mainstream provision becomes available or until 12 months after arrival (whichever is sooner). The purpose of the language tuition is to ensure that Beneficiaries are able to carry out basic transactions within the communities in which they have been placed.

2.9 Throughout the period of resettlement support the Recipient will ensure interpreting services are available.

2.10 The above services will be provided through a combination of office based appointments, drop in sessions, outreach surgeries and home visits. Requirements for Beneficiaries with special needs/assessed community care needs

2.11 Where Beneficiaries are identified as potentially having special needs/community care needs the Authority will ensure, as far as possible that these needs are clearly identified and communicated to the Recipient 6 weeks prior to the arrival of the Beneficiaries.

2.12 Where special needs/community care needs are identified only after arrival in the UK, the Recipient will use its best endeavours to ensure that care is provided by the appropriate mainstream services as quickly as possible

### **3. General Requirements**

Hours of operation:

3.1 The Recipient shall note that the Authority's offices perform normal business during the hours times of 09.00 to 17.00 on Working Days

3.2 The Programme as defined in the Statement of Requirements (SoR) shall be provided on each Working Day. The Authority recognises that in the interests of efficiency the exact availability and timings of the various service elements will vary. It is envisaged that some Out of Hours provision will be required from the Recipient

3.3 All premises used to deliver the Programme elements should meet all regulatory requirements and be suitable for the purpose.

3.4 The Recipient and/or its Delivery Partners shall develop, maintain and implement the following procedures:

3.4.1 A procedure for Beneficiaries to complain about the service provided by the Recipient.

3.4.2 A procedure for managing and reporting critical incidents. The Authority must be advised of such incidents as soon as reasonably possible, but in any event by the end of the next Working Day

Personnel standards:

3.5 The Recipient shall ensure that the recruitment, selection and training of its Staff, including persons employed by or as agents or sub-contractors to the Recipient, are consistent with the standards of service required for the performance of the service. The Recipient will fully equip and train staff to ensure they are able to fulfil their roles and ensure that appropriate and sufficient security provisions are made for all staff undertaking face-to-face activities. Also, the Recipient shall ensure that staffing levels are appropriate at all times for the purposes of the service and ensure the security and well-being of all Beneficiaries, dependent children and its staff.

3.6 The Recipient shall ensure that all applicants for employment in connection with the Requirement are obligated to declare on their application forms any previous criminal convictions subject always to the provisions of the Rehabilitation of Offenders Act 1974.

3.7 In addition, the Recipient shall ensure that all Staff (including volunteers and sub-contractors):

3.7.1 employed or engaged have the right to work in the United Kingdom under applicable immigration Law

3.7.2 Disclosure and Barring Service checks are undertaken on any potential Staff member. The results of such checks must be known before any employee undertakes duties requiring contact. Where such checks reveal prior criminal convictions that might reasonably be regarded as relevant to the appropriateness of the individual to have unsupervised access, particularly to children under the age of 18, or where such checks are not possible because of identification issues, the Recipient shall follow its internal policy and carry out an appropriate risk assessment before an offer of employment is made.

3.7.3 who are likely to have unsupervised access to children under the age of 18 have been instructed in accordance with the relevant national child protection guidelines (e.g. for people working in England, the Department for Education's Working Together to Safeguard Children, 2015) and the Local Safeguarding Children's Boards guidance and procedures.

3.7.4 Providing immigration advice should be known to the Office of the Immigration Services Commissioner (OISC) in accordance with the regulatory scheme specified under Part 5 of the Immigration & Asylum Act 1999. The Recipient shall use all reasonable endeavours to ensure that Staff do not provide immigration advice or immigration services unless they are "qualified" or "exempt" as determined and certified by OISC.

3.8 The Recipient shall, on request, provide the Authority with details of all staff (and volunteers and sub-contractor agents) delivering the service in this schedule.

3.9 The Recipient shall, on request, provide the Authority with CVs and/or job descriptions for all members of staff selected to work on the project.

3.10 The Recipient shall use all reasonable endeavours to comply with the requirements of the Computer Misuse Act 1990.

3.11 The Recipient shall implement the Programme in compliance with the provisions of the Data Protection Act 1998.

Information sharing:

3.12 The Authority expects the Recipient to share relevant information on the delivery of the Programme and on Beneficiaries by signing a Sharing of Information Protocol with relevant deliverers of the Programme.

3.13 Beneficiaries will be expected to sign a consent form to confirm their willingness to share personal data with executive bodies and relevant deliverers of the programme. The Recipient will retain these forms and will allow inspection by the Authority as requested.





**Report to:** Cabinet  
**Date of meeting:** 4 July 2016  
**Report of:** Head of Community & Customer Services  
**Title:** Investment in Watford's Adventure Playgrounds

### 1.0 **Summary**

- 1.1 This report highlights the investment the Council is making in its two Adventure Playgrounds at Harwoods and Harebreaks to create high quality, modern, creative and challenging Adventure Playgrounds with improved accessibility.
- 1.2 Funding for significant investment of up to £1.25 million into the Adventure Playgrounds has been made available by the Council for these new facilities, which will be open to all at all times.

### 2.0 **Recommendations**

- 2.1 To approve the outline design plans for the investment of up to £1.25 million into the two Adventure Playgrounds (Appendix A – Presentation Boards are also available at the meeting).
- 2.2 To approve the outline timetable for the investment at Appendix B.
- 2.3 To note the plans to communicate the investment and proposals to inform the Watford community of the plans for the future of the Adventure Playgrounds.

#### **Contact Officer:**

For further information on this report please contact:

Gary Oliver, Section Head, Culture and Play

Telephone extension: 8251, [gary.oliver@watfiord.gov.uk](mailto:gary.oliver@watfiord.gov.uk)

**Report approved by:** Alan Gough- Head of Customer and Community Services

### 3.0 **Detailed Proposal**

#### **Background**

- 3.1 It is recognised that play is an important factor to a child's development and considerable investment has been made in many local play facilities across the Borough. This investment is now being extended to the two Adventure Playgrounds (APGs), one at Harebreaks and one at Harwoods.
- 3.2 The current facilities at both APGs are in need of modernisation and current accessibility to the facilities is restricted to specific opening times.
- 3.3 The APGs are staffed at these opening times and these staff also provide Play Ranger services to the community at various locations throughout the year. Analysis of attendance figures show that the current take up of the facilities is focused on the local community with reach to other areas of the borough more limited.
- 3.4 The reduction and then removal of the Revenue Support Grant by Central Government means that the Council has to make savings of approximately £3m by April 2019. When this requirement is balanced against a Council desire to create an improved play offer that is high quality, modern, sustainable and more accessible, a transformational change is required.
- 3.5 It is acknowledged that this transformational change should not be seen as a reflection on the current Play Services provided.

#### **The Proposal**

- 3.6 A company called Southern Green was commissioned to provide design possibilities for the two APGs, with a brief including:
- making the Adventure Playgrounds accessible at all times, for ages 5 – 15 years
  - modern, innovative and challenging play experiences
  - designs to take into account health and safety guidance
  - play areas to be durable and sustainable and equipment to have a 20 year lifespan
  - providing a destination for families from across the borough
  - specifically in relation to Harebreaks to work with the existing natural environment
- 3.7 This has given rise to the outline designs shown at appendix A, and on the presentation boards available at the meeting. Please note that these are only outline proposals and are subject to change.

3.8 In summary:

Harwoods Adventure Playground will be a number of play zones which encourage different types of adventurous play opportunities in different environments:

- a welcoming space for families gathering together, seating, and play equipment for younger children so that there is a full family offer provided
- a climbing wall
- an iconic tower with aerial tunnel, slides, and bridge
- adventure trail challenges
- double zip wire
- exciting swing area and natural play areas

This all to be integrated and linked to the existing MUGA and other outdoor areas. The whole area will be connected by a landscaping scheme including new planting and walkways. It will be necessary to remove some trees from this site in consultation with the Council's Arboricultural Officer.

3.9 For Harebreaks Adventure playground the same design criteria remain, however the proposals are tailored to the existing habitat. The play zones will include:

- a welcoming space for families gathering together,
- woodland transition, to encourage and intrigue visitors to venture within the woodland
- adventure trail challenges
- some of the former play area reverting back to a more natural habitat.

Again this will be linked to existing outdoor areas such as the existing playground.

3.10 The above proposals are innovative, challenging and creative and represent an investment into play which continues to add value and experiences to children's lives. These proposals are transformational and can be enjoyed all year round by children and families. Examples of some of the specific equipment at each site are in Appendix C.

3.11 The proposals will deliver an exciting play offer for older children across the borough. In view of this, it is expected that there will be community interest in what is planned at the two sites and people will want to find out more. Currently, two initial information events are proposed for early July, should this report be approved by Cabinet. These will be 'drop in' and will give people an opportunity to view the plans, which will also be made available via the council's website.

3.12 The above investment of up to £1.25m creates APGs that are not restricted to specific opening hours and do not require staffing. It is proposed that in addition, play

activities will be commissioned for the 2 week Easter break and for 6 weeks in the summer. These activities will support use of the two new APGs, Watford's parks and open spaces, the Big Events programme and other locations.

- 3.13 Regular inspection and maintenance of the new APGs will become part of the contract with Veolia. Appropriate signage will be placed at the entrances to the APGs welcoming visitors and advising on use of the equipment.

#### 4.0 **Implications**

##### 4.1 **Financial**

- 4.1.1 The Head of Finance (shared services) comments that resources have been allocated in the capital programme 2016/17 to deliver the investment proposals of up to £1.25 million. Savings of up to £250,000 per annum will be delivered from the Play Service revenue budget from April 2017. The costs of redundancies (where applicable) will be recovered from the savings within the first 12 months following the redundancies. Once agreed, service budgets will be adjusted to reflect the savings.

##### 4.2 **Legal Issues** (Monitoring Officer)

- 4.2.1 The Head of Democracy and Governance comments that a procurement exercise was undertaken to obtain the services of Southern Green. The Council will follow it's employment policies in dealing with the impact on staff.

##### 4.3 **Equalities**

- 4.3.1 The new APGs will be accessible at all times. An equalities impact analysis is being developed alongside the proposals.

##### 4.4 **Potential Risks**

Potential Risk	Likelihood	Impact	Overall score
Costs exceed budget	1	4	4
Future revenue savings not achieved	1	4	4
Designs not implemented in time	1	3	3

##### 4.5 **Staffing**

- 4.5.1 All current play staff will be put at risk of redundancy. A post will be created to continue the commissioning of play activities and provide resilience to the Culture and Play section in responding to future challenges. It is proposed that the consultation processes and procedures detailed in the Council's 'Redundancy, Restructure and Reorganisation' policy will be followed.

##### 4.6 **Accommodation**

- 4.6.1 There are no accommodation implications.

**4.7 Community Safety**

- 4.7.1 The play spaces will be available at all times, and, as with any other freely accessible play space any Community Safety issues that do arise will be dealt with swiftly and appropriately.

**4.8 Sustainability**

- 4.8.1 The equipment will have a 20 year lifespan.

**Appendices**

Appendix A – Overview of the designs for the new APGs

Appendix B – Outline timetable

Appendix C – Examples of some of the specific equipment proposed

**Background Papers:** There are none

**File Reference:** N/A



## Harwoods APG

### Proposed Play Zones

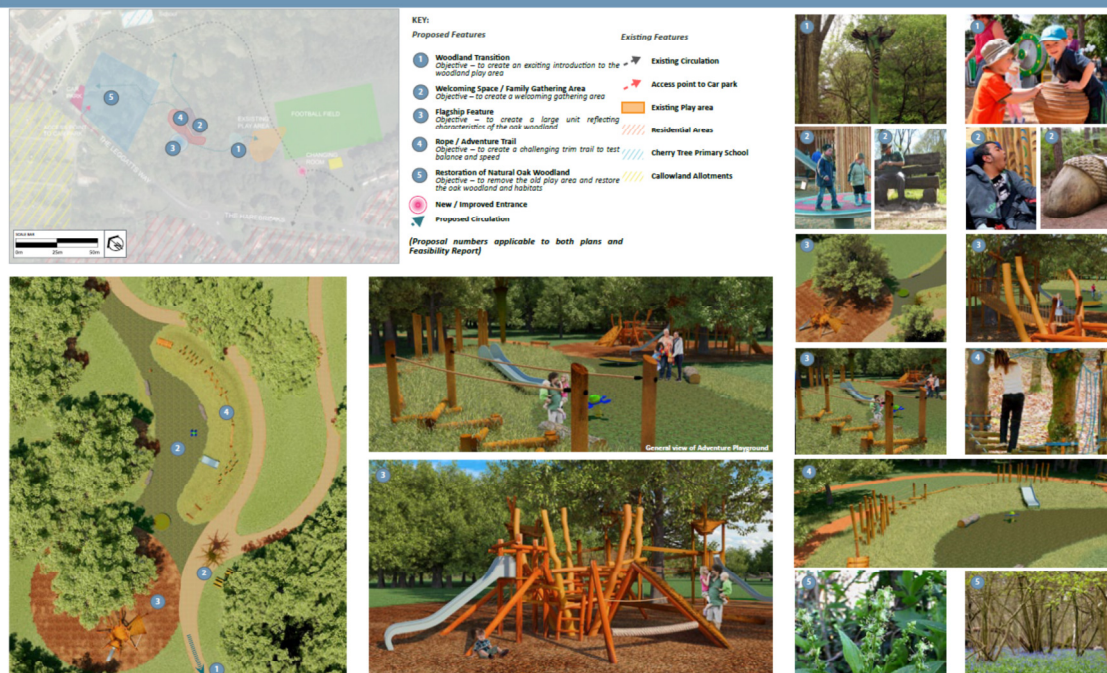


### WATFORD PLAY REVIEW - HARWOODS

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chartered landscape architects

## Harebreaks APG

### Proposed Play Zones



### WATFORD PLAY REVIEW - HAREBREAKS

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## Appendix B

Date	Action / Decision
04.07.16	Cabinet determine report recommendations
9 & 11.07.16	Community engagement on the proposals
31.10.16	Work on provision of new Adventure Playgrounds commences (including demolition and removal of old buildings / equipment)
May 2017	New Adventure Playgrounds open



Harwoods APG



WATFORD PLAY REVIEW - HARWOODS



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WATFORD PLAY REVIEW - HARWOODS



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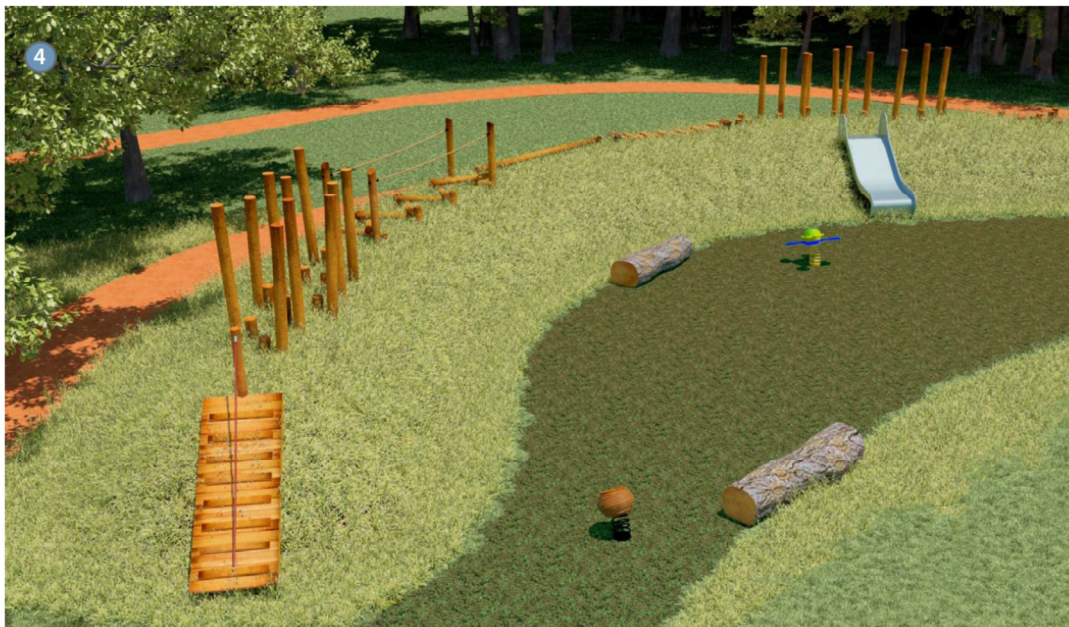
## Harebreaks APG



WATFORD PLAY REVIEW - HAREBREAKS



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**Report to:** Budget Panel / Cabinet  
**Date of meeting:** 28 June 2016 / 4 July 2016  
**Report of:** Director of Finance  
**Title:** Summary of the Financial Outturn 2015/16

### 1.0 Summary

- 1.1 This report informs Cabinet of the revenue and capital outturns for financial year 2015/16.
- 1.2 The revised net revenue budget for 2015/16 (set at Council in January 2016) was **£16.522 million**. The council outturn position at 31 March 2016 was **£15.228 million**. At Leadership Team on 7 June 2016, carry forward of budgets from 2015/16 to 2016/17 of £1.190 million were recommended. This gives a final outturn of **£16.418 million**. The Council therefore reports a favourable variance of **£0.104 million**.
- 1.3 Also in January 2016, the Council agreed a revised capital budget of **£16.769 million**. £9.125 million has been re-phased to later years in the MTFS resulting in a revised in-year capital programme of **£7.644 million**. At 31 March 2016 the Council had spent **£7.749 million** giving an unfavourable variance of **£0.105 million**. This variance has been match-funded by additional grant and use of earmarked reserves in year.

### 2.0 Recommendations

- 2.1 To consider the revenue outturn as summarised at Paragraph 4.1, and supplementary notes at Appendices 1 to 5 and to note the year end position, which includes carry forwards.
- 2.2 To approve the 2015/16 budget carry forwards into 2016/17 as recommended by Leadership Team totalling **£1.190 million** as detailed at Appendix 3.
- 2.4 To consider the capital outturn as summarised at Paragraph 5.1 and shown in detail in Appendix 5. To confirm the re-phasing of **£9.125 million** into 2016/17.

#### Contact Officer:

For further information on this report please contact Bob Watson, Head of Finance, telephone extension 7188, email [bob.watson@threerivers.gov.uk](mailto:bob.watson@threerivers.gov.uk)

### 3.0 Introduction

- 3.1 A key feature of reporting the outturn for the financial year is to compare it against the revised budget which provides an indication of accuracy and robustness of financial control and the achievement of the Council's priority to operate the Council efficiently and effectively.
- 3.2 This report provides an analysis of the revenue and capital outturns for 2015/16. A more detailed financial report can be found in the draft Statement of Accounts that was reported to the Audit Committee on 27 June 2016.

### 4.0 Revenue Outturn 2015/16

- 4.1 The table below shows the net expenditure by service area which compares the revised budget (as approved by Council on 27 January 2016) to the outturn. The net effect, after carry forwards is an under spend on the cost of services of £0.124 million.

<b>2015/16 Revenue Account - General Fund Summary</b>				
<b>Service Area</b>	<b>Original Budget £000</b>	<b>Revised Budget £000</b>	<b>Outturn £000</b>	<b>Variance £000</b>
Corporate Strategy and Client Services	6,949	7,391	6,768	(623)
Community and Customer Services	3,677	4,469	4,901	432
Democracy and Governance	3,215	3,322	3,097	(225)
Regeneration and Development	(4,797)	(4,511)	(5,164)	(653)
Managing Director	252	254	273	19
Human Resources	574	593	611	18
Strategic Finance (including ICT)	5,002	5,005	4,743	(262)
<b>Net General Fund</b>	<b>14,872</b>	<b>16,522</b>	<b>15,228</b>	<b>(1,294)</b>
<b>Recommended carry forwards</b>			<b>1,190</b>	
<b>Revised final outturn</b>	<b>14,872</b>	<b>16,522</b>	<b>16,418</b>	<b>(104)</b>
<p><b>Notes:</b>            The above table includes only direct costs and incomes. Technical accounting adjustments for internal recharges and capital charges have been excluded as these have no effect on the Council's net general fund position.</p> <p>The Leadership Team meeting held on the 7th June 2016 agreed the carry forwards.</p>				

- 4.2 **Appendix 1** details the variances over £10k when comparing the revised budget to the outturn. Some of the significant favourable variances are £352k from an over-achievement of commercial property rent income; £199k from increased rent allowances income and £173k additional recycling credits and funding from Hertfordshire County Council. The main key unfavourable variance is £538k in the housing service due to the pressures of the housing crisis and the Council's statutory housing responsibilities.
- 4.3 **Appendix 2** details the funding variances when comparing the revised budget to the outturn.
- 4.4 **Appendix 3** details the requests to carry forward budgets to 2016/17 amounting to **£1.190 million**. These requests were reviewed by Leadership Team on 7 June 2016. Leadership team considered all requests and support those requests put forward at this appendix.
- 4.5 **Appendix 4** shows the level of useable earmarked reserves held by the council, which stand at **£23.783 million** at the end of the year. The Council's general fund balance is set at a prudent level of **£1.350 million**.
- 5.0 **Capital Outturn 2015/16**
- 5.1 **Appendix 5** shows a detailed analysis of the council's capital programme; the re-phased budget of £7.644 million and the outturn of £7.749 million giving a net increase in capital spend of £0.105 million funded by use of the earmarked vehicle replacement reserve (£69k) and additional external grant funding.
- 5.2 Investment within Watford is seen as a key priority and has been financed from capital receipts and government grant. Capital expenditure totalling £34.221 million is planned for the period 2016/19 (2016/17 £22.405 million) and built into the medium term financial strategy.
- 6.0 **Conclusion**
- 6.1 The 2015/16 the Council had an underspend after carry forwards which amounted to £0.104 million.
- 6.2 The 2015/16 capital programme outturn contains a net variance of £0.105 million against a re-phased budget of £7.644 million. This is funded by use of earmarked reserves or increased grant contributions.

- 6.3 The Council continues to face some medium term revenue pressures whilst maintaining an ambitious programme of capital investment which includes ensuring its infrastructure/assets are well maintained as well as seeking to move forward through the development of key projects where the aim is to secure the future prosperity of the Watford area and the sustainability of the Council.
- 6.4 When the latest budget was set in January 2016, the Council budgeted to contribute £141k to reserves. The final outturn contribution is confirmed as £245k. This is shown in the table below:

	<b>Latest Budget £000</b>	<b>Outturn £000</b>	<b>Notes</b>
<b><u>Expenditure (net)</u></b>			
Cost of services	16,522	16,418	
Budgeted surplus at year end	141	141	
Additional surplus at outturn		104	(1)
	<b>16,663</b>	<b>16,663</b>	
<b><u>Funding</u></b>			
Council tax and grants	(15,406)	(15,533)	(2)
Use of specific reserves	(1,257)	(1,130)	(3)
	<b>(16,663)</b>	<b>(16,663)</b>	

**Notes**

- (1) Surplus on outturn after carry forwards
- (2) Increased government grant (Ctax freeze and new burdens (s.31))
- (3) Reduced use of reserves

## **7.0 Financial Implications**

- 7.1 These have been included within the report.

## **8.0 Legal Implications**

- 8.1 There are no legal implications in the report.



## 9.0 Potential Risks

Potential Risk	Likelihood	Impact	Overall Score
A material error within the Final Accounts needs adjustment through the Council's reserve balances.	1	2	2
Proposed carry forward requests are not approved, resulting in in-year pressures in 2016/17	1	2	2

## 10.0 Equalities

10.1 Watford Borough Council is committed to equality and diversity as an employer, service provider and as a strategic partner. In order to fulfil this commitment and its duties under the Equality Act 2010 it is important to demonstrate how policies, practices and decisions impact on people with different protected characteristics. It is also important to demonstrate that the Council is not discriminating unlawfully when carrying out any of its functions.

10.2 The reporting of the 2015/16 outturn does not have any direct equality implications, in effect it is reporting upon the financial consequences of policies already established by the Council and is not seeking to change those policies in any way.

### Appendices:

Appendix 1 Major Variances 2015/16

Appendix 2 Funding Variances 2015/16

Appendix 3 Carry Forward requests into 2016/17

Appendix 4 Reserves 2015/16

Appendix 5 Capital Outturn 2015/16

**2015/16 Major Variances - Revised Budget v Revenue Outturn**

	<b>Variance (£000s)</b>	<b>Comment</b>
<b><u>Corporate Strategy &amp; Client Services</u></b>		
Veolia Contract Payments	41	Environmental Maintenance Contract - across all service areas
Highways	(40)	Herts CC Environmental Maintenance income received
Parks & Open Spaces	(47)	Rent - Advertising and Veolia Park income received and reallocated Operating Lease costs
Cemeteries	(71)	Increased Sale of Grave Spaces/Burial & Memorial Fees, reallocated Operating Lease costs
Colosseum (Landlord Costs)	(37)	Contingency not spent
SLM (Central & Woodside)	(31)	Increased Management Fee from Service Provider, overspend on Repairs & Maintenance, underspend on Development Work
Centrepont Community Centre	(45)	Increased Room Hire, no spend against Repairs & Maintenance, Contingency not spent
Grants - Admin. & Gen.	(24)	Underspend on Printing & Stationery and Contingency
Recycling - Kerbside	(173)	Increased Recycling Credits & Alternative Financial Model funding from Herts CC
Wiggenhall Depot	(64)	Veolia refunded backdated WBC utility costs, underspend on rates
Partnerships & Performance	(107)	Underspend on allocated projects (salaries/agency) and on 'Special Projects' code
Watford Learning Partnership	(13)	Underspend on Grants & Contributions
Communications	(33)	Underspend on Website Development, Prof. Fees - Consultancy, Advertising - General and Licences, over on Staff Advertising
	21	Other variances
<b>Corporate Strategy &amp; Client Services - Sub Total</b>	<b>(623)</b>	

	<b>Variance (£000s)</b>	<b><u>Comment</u></b>
<b><u>Community &amp; Customer Services</u></b>		
Printing Section	57	Under-recovery of printing charges
Information Unit	(38)	Subscriptions
Customer Service Centre	(30)	Staff vacancies, consultancy, telephones and software maintenance
Enabling	12	Private sector initiatives costs partially offset by staff vacancy savings
WBC Properties	(144)	Increased rent income, reduced expenditure on repairs and other projects.
Housing Refugees	12	Accommodation costs (it is anticipated that this will be refunded by central government in 2016/17)
Housing Supply	538	Increased cost of housing homeless families. The majority (over £500k) of this overspend is due to the pressures of the housing crisis and the statutory housing responsibilities the Council has to fulfil.
Housing Demand	152	Mainly from legal costs defending homelessness decisions and also for agency staff
Community Safety	(31)	Reduction in expenditure on grants
Environmental Health Team	30	Increased expenditure on agency staff
Environmental Protection	(64)	Underspend on major projects; to be re-phased
Licensing Team	29	One off restructuring costs
Licensing Act 2003	(24)	Increased licence fee income (demand led)
Sex Establishment Licensing	30	Legal fees for court case
Climate Change	(20)	Underspend on agency staff funded from Climate Change Reserve
Abandoned Cars	(13)	Saving in fees paid out following the service being brought back in house.
Town Centre Special Events	(54)	Budget was for 2 years, but was all loaded into the first year. Balance re-phased to 2016/17.
Sports Development Activities	12	Venue hire
	(21)	Other variances
<b>Community &amp; Customer Services - Sub Total</b>	<b>433</b>	

	<b>Variance</b> <b>(£000s)</b>	<b>Comment</b>
<b><u>Democracy &amp; Governance</u></b>		-
Legal Services Team	(12)	Underspend on Salaries/Agency, and Publications
Members Remuneration	(19)	Underspend on Members Allowances, NI, Training & Hospitality
Register of Electors	(17)	New Burdens Grant received, Underspend on Canvass Fees & Miscellaneous Expenses
Borough Council Elections	11	Overspend on Printing and Stationery
County Council Elections	(21)	Underspend on Equipment, Furniture & Materials
Operational Building Maintenance	(65)	Underspends on Property Maintenance - Routine, Planned, Statues & Monuments
Special Emergency	(42)	Underspend on Property Maintenance (NHS project)
Town Hall Offices & Council Suite	(35)	Increased Service Charge income, underspends on Utilities, Window Cleaning, Security Services and Contract Security Services
	(25)	Other variances
<b>Democracy &amp; Governance - Sub Total</b>	<b>(225)</b>	

	<b>Variance</b> <b>(£000s)</b>	<b>Comment</b>
<b><u>Regeneration &amp; Development</u></b>		
Valuation & Estates Group	(167)	Underspend on consultancy for Atrium project (140K) and vacancy savings (31K)
General Property Administration	(76)	Lower bad debt write-off (provided for at 100K) which offsets reduced income from miscellaneous fees and charges 24K
Commercial Properties	(352)	Increased rental income
Car Parks - Other Sites	37	Increase in business rates
Multi-Storey Car Park	(153)	Increased fees and charges (190K) and increased consultancy 37K.
Multi-Storey Car Park - Church	11	Increased rent paid
Development Control	116	Consultancy 36K, increased employee and agency costs 27K, reduction in fee income 27K and restructuring costs 26K
CCTV	11	Overspend on maintenance of equipment
Planning & Transportation Mgt	(19)	Vacancy savings
Parking Service	29	Expenditure to be funded from CPZ reserve
The Avenue Car Park	19	Reduction in fees and charges received
Town Hall Car Park	(25)	Increased fees and charges received
Policy Team	(91)	Underspend on reserve funded expenditure for Local Plan, and viability studies for Clarendon Road and Watford Junction
Economic Development	60	Overspend on grants and contributions 72K and underspend on agency staff (12K)
Economic Development Projects	35	Expenditure to be funded from LABGI reserve
Business Improvement District	(65)	Underspend on projects (36K) and final stages of BID loan (29K)
	(24)	Other variances, mostly across the commercial property portfolio
<b>Regeneration &amp; Development - Sub Total</b>	<b>(654)</b>	

	<b>Variance (£000s)</b>	<b><u>Comment</u></b>
<b><u>Managing Director</u></b>		
Corporate Strategy Team	20	No spend on Contingency, Professional Fees - Consultancy to be funded from reserves
	(1)	Other variances
<b>Managing Director - Sub Total</b>	<b>19</b>	

	<b>Variance (£000s)</b>	<b><u>Comment</u></b>
<b><u>Human Resources</u></b>		
Corporate Employee	15	Increased Training Course Fees income and increased Training costs
	3	Other variances
<b>Human Resources- Sub Total</b>	<b>18</b>	

	<b>Variance</b> <b>(£000s)</b>	<b><u>Comment</u></b>
<b>Strategic Finance</b>		
Finance Services	(18)	Underspend on Supplies & Services
Budget Strategy Items	(26)	Repayment of unsecured loan (East of England) and underspend on Supplies & Services
Non-distributable cost-FRS17	46	Early retirement pension cost
Finance Services Client	(136)	Reduced TRDC provision of service cost
Insurance Services Client	19	Reduced income (INTU - car parks, WRP - buildings)
Revenues & Benefits Client	82	Increased TRDC provision of service cost
Income & Cashiers Client	19	Reduced Fees & Charges (Reminders) & no grant income
Taxation - NNDR Client	(168)	No Court Costs income or NNDR Discretionary Relief
Taxation - Council Tax Client	44	Under on Court Costs income and overspend on Postages
Council Tax Benefits Client	(46)	Grants received (New Burdens and other)
Rent Allowances Client	(199)	Increase in rent allowances and in year funding, reduced bad debt provision
Housing Benefits Client	(18)	Reduced DHP grant and spend.
ICT Services Client	75	Overspends on Telephones and Hardware, efficiency savings not made
G.I.S.	20	Overspend on Software licences
ICT Services	36	Increased TRDC provision of service cost, increased employee costs (agency staff)
	8	Other variances
<b>Strategic Finance - Sub Total</b>	<b>(262)</b>	
<b>Total Outturn Variance</b>	<b>(1,294)</b>	

**2015/16 Funding Variances - General Fund**

<b>Government Grants &amp; Other Funding</b>	<b>Revised Budget £000</b>	<b>Actuals £000</b>	<b>Variance £000</b>	<b>Comments</b>
<b>Government Grants</b>				
Revenue Support Grant	(2,166)	(2,166)	0	
Redistributed Business Rates	(2,389)	(2,389)	0	
<b>Collection Fund Deficit/(Surplus)</b>				
Collection Fund Surplus	(250)	(314)	(64)	Better than expected collection rates
<b>Council Tax Receipts</b>	(7,696)	(7,696)	0	
<b>Other Government Funding</b>				
Council Tax Freeze Grant	(83)	(88)	(5)	
New Homes Bonus	(2,822)	(2,822)	0	
Non Specific Grant	0	(58)	(58)	New burdens funding (s.31)
<b>Total Taxation and Non-Specific Grants</b>	<b>(15,406)</b>	<b>(15,533)</b>	<b>(127)</b>	



**Service Budget Carry Forward Requests from 2015/16 to 2016/17**

**Appendix 3**

<b>Cost Centre Description</b>	<b>Reason for Carry Forward Request</b>	<b>Agreed by Leadership Team £</b>
<b><u>Corporate Strategy &amp; Client Services</u></b>		
Partnerships & Performance	LSP - "One Watford" - money to support partnership priorities	11,000
Partnerships & Performance	This is a corporate budget to support the Innovation Fund	16,500
Partnerships & Performance	Temporary staff budget to fund Project Management Office Co-Ordinator post	63,000
Watford Health Inequalities	Partnership budget held for learning related initiatives - set up pooled reserve	align="right">16,880
Watford Learning Partnership		
Communications	Website money held over for govdelivery and new intranet as discussed at PMB	21,300
Colosseum	Contribution toward building/roof surveys and BMS system ad discussed at AMG	35,000
Holywell Community Centre	Contribution towards Leisure Centre Management Contract retender as agreed with MD and Finance Director	align="right">44,370
Orbital Community Centre		
SLM - Central & Woodside		
Centrepont Community Centre		
Meriden Community Centre	Meriden project - redevelopment of building and ATP identified as part of delayed partnership funded project	6,630
Grants - Administration & General	Contribution towards Sports Facility Strategy to fund associated project work on Oxhey Park North as agreed by MD	20,400
Refuse - Domestic	To support set up costs of Phase 2 WBC website for service report IT functions - Jadu	30,000
<b>Total Corporate Strategy &amp; Client Services</b>		<b>265,080</b>

Cost Centre Description	Reason for Carry Forward Request	Agreed by Leadership Team £
<b><u>Community and Customer Services</u></b>		
Information Unit	Carry over funds for the upgrade to the GIS system which has been delayed pending the transfer to a UniForm hosted service. The GIS system upgrade is dependent on UniForm operating on a higher version.	30,000
Town Centre Special Events	This is the contracted sum for Year 2 of the 2 year ice rink contract	60,000
Community Safety	Monies to pay for Domestic Homicide Reviews	15,900
Public Health & Nuisance	Unspent, but allocated, Public Health grant from HCC	63,560
Temporary Accommodation	Joint Venture Housing Company – set up costs	20,000
Environmental Health Team	Monies paid in by other LAs to WBC to fund Hertfordshire wide Better Business for All partnership work	2,500
<b>Total Community and Customer Services</b>		<b>191,960</b>
<b><u>Regeneration &amp; Development</u></b>		
Planning Policy	Local development framework	60,220
Planning Policy	Clarendon Road & Watford Junction	56,040
Valuation & Estates Group	Atrium	136,710
<b>Total Regeneration &amp; Development</b>		<b>252,970</b>

Cost Centre Description	Reason for Carry Forward Request	Agreed by Leadership Team £
<b><u>Democracy &amp; Governance</u></b>		
County Council Elections	Purchase of tables, ballot boxes, postal vote scanners, disabled polling booths and printer. Cover cost of backdated regrade of Electoral Services Officer.	20,330
<b>Total Democracy &amp; Governance</b>		<b>20,330</b>
<b><u>Managing Director</u></b>		
Corporate Strategy Team	Front-funding the senior management restructure and service changes (Digital Watford; service transformation). This is funded from the generic council underspend.	400,000
<b>Total Managing Director</b>		<b>400,000</b>
<b><u>Finance</u></b>		
Finance Shared Services	The carry forward is necessary to fund additional interim staff who are covering the closing of the 2015/16 accounts. The carry forward will also fund the essential upgrade to the Financial Management System (efinancials)	60,000
<b>Total Finance</b>		<b>60,000</b>
<b>Total All</b>		<b>1,190,340</b>

**Council reserves (useable)**

<b>RESERVES</b>	<b>Balance at 31 Mar 15 £000</b>	<b>Additions in year £000</b>	<b>Use in year £000</b>	<b>Balance at 31 Mar 16 £000</b>
<b><u>CAPITAL RESERVES</u></b>				
Capital Fund	0	(2,150)	1,340	<b>(810)</b>
Vehicle Replacement	(725)	0	415	<b>(310)</b>
Weekly Collection Support Grant	(193)	0	5	<b>(188)</b>
Development Sites Decontamination	(646)	0	200	<b>(446)</b>
New Homes Bonus	(3,611)	(458)	0	<b>(4,069)</b>
Performance Reward Grant (Capital)	(191)	0	0	<b>(191)</b>
Project and Programme Management (Capital)	(400)	0	149	<b>(251)</b>
<b>Total Capital Reserves</b>	<b>(5,766)</b>	<b>(2,608)</b>	<b>2,109</b>	<b>(6,265)</b>
<b><u>REVENUE RESERVES</u></b>				
Budget Carry Forward	(1,612)	(1,190)	1,612	<b>(1,190)</b>
Business Rates	(4,661)	0	0	<b>(4,661)</b>
Car Parking Zones	(707)	(68)	0	<b>(775)</b>
Charter Place Tenants	(160)	0	0	<b>(160)</b>
Climate Change	(57)	0	0	<b>(57)</b>
Community Infrastructure Levy (CIL)	0	0	0	<b>0</b>
Homelessness Prevention	(113)	0	0	<b>(113)</b>
Le Marie Centre Repairs	(12)	0	0	<b>(12)</b>
Leisure Structured Maintenance	(423)	0	0	<b>(423)</b>
Multi-Storey Car Park Repair	(181)	0	0	<b>(181)</b>
Parks, Waste & Street Strategy	(60)	0	0	<b>(60)</b>
Rent Deposit Guarantee Scheme	(100)	0	0	<b>(100)</b>
Crematorium	(50)	0	0	<b>(50)</b>
Area Based Grant	(85)	0	0	<b>(85)</b>
Economic Impact	(2,087)	(1,942)	0	<b>(4,029)</b>
High Street Innovation	(90)	0	0	<b>(90)</b>
Housing Benefit Subsidy	(996)	0	0	<b>(996)</b>
Housing Planning Delivery Grant	(266)	0	0	<b>(266)</b>
Invest to Save	(839)	0	0	<b>(839)</b>
LA Business Growth Incentive (LABGI)	(570)	0	0	<b>(570)</b>
Local Development Framework	(178)	0	0	<b>(178)</b>
Pension Funding	(2,249)	0	0	<b>(2,249)</b>
Performance Reward Grant (Revenue)	(29)	0	0	<b>(29)</b>
Project and Programme Management (Revenue)	(600)	0	196	<b>(404)</b>
<b>Total Revenue Reserves</b>	<b>(16,125)</b>	<b>(3,200)</b>	<b>1,808</b>	<b>(17,518)</b>
<b>General Fund Working Balance (GFWB)</b>	<b>(1,350)</b>	<b>0</b>	<b>0</b>	<b>(1,350)</b>

Cost Centre Description	Original Budget 2015/16	Latest Budget 2015/16	Re-phasing	Re-phased budget	Outturn 2015/16	Variance	Reason for Requesting Re-phasing
ICT - Document Management Process	0.00	15,000.00	4,036.00	10,964.00	10,963.96	0.00	Still awaiting all Year 1 costs so re-phasing is considered necessary
ICT-Env Health	45,000.00	420,000.00	13,460.00	406,540.00	406,472.45	-68.00	
Replacement Domestic Bins	20,000.00	0.00	0.00	0.00	0.00	0.00	
CCTV Control Room Relocation	0.00	9,795.00	0.00	9,795.00	16,764.00	6,969.00	Increased costs funded by Intu contribution
Watford Business Park Redevelopment	0.00	2,315,500.00	975,636.00	1,339,864.00	1,339,864.04	0.00	Delay in undertaking further purchases due to renegotiations as a result of ground condition information
Town Hall Subway CCTV	37,000.00	37,000.00	17,300.00	19,700.00	19,699.73	0.00	Contractor costs greater than estimated due to unforeseen conditions
Clarendon Road Streetscape Improvements	18,000.00	18,000.00	18,000.00	0.00	0.00	0.00	No further re-phasing allowable
Intro Electric Vehicle Charging	20,000.00	20,000.00	17,265.00	2,735.00	2,734.89	0.00	Works on the Peace Prospect Electric Vehicle site have now been cancelled due to insufficient UKPN power supply. New sites in New Road and George Street now being investigated with Electric Blue and E-car for potential delivery in 2016-17
Private Sector Stock Condition	150,000.00	50,000.00	50,000.00	0.00	0.00	0.00	Overspend funded by vehicle replacement reserve
Veolia Contract Fleet Requirements	0.00	124,750.00	0.00	124,750.00	135,922.90	11,173.00	
Meriden Community Centre Redevelopment	150,000.00	320,000.00	294,000.00	26,000.00	25,967.46	-33.00	
Allotments Upgrades	0.00	693,950.00	416,990.00	276,960.00	224,723.47	-52,237.00	Re-phase ongoing works taking account of overspends on cost centres WAA202 and WAA954
Farm Terrace Allotments	0.00	60,000.00	0.00	60,000.00	61,913.62	1,914.00	Overspend offset by budget adjustment to cost centre WAA201
Atrium / GIS	0.00	17,012.00	0.00	17,012.00	17,011.96	0.00	2015/16 system creditor provision unused
Car Parks Structure Survey	0.00	0.00	0.00	0.00	-403.40	-403.00	

Cost Centre Description	Original Budget 2015/16	Latest Budget 2015/16	Re-phasing	Re-phased budget	Outturn 2015/16	Variance	Reason for Requesting Re-phasing
New Market	0	180,000.00	122,573.00	57,427.00	57,426.94	0.00	Delays to work resulting in carry over
Telephony-Cost of Server Replacement	0	10,300.00	0.00	10,300.00	0.00	-10,300.00	Budget not required
Museum CCTV Intruder Alarm System	0	30,314.00	0.00	30,314.00	30,314.03	0.00	
Town Centre CCTV Camera Replacement	21,000	21,000.00	1,711.00	19,289.00	19,289.00	0.00	Further camera replacement identified within the Town Centre
Gaelic Football Relocation	600,000.00	841,282.00	370,886.00	470,396.00	470,396.20	0.00	Project is ongoing with substantial work planned for 2016/17
Non PIB-Strat & Prog Disposal	0.00	0.00	16,796.00	-16,796.00	40,926.84	57,723.00	Offset due to PIB & Non PIB disposals. Further programmed disposals planned in 2016/17
PIB-Strat & Prog Disposal	0.00	83,000.00	16,796.00	66,204.00	8,481.50	-57,723.00	
Property Review	0.00	0.00	0.00	0.00	2,450.78	2,451.00	Budget slightly overspent
Yanmar Excavator & Trailer	0.00	20,177.00	0.00	20,177.00	20,177.78	1.00	
AS940 Brush Cutter	0.00	8,205.00	0.00	8,205.00	8,204.55	0.00	
2 x Dennis Cylinder Mowers	0.00	17,880.00	0.00	17,880.00	17,880.00	0.00	
Kubota Tractor & Flail	0.00	19,100.00	0.00	19,100.00	19,100.00	0.00	
Trimax Pegasus Gang Mower	0.00	23,200.00	0.00	23,200.00	23,200.00	0.00	
Scag V Ride Mower	0.00	6,478.00	0.00	6,478.00	6,478.00	0.00	
Kubota Utility Vehicle	0.00	13,800.00	0.00	13,800.00	13,800.00	0.00	
Large Mechanical Road Sweeper	0.00	103,000.00	0.00	103,000.00	103,000.00	0.00	
Transit Vans x 2	0.00	48,000.00	48,000.00	0.00	0.00	0.00	
Small Box Van	0.00	9,500.00	0.00	9,500.00	9,230.00	-270.00	
CSI Project	0.00	250,000.00	247,500.00	2,500.00	2,503.46	3.00	
Box Van	0.00	0.00	0.00	0.00	9,124.00	9,124.00	No approved budget - funded by vehicle replacement reserve
Compact Sweeper	0.00	0.00	0.00	0.00	38,985.00	38,985.00	No approved budget - funded by vehicle replacement reserve
Envirocrime Van	0.00	0.00	0.00	0.00	9,507.90	9,508.00	No approved budget - funded by vehicle replacement reserve

Cost Centre Description	Original Budget 2015/16	Latest Budget 2015/16	Re-phasing	Re-phased budget	Outturn 2015/16	Variance	Reason for Requesting Re-phasing
Improvements Community Centres	100,000.00	9,160.00	9,160.00	0.00	0.00	0.00	Costs anticipated for CPO compensation with 3rd party land owner not agreed and still under negotiation resulting in delays
Health Campus-Provision	500,000.00	646,830.00	179,577.00	467,253.00	467,253.48	0.00	
Health Campus-Contrib to LABV	3,000,000.00	2,000,000.00	2,000,000.00	0.00	0.00	0.00	
Charter Place	0.00	0.00	0.00	0.00	5,757.23	5,757.00	Cost funded by prior year capital grants unapplied
Upgrading/Resurfacing CarParks	0.00	59,111.00	19,507.00	39,604.00	39,604.27	0.00	Additional patching works to be undertaken in Longspring Car Park. Joint sealing planned for the Town Hall Car Park. Works planned for 2016-17 delivery
Match Funding Capital Projects	35,000.00	50,890.00	47,378.00	3,512.00	3,511.88	0.00	Re-phasing of budget required to support major schemes planned by HCC in both Clarendon Road (phase 3) and the Town Hall Square
Green Spaces Strategy	150,000.00	250,000.00	0.00	250,000.00	300,322.61	50,323.00	Overspend offset by budget adjustment to cost centre WAA201
Website Enhancement	0.00	150,000.00	3,400.00	146,600.00	146,591.54	-8.00	Some outstanding works remain meaning budget re-phasing is required
Cultural Quarter Ph 1	89,710.00	460,136.00	181,400.00	278,736.00	278,709.87	-26.00	Final payment and completion of all works still awaited
Retained Housing Stock	50,000.00	134,603.00	113,800.00	20,803.00	20,777.05	-26.00	Commencement of improvement works now due to start in 2016/17
Veolia Capital Improvements	92,100.00	92,100.00	0.00	92,100.00	91,308.12	-792.00	
Additional Green waste Bins	18,000.00	0.00	0.00	0.00	0.00	0.00	
Building Investment Programme	400,000.00	429,600.00	212,000.00	217,600.00	217,445.86	-154.00	Re-phasing of project funding to meet approved capital investment programme projects for 2016/17 as defined in the capital programme strategy. I.E underspends will carry forward to meet following years demands which fluctuate as corporate direction/priorities are reviewed
Himalayan Way Play Area	0.00	62,820.00	7,100.00	55,720.00	55,720.00	0.00	Further works planned for 2016/17
Berry Avenue Play Area	0.00	120,000.00	6,025.00	113,975.00	113,975.18	0.00	Further works planned for 2016/17

Cost Centre Description	Original Budget 2015/16	Latest Budget 2015/16	Re-phasing	Re-phased budget	Outturn 2015/16	Variance	Reason for Requesting Re-phasing
Southwold Road Play Area	0.00	1,371.00	0.00	1,371.00	1,370.96	0.00	Further works planned for 2016/17
Ridgehurst Avenue Play Area	0.00	24,050.00	4,266.00	19,784.00	19,783.58	0.00	
Riverside Recreation Ground	0.00	165,257.00	0.00	165,257.00	165,495.38	238.00	
Colne River Project	0.00	60,387.00	11,450.00	48,937.00	48,937.10	0.00	Further works planned for 2016/17
Local Park Improvements	0.00	2,244.00	0.00	2,244.00	2,300.00	56.00	Further works planned for 2016/17
Local Nature Reserves	0.00	16,978.00	6,350.00	10,628.00	10,628.00	0.00	
Cassiobury Park HLF Project	2,816,760.00	3,116,385.00	2,608,718.00	507,667.00	507,666.62	0.00	
Mand Disabled Facilities Grant	400,000.00	594,462.00	252,570.00	341,892.00	341,888.98	-3.00	Re-phase adjusted as spend in 2015/16 greater than anticipated. Overall project on target
Decent Homes Assistance	200,000.00	254,966.00	0.00	254,966.00	352,051.63	97,086.00	Re-phasing is required as disabled facilities grants are often allocated in one financial year but paid the following year
Environmental Services Schemes	0.00	2,556.00	0.00	2,556.00	9,039.47	6,483.00	
Energy Grants	0.00	0.00	0.00	0.00	0.00	0.00	
Environmental Services Schemes	0.00	72,590.00	0.00	72,590.00	0.00	-72,590.00	No re-phasing required. Overspend funded by £30k contribution
Lower High St Cycle Scheme	0.00	35,393.00	15,393.00	20,000.00	20,000.00	0.00	From the National Energy Foundation (NEF)
Abbey Way Cycle Scheme	0.00	28,175.00	28,175.00	0.00	0.00	0.00	Works on the Abbey Way cycleway re-branding project with HCC delayed so the funds requires re-phasing. Delivery in 2016-17
HR Appraisal Module	0.00	3,600.00	0.00	3,600.00	5,700.00	2,100.00	Overspend funded by recharge to TRDC
ICT-Hardware Replacement Programme	160,000.00	238,537.00	0.00	238,537.00	8,069.95	230,467.00	Desktop rollout programme scheduled for early 2016/17
ICT-Project Management Provision	120,000.00	206,985.00	107,000.00	99,985.00	110,221.01	10,236.00	
TRDC ICT recharge to WBC	0.00	0.00	0.00	0.00	91,402.48	91,402.00	
Hardware Replace Programme	30,000.00	48,000.00	0.00	48,000.00	283,862.91	235,863.00	Requiring budget carry over
ICT Modernisation	0.00	898,323.00	603,000.00	295,323.00	236,188.31	-59,135.00	



Cost Centre Description	Original Budget 2015/16	Latest Budget 2015/16	Re-phasing	Re-phased budget	Outturn 2015/16	Variance	Reason for Requesting Re-phasing
Business Application Upgrade Support Services-General Fund	195,000.00	195,000.00	78,000.00	117,000.00	69,050.00	-47,950.00	
	500,000.00	552,470.00	0.00	552,470.00	552,470.00	0.00	
	<b>9,917,570.00</b>	<b>16,769,222.00</b>	<b>9,125,218.00</b>	<b>7,644,004.00</b>	<b>7,749,214.53</b>	<b>105,210.00</b>	



**Report to:** Cabinet  
**Date of meeting:** 4 July 2016  
**Report of:** Planning Policy Section Head  
**Title:** Publication of Local Plan 2006-2031, Part 2, Site Allocations and Development Management Policies

### 1.0 **Summary**

- 1.1 Local Plan Part 1 Core Strategy was adopted in January 2013. Part 2 provides the detailed development management policies and site allocations to support delivery of the strategy and vision set out in Part 1, for the period to 2031.
- 1.2 Publication of Part 2 is proposed to take place during August and September 2016. Although this is technically the first “formal” consultation stage, regulations limit comments at this stage of consultation to compliance with legal requirements and defined soundness tests.
- 1.3 Engagement with the local community, developers and other stakeholders has already taken place through several rounds of “informal” consultation over the period from 2013-2016. This engagement has been used to prepare the publication version, and is summarised in a Consultation Statement which will be ready to accompany the Publication.
- 1.4 The Local Development Scheme, ([https://www.watford.gov.uk/downloads/file/894/local\\_development\\_scheme\\_-\\_a\\_work\\_programme\\_for\\_the\\_watfords\\_local\\_plan\\_2016-2019\\_april\\_2016](https://www.watford.gov.uk/downloads/file/894/local_development_scheme_-_a_work_programme_for_the_watfords_local_plan_2016-2019_april_2016)) effective from 1<sup>st</sup> April 2016 indicates that following publication we expect to submit the Local Plan Part 2 for examination in February 2017, with adoption in January 2018. Post submission timescales will be dependent on the capacity of the Planning Inspectorate to deal with plan examinations.
- 1.5 Work is already separately underway on the evidence to underpin the review of the Plan to 2036.

### 2.0 **Recommendations**

- 2.1 That Cabinet agrees Local Plan Part 2 can progress to Publication consultation.
- 2.2 That Cabinet agree that editorial, formatting and minor changes to Local Plan Part

2 and accompanying proposed submission documents (including if needed as a result of the related separate consultation on the inclusion of the optional national technical space standard) can be agreed by the Portfolio Holder and Head of Service ahead of Publication.

**Contact Officer:**

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**Report approved by:** Jane Custance, Head of Regeneration and Development

**3.0 Detailed Proposal**

- 3.1 We last consulted on a full draft of the Local Plan Part 2 from December 2014 to February 2015, further to consultation on a first draft around a year earlier. This was supplemented by additional consultation on a potential school site in Bedford Street during the summer of 2015, and consultation on additional policies and key changes from December 2015 to February 2016. A related consultation on an update to the Residential Design Guide to incorporate the optional national technical space standards (which requires a related additional policy in Local Plan 2) was reported to Cabinet on 6<sup>th</sup> June – the outcome of this should be known before Publication leaving scope for further amendment should the need arise.
- 3.2 The plan has been revised to take account, where appropriate, of comments received during these consultations, along with relevant changes to national policy, emerging new evidence, and the findings of independent sustainability appraisal, to produce a full version of the plan as we intend to submit for examination.
- 3.3 This will be published for a consultation of at least 6 weeks, from mid August.
- 3.4. At this stage comments are limited to matters relating to defined tests of soundness and to legal compliance, including with the duty to cooperate.
- 3.5 So long as no significant matters arise from the consultation, the plan will then progress to submission for examination.
- 3.6 It is proposed that the consultation runs in parallel with consultation on Masterplans for Watford Junction and Ascot Road.

- 3.7 Final sustainability appraisal and strategic environmental assessment is being undertaken to produce an Environmental Report to accompany the Publication consultation. Equalities Impact Assessment is also being reviewed to ensure new/amended policies since this was initially undertaken are assessed.
- 3.8 The Publication will also be accompanied by a Consultation Report, A Duty to Cooperate Statement, a range of supporting evidence, and a statement of representations procedure explaining how to comment (explaining the legal and soundness tests in more detail). A printed and interactive map showing what the new policies map would look like will also be available.

3.9 **Consultation Process:**

Consultation relating to Local Plan Part 2 will reflect the approach set out in the Council's Statement of Community Involvement. In line with this approach we will make the Local Plan and accompanying documents available online and at the Town Hall and at local libraries, along with a statement of representations procedure detailing how to respond. We will notify everyone on our consultee list and place an advert in the local press. The consultation will be available online in our Local Plan consultation software which allows people to easily view the policies and related mapping and to respond online. In addition to these steps we are working with the Communications team to update branding of the Local Plan and related documents, to publicise the consultation on social media and through council e bulletins, and to prepare press releases and potentially posters. We may also arrange some public meetings including consultants working on some of the related projects/evidence.

- 3.10 Key issues in Local Plan 2 to be aware of include:

**Clarendon Road/Station Road/Bridle Path Office Area:**

Clarendon Road is a prime and sustainable location for offices, connecting the main rail station and the town centre, and is identified as such in the Core Strategy. However there has been ongoing pressure for redevelopment to other uses.

- 3.11 Studies (Watford Economic Growth and Delivery Assessment 2014, and emerging evidence for the plan review in the South West Herts Economy Study 2015) show that office take up rates are strong and that a significant amount of additional office space is needed in Watford now and in the future. Supply is not meeting demand and without improving both the quality of existing stock and adding to the supply, there is a risk that demand will go elsewhere, potentially outside the Borough. New grade A quality office floorspace is therefore needed to meet existing and future requirements in this convenient and sustainable location, with its excellent public transport links. The policy supports the

replacement of older floorspace to deliver additional, well designed, high quality office floorspace.

- 3.12 Emerging evidence in relation to Clarendon Road supports the case for delivering viable office development in this area without a need for mixing commercial and residential uses. Furthermore the fine urban grain of the area is generally unsuitable for mixing uses within plots. Whilst a mix of residential uses and office development on plots has been tested, this approach limits the potential to achieve high quality design with suitable access and parking.
- 3.13 An element of uses which support the primary office function of the area such as ground floor coffee shops, conference facilities, gyms, crèches is desirable.
- 3.14 Clarendon Road has been identified as a potential location for taller buildings in the additional taller buildings policies which were subject to consultation from December 2015 to Feb 2016 alongside the accompanying Supplementary Planning Document Skyline.

3.15 **Open Space and Children's Play Space:**

This policy has been rewritten to reflect the Council's adopted Green Spaces Strategy as the previous approach (rolled forward from Watford District Plan 2000) was no longer appropriate following the adoption of a CIL Charging Schedule and changes to the rules relating to s106. Rather than setting out a specific standard, the requirement for open space and children's play space will be considered with regard to the level and quality of existing provision, and any shortfall resulting from the development. The approach recognises that contributions to improving existing provision may be more appropriate than provision on site in some instances.

3.16 **Cemeteries:**

A cemetery site allocation is no longer proposed since the only new site within the borough previously proposed for consultation (land at Russell Lane) was ruled out due to the likelihood of groundwater contamination (falling within source protection zone 1). Use of currently unused land at North Watford cemetery for burial is also potentially subject to groundwater issues and would need ongoing testing, but would not require allocation, falling within an existing cemetery. The other site considered, at Paddock Road, falls outside of the Borough, within Hertsmere so cannot be allocated within the Watford Local Plan. Hertsmere's Local Plan has already been submitted and is currently in the process of examination, and does not include the site at Paddock Road.

- 3.17 The Council's recently adopted Cemetery Strategy (Feb 2016) identifies that future burial provision needs to be explored. The Council's Green Spaces

Strategy provides a framework for examining existing typologies of the borough's green infrastructure and evaluating, in light of current planning policies, whether they could be re-designated for alternative green infrastructure use, which could include cemetery provision.

### 3.18 **Sites:**

The list of allocated sites has been refined as some of those previously proposed for allocation have already come forward for development (so no longer need to be allocated) whilst others appear unlikely to come forward. The allocation sites are expected to accommodate just over 3,000 new dwellings (3,093) over the period to 2031. This is higher than the 596 of the 6,500 dwellings for the period 2006-31 remaining once completions and commitments are taken into account. The majority of these will form part of mixed use developments including Watford Junction, and in the Western Gateway SPA. The higher provision reduces the likelihood of challenge to Local Plan 2 recognising that recent population forecasts, and the evidence base for the next Plan Review which is already underway, show more housing than the 260 per annum in the adopted Core Strategy is likely to be needed in future.

### 3.19 Individual sites that have been removed for other reasons are:

BT Depot Reeds Crescent – we consulted on options for this to be allocated for either employment or residential. The owners and their agents objected to the employment allocation but no other comments were received. The location makes the site suitable for either use so leaving it unallocated provides greater flexibility for the demand for housing v employment to be assessed at the time the site becomes available.

Town and Country Club, Rosslyn Road – this was removed as the owner advised it would not be available for development.

Woodside Leisure Park – the policy relating to this site has been removed. There is no certainty regarding when or even if this site would become available for redevelopment meaning the policy, which was not an allocation, was fairly weak. Again this is a site that could be suitable for a variety of uses – it may be appropriate for allocation in the next plan depending on circumstances at that time.

Bedford Street School Site – land at Bedford Street was previously proposed as a school allocation in connection with development at Watford Junction. The Watford Junction masterplanning work is currently looking at alternative locations to provide 2 primary schools elsewhere within the masterplanning area. The Publication version retains Bedford Street within the Watford

Junction Special Policy Area to allow it to be considered as part of the wider mixed use regeneration scheme, but it is no longer specifically proposed as a school location. Emerging work suggests that residential uses would likely be more appropriate in this area.

- 3.20 The recent Housing and Planning Act introduces the concept of permission in principle, which means there is scope for allocation in a Local Plan to automatically confer planning permission in principle, with an application for technical details being required. The detail of how this would work is still unknown (as it is subject to further regulation from Government) but it appears there would be the option for Local Authorities to specify whether allocation confers this permission in principle or not in their area. This has not been specified at this stage due to the lack of certainty at this point about how this would work.

### 3.21 **Electric Charging Points**

The independent sustainability appraisal flagged up that the proposed requirement for electric charging points was very low and would soon become insufficient. The requirement has therefore been reconsidered, taking account of (but not replicating) requirements recently set out in The London Plan. The policy requires a charging point for each new home with adjacent parking place (as per the previous consultation) and that overall (i.e. including the per dwelling provision above) at least 1 in 10 parking spaces provides an active charging point, and a further 1 in 10 provides the power connection for one to be installed easily in future (known as a passive charging point). The previous version required a point for approx every 50 spaces separately to the per dwelling provision. This requirement is being incorporated into the viability assessment to accompany the plan.

### 3.22 **Green Belt Policy**

Presentation of the Green Belt Policy has been revised following (informal) advice on this matter from the Planning Inspectorate. The plan proposes changes to the Green Belt boundary which have been consulted upon several times and which will be subject to examination. The detail of these has not changed. On adoption these will be reflected in a revised boundary on the policies map and a policy listing the changes would have no meaning for development management purposes. Policy relating to development within the Green Belt is already set out in national policy and in the Core Strategy Policy GI2. The Local Plan Part 2 policy has therefore been significantly shortened to refer simply to the Green Belt boundary being shown on the Policies Map and the detailed explanation of the changes moved to an appendix to assist the examination (this will likely not be necessary to retain in the final adopted plan).



### 3.23 **Examination:**

Examination of the plan commences upon submission, currently timetabled for February 2017. The idea of the various rounds of consultation is that matters of disagreement are resolved before the plan reaches submission, allowing a short examination.

### 3.24 **Risks:**

Potential risks with progressing Local Plan Part 2 rather than progressing immediately to a full plan review have been reported to Leadership Team and Portfolio Holders during the plan preparation period. There have been some successful challenges to local authorities progressing with a plan based on the abolished regional spatial strategy, which applies partially to the Watford Core Strategy (although adopted post RSS abolition and post NPPF the housing target and gypsy and traveller provision is close to that in the old East of England Plan). However, neighbouring authorities, including Hertsmere and Dacorum have been progressing with their Local Plan Part 2 documents in a similar way to Watford (and with commitments to early review), and there has been no issue at examination. We are taking a pragmatic approach, already going well beyond the allocations required to meet the Core Strategy housing target, and already working with neighbouring authorities on the shared evidence to underpin a speedy plan review. Progressing Local Plan Part 2 should enable us to have a full plan in place more swiftly than if we abandoned it in favour of a review. Other risks relate to potential challenge from developers of individual sites (which could require a further round of pre-submission consultation). There is also a risk of staffing levels and technical issues delaying the start of the consultation. Changes to national policy are considered quite likely as the government continues to reform the planning system – but the effect of these changes is currently uncertain, and could potentially be affected by the outcome of the EU referendum (which will be known ahead of the meeting). A fuller assessment of risks is also set out in the Local Development Scheme, which came into effect in April 2016.

## 4.0 **Implications**

### 4.1 **Financial**

- 4.1.1 The Head of Finance notes that there are no financial implications identified in the report and therefore it is taken that any costs would be contained within previously agreed budgets.

## 4.2 **Legal Issues** (Monitoring Officer)

- 4.2.1 The Head of Democracy and Governance comments that prior to the submission of the plan for Examination the final proposed plan will need to be approved by Council.

## 4.3 **Equalities**

- 4.3.1 An equalities impact assessment was undertaken and published alongside the first consultation on Local Plan Part 2. The initial screening found that most policies had a neutral effect or were not relevant (i.e. that whether a person had one of the protected characteristics or not had no relevance to the impact of the policy). No significant impacts were identified, either positive or negative, which required further assessment. This exercise has been reviewed to reflect the final policy wording, and again found that there were no significant effects.

## 4.4 **Potential Risks**

Potential Risk	Likelihood	Impact	Overall score
Challenge to soundness of progressing with Local Plan Part 2	2	3	6
Challenge on individual sites or policies	3	3	9
Insufficient staff available ( either in policy or supporting teams)	2	3	6
Changes to national policy affecting validity of local policies	4	3	12

## 4.5 **Staffing**

- 4.5.1 Preparing and publishing a consultation takes considerable time and resources. Sufficient staff should be retained and available in the policy team and supporting teams such as Communications to deliver a suitable level of consultation and engagement.

## 4.6 **Accommodation**

- 4.6.1 Meeting venues may be required for public meetings. In line with the equalities duty and commitment in the Statement of Community Involvement, any such venue should be fully accessible.

## 4.7 **Community Safety**

- 4.7.1 The plan contains a policy on Community Safety.

## **4.8 Sustainability**

- 4.8.1 Sustainability Appraisal has been undertaken at every stage of plan preparation – an Environmental Report will accompany the Publication.

### **Appendices**

- Appendix 1 – Publication draft Local Plan Part 2 (printed separately)

### **Background Papers**

No papers were used in the preparation of this report

### **File Reference**

- SP2.3.3



## Part A

Report to: **Cabinet**  
Date of meeting: **4 July 2016**  
Report of: **Regeneration & Development Manager**  
Title: **Ascot Road/Croxley View Masterplan Study**

### 1.0 **Summary**

- 1.1 The development of the new Cassiobridge station is a key development opportunity in the town. With the likely increased developer interest that will result from the Metropolitan Line Extension commencing services through to Watford Junction in 2020, coupled with a requirement for Orion Land & Leisure & the Council's new Joint Venture company ( Hart Homes) to submit their phase 1 planning applications prior to the end of 2016, the Council appointed consultants to prepare a Masterplan Study to provide a framework & delivery plan to support the SPA6 identified within the current Local Plan 2.
- 1.2 The consultants, working with the key stakeholders, have prepared a draft Masterplan study which will deliver a new mixed use urban quarter for Watford and new homes linking through to Croxley View.
- 1.3 It is proposed that the draft Masterplan Study is taken to public consultation during the summer as part of the LP2 public consultation process.

### 2.0 **Recommendations**

- 2.1 To support the draft Cassiobridge/Croxley View Masterplan study being made available for public consultation.
- 2.2 To agree to officers continuing discussions with adjoining landowners and stakeholders in relation to the scheme.
- 2.3 To agree to officers pursuing discussions with key stakeholders for the establishment of all necessary legal frameworks and agreements, such as Section 106, Lease and partnership agreements, to facilitate the provision of a comprehensive development strategy for the area.

**Contact Officer:**

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**Report approved by:** Jane Custance Head of Planning and Development

**3.0 Detailed Proposal**

3.1 Cassiobridge and Croxley View sites are identified as part of Special Policy Area 6 in the Local Plan Part 2 Core Strategy.

3.2 The former Royal Mail site was acquired by Orion Land & Leisure in 2015 and discussions have been ongoing with regard to submission of a mixed use planning application on their site prior to the end of 2016.  
At the same time the Croxley view site has been proposed as the first site to be undertaken by the newly formed Joint Venture company between WBC and WCHT. The first phase of development, which incorporates the construction of a new temporary accommodation building, requires a planning application being submitted in October 2016

3.3 To facilitate these early planning applications BDP Architects were instructed to prepare a masterplan study for the two areas to help inform and facilitate a comprehensive and coordinated redevelopment of the area.

**3.4 The Masterplan**

3.5 The Masterplan has been developed using engagement with key stakeholders. To date there has been no engagement with the public – because of the timescale for developing the brief to facilitate the phase 1 planning applications from Orion Land & Leisure and the new Joint Venture Company. The higher density development proposed is seen as necessary to enable the delivery of required infrastructure such as schools.

The emerging Masterplan shows the creation of a new urban quarter around the station, consisting of 1000 new homes, multi-storey car parking for station passengers, 14,000 sqm of employment floorspace including offices, leisure and retail uses.

3.6 The masterplan envisages development of 3 storey buildings rising up to 12-15 storeys in and around the area of the new station. Watford's Skyline SPD identified the land around the station as suitable for taller buildings.

## 4.0 **Implications**

### 4.1 **Financial**

- 4.1.1 The Shared Director of Finance comments that there are no direct financial implications arising from the report's recommendations at this stage.

### 4.2 **Legal Issues** (Monitoring Officer)

- 4.2.1 The Legal & Democratic Services Section Head comments that that there are no direct legal implications at this stage.

### 4.3 **Potential Risks**

There are no risks associated with this report at this time. A further report will be brought to Cabinet in the future.

### 4.4 **Community Safety**

- 4.4.1 N/A

### 4.5 **Sustainability**

- 4.5.1 N/A

### 4.6 **Staffing**

- 4.6.1 N/A

### 4.7 **Accommodation**

- 4.7.1 N/A

## ***Appendices***

- Appendix 1- Emerging Draft Ascot Rd/Croxley View Masterplan

## **Background Papers**

No papers were used in the preparation of this report.

## **File Reference**

- None







**Croxley View / Ascot Road, Watford**  
**Masterplanning Study**  
May 2016

**BDP.**





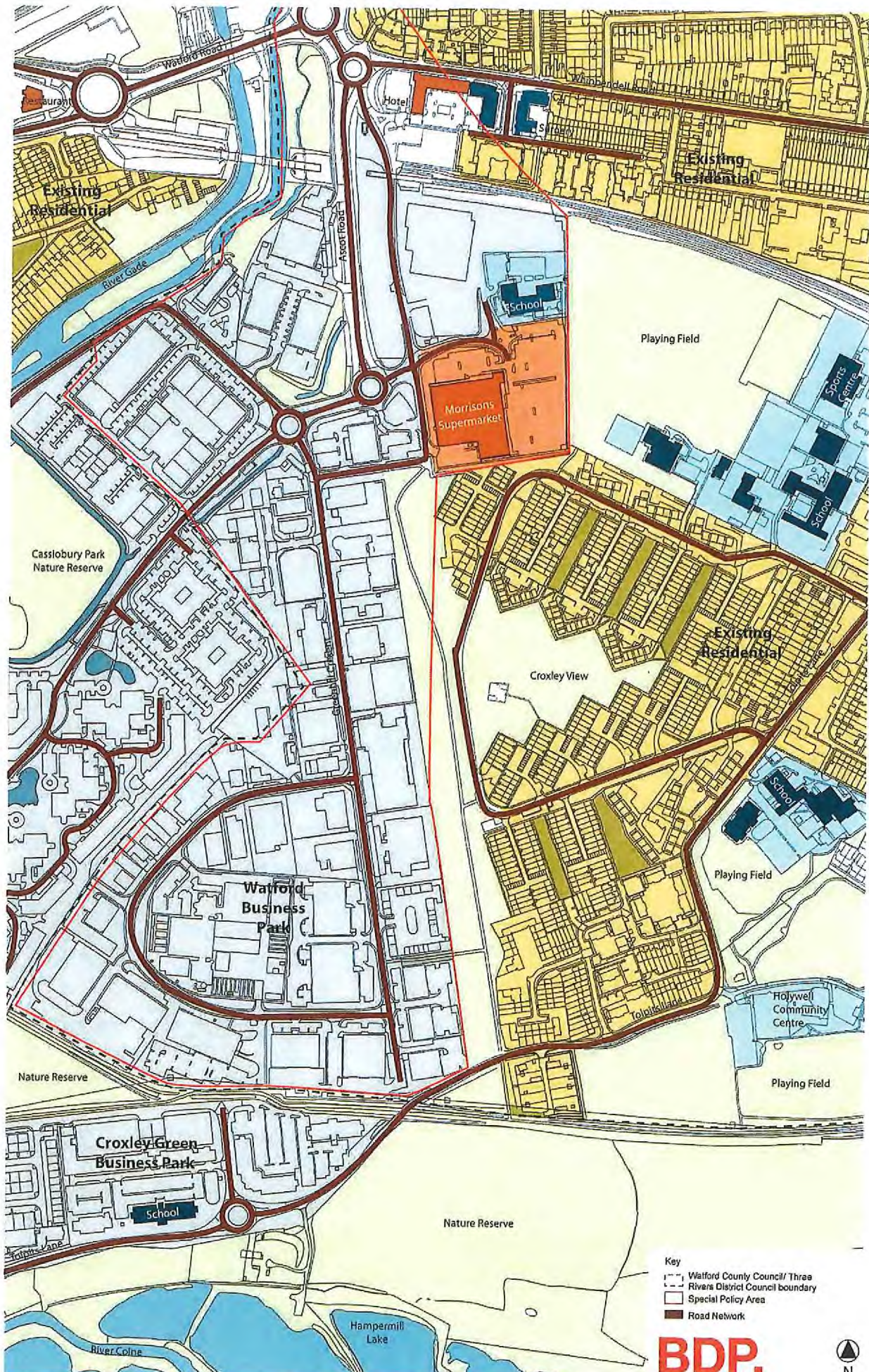
Croxley View / Ascot Road, Watford

### **Masterplanning Study**

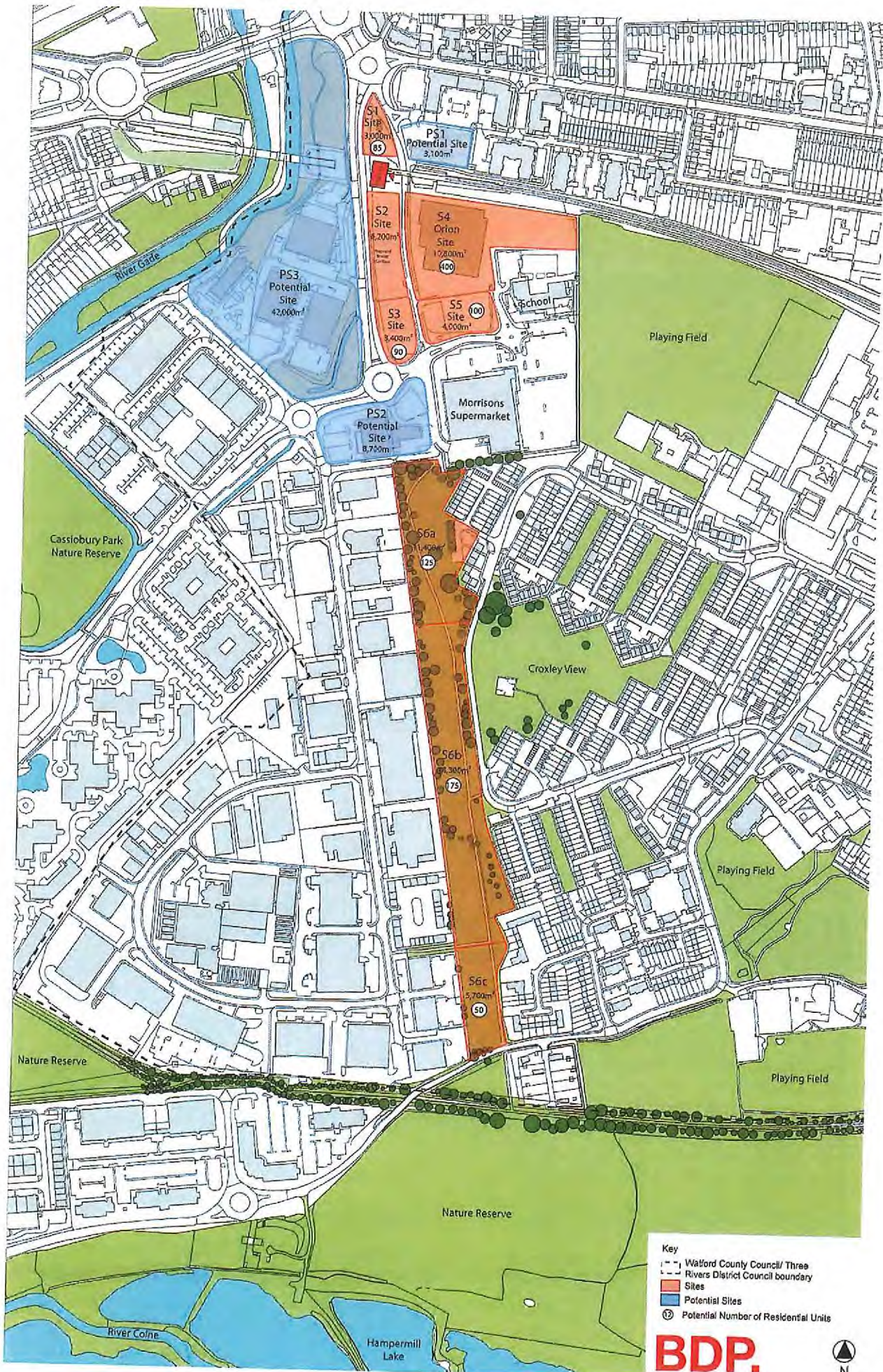
#### **Contents**

- Existing Uses and Road Network
- Potential Developmet Sites
- Masterplanning Strategy
- Masterplan Vision
- Proposed Vehicle and Pedestrian Movement
- Proposed Building Uses - Ground Floor
- Proposed Building Uses - Upper Floors and Storey Heights
- Proposed Phasing Strategy and Quantum of Development
- Indicative Massing Studies

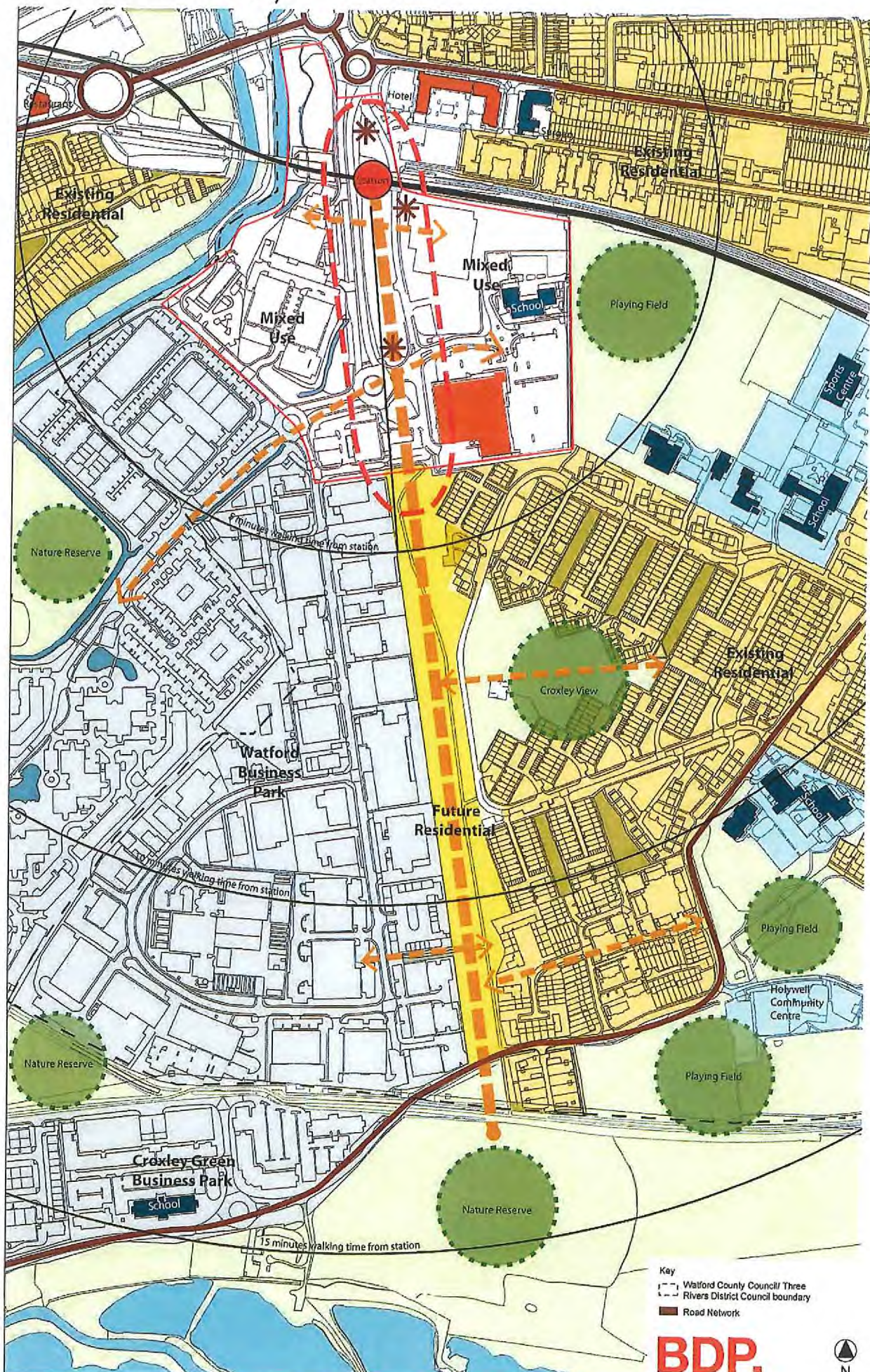








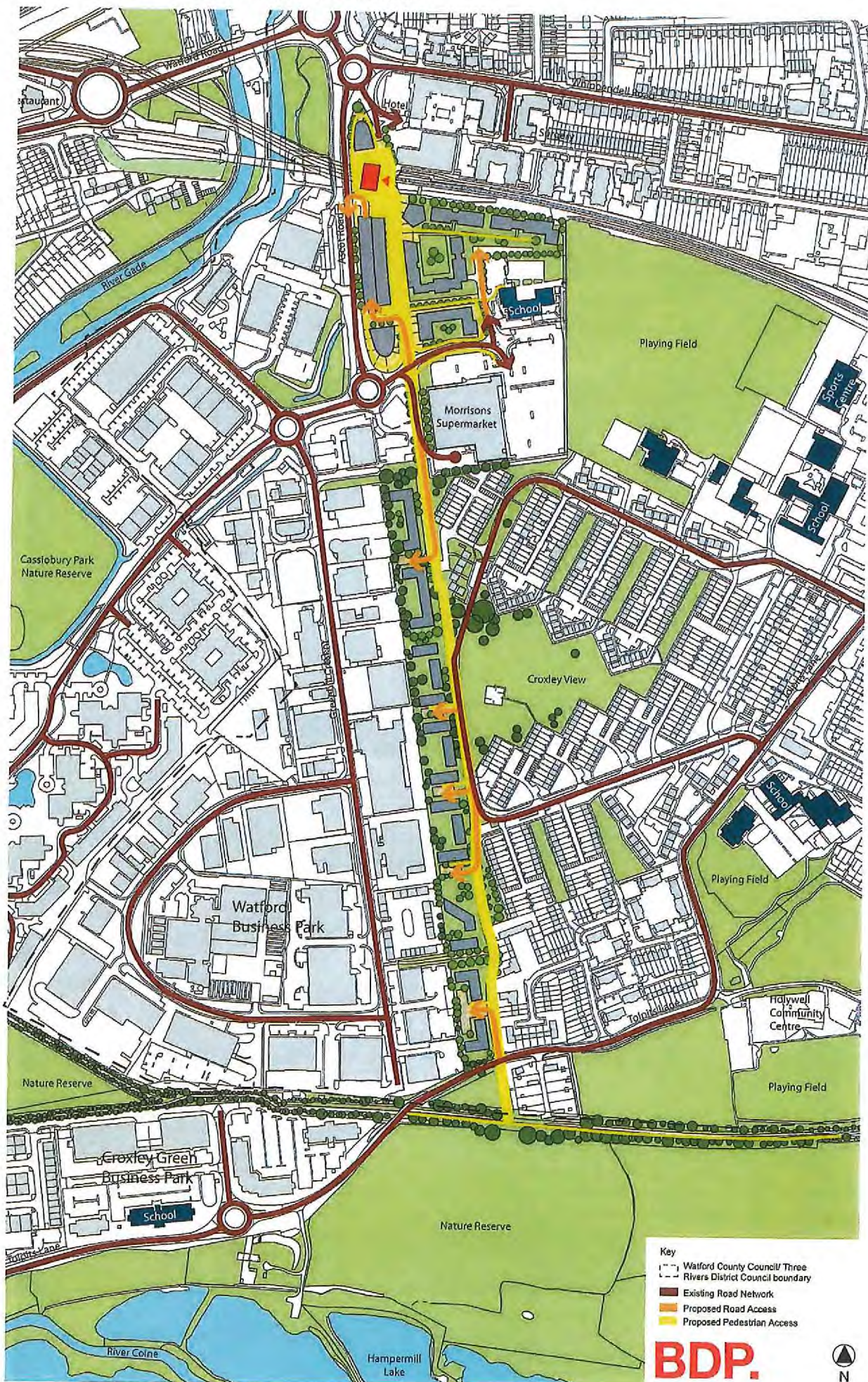












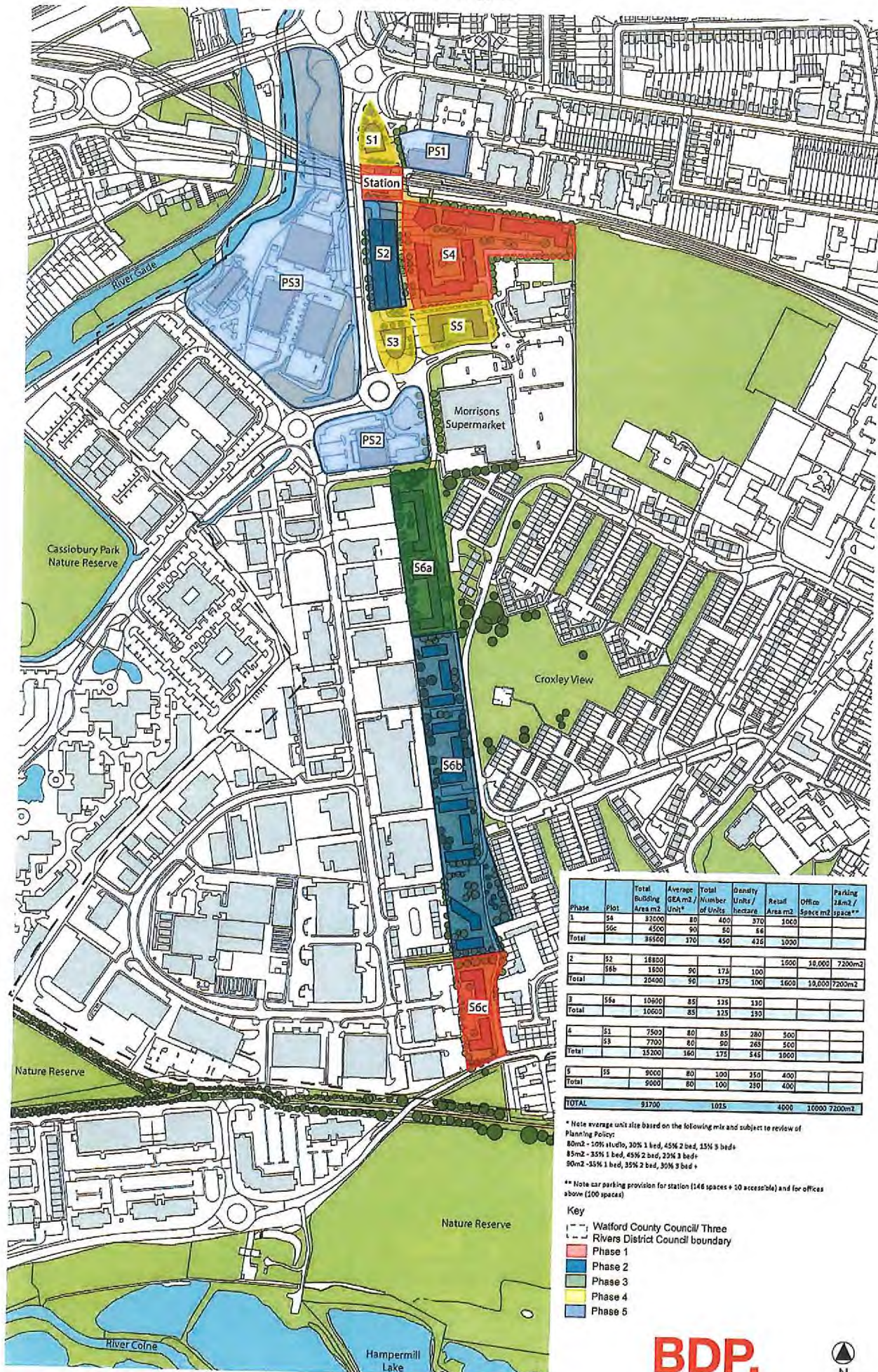












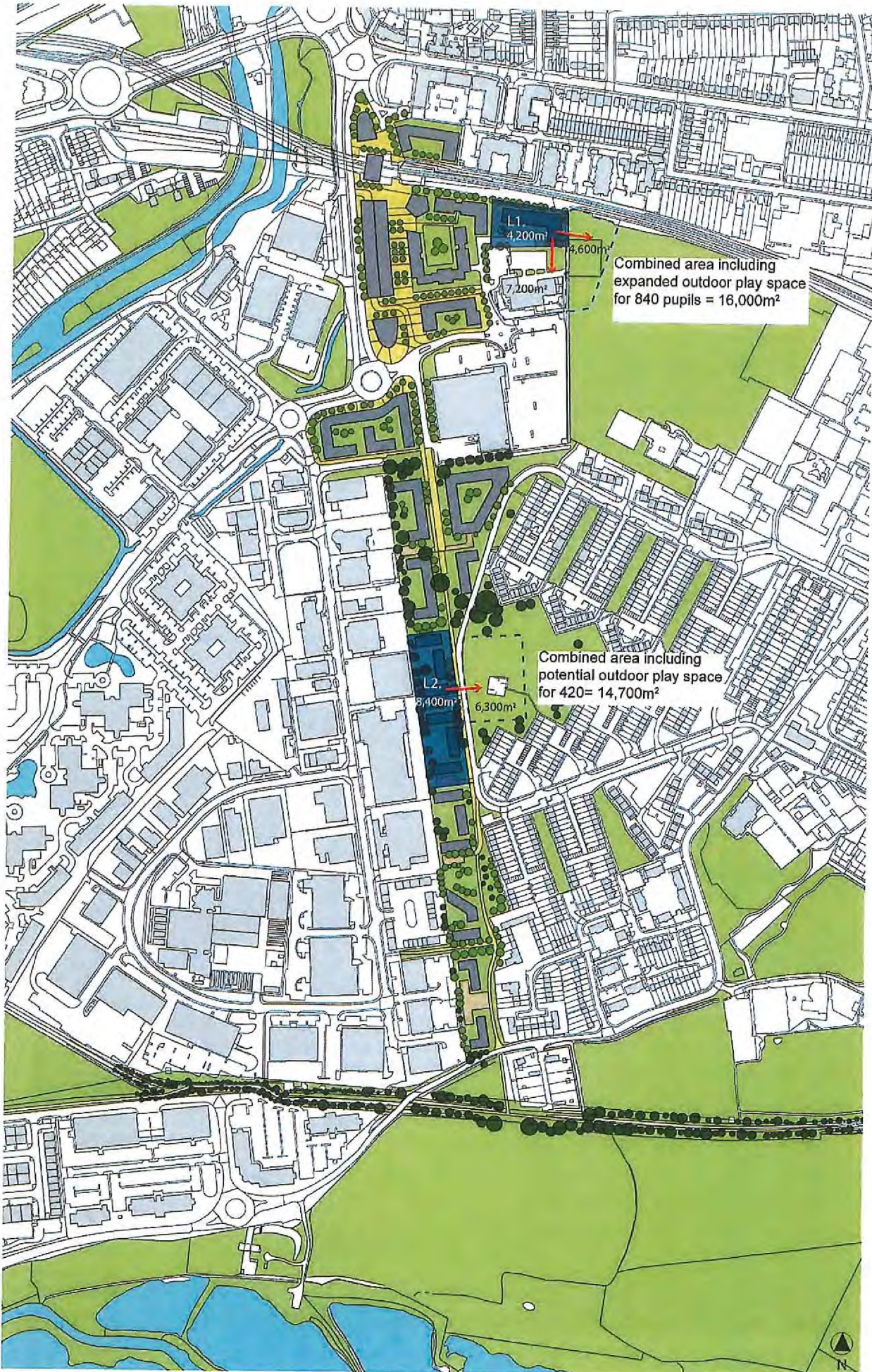


Croxley View / Ascot Road, Watford, Masterplanning Study  
Indicative Massing Studies



Overview from North

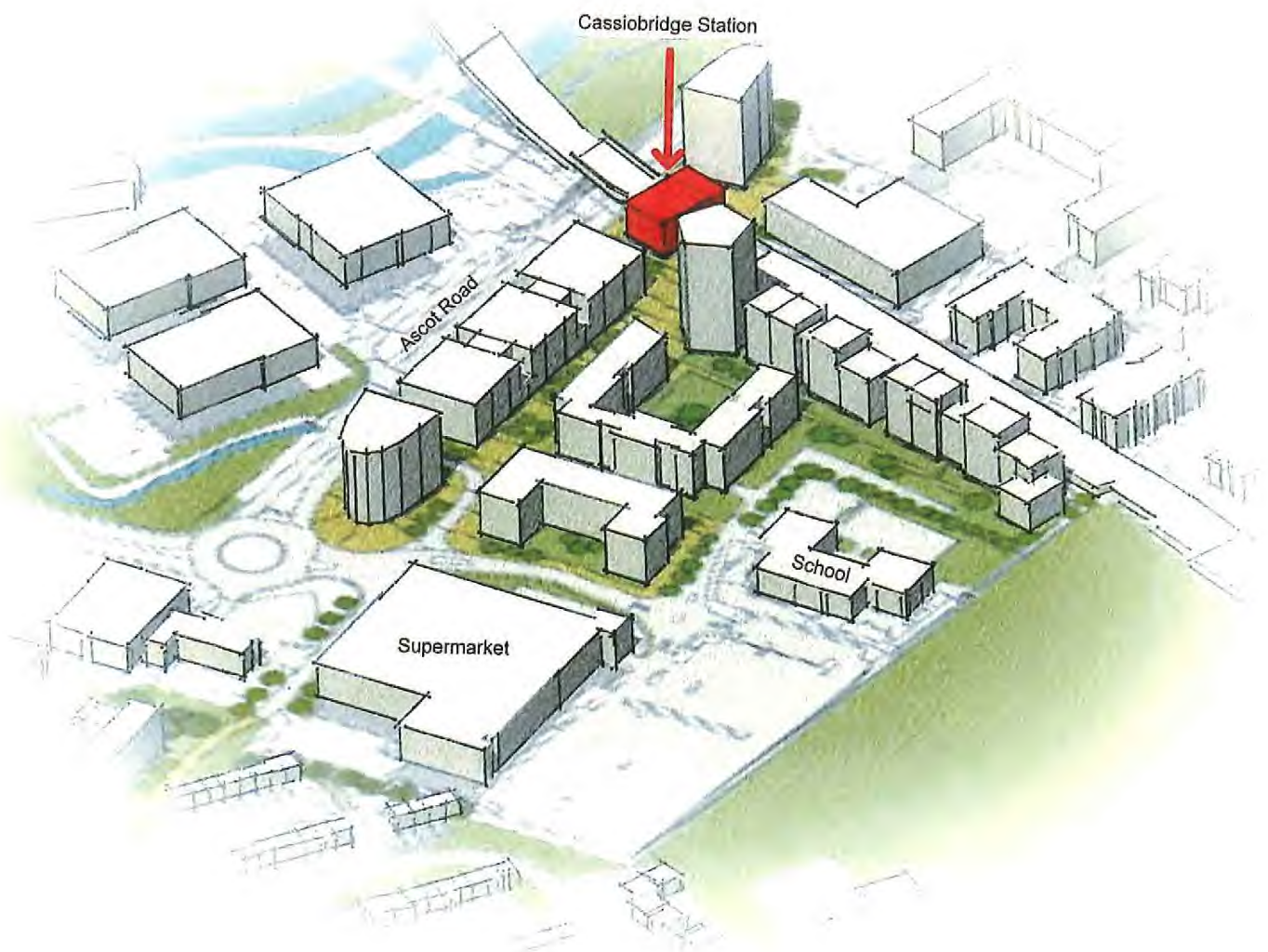




Croxley View / Ascot Road, Watford  
Potential School Locations 1:2000 @ A1



Croxley View / Ascot Road, Watford, Masterplanning Study  
Indicative Massing Studies



Overview from South East



**Report to:** Cabinet  
**Date of meeting:** 4 July 2016  
**Report of:** Planning Policy Section Head  
**Title:** Watford Junction Development Brief / Masterplan

### 1.0 **Summary**

1.1 Watford Junction is identified as a key development opportunity in the town. Despite an older planning brief, nothing to date has been delivered. With the Metropolitan Line Extension commencing services to Watford Junction in 2020 and growing developer interest coupled with a requirement for Network Rail to improve station capacity, the Council appointed consultants to prepare a Masterplan and viability assessment of the proposal.

1.2 The consultants, working with the key stakeholders, have prepared a draft development brief/ masterplan which would deliver a new sustainable urban quarter for Watford and a new pedestrian crossing over the railway lines, future proofing the stations passenger capacity.

1.3 It is proposed that the draft Development Brief /Masterplan is taken to public consultation during the summer.

### 2.0 **Decision Required**

2.1 That Cabinet agrees that the draft Watford junction Development Brief/ Masterplan can progress to consultation.

2.2 That Cabinet agree that editorial, formatting and minor changes to the Development Brief/Masterplan can be agreed by the Portfolio Holder and Head of Service ahead of consultation.

2.3 That Cabinet agrees to officers continuing discussions with landowners and stakeholders in relation to the emerging scheme.

2.4 That Cabinet notes the proposals reflect a long term plan that would see the development take place over a 20 year period, through to 2036

**Contact Officer:**

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**Report approved by:** Jane Custance, Head of Regeneration and Development



3.0 **Detailed Report**

3.1 Watford Junction is identified as Special Policy Area 2 in the Local Plan Part 1 Core Strategy. Despite being identified as one of the Council's key development sites since 2004, no new major development has been achieved on this 14ha site.

3.2 It was considered in 2015 that the 2004 Watford Junction Planning Brief produced by Colin Buchanan needed a revisit. This coincided with new market interest in the site due to a significant upturn in the residential market. The Metropolitan Line Extension will be commencing services to Watford Junction in 2020. To help work up a new Development Brief/Masterplan BDP were employed by the Council to develop the design parameters for the work and Peter Brett Associates to consider the strategic financial viability of the proposed scheme.

3.3 To help inform this project a series of workshops have been held with members, key landowners, the rail companies, developers, Hertfordshire County Council and Hertfordshire Local Enterprise Partnership since December 2015. We are now at the stage where officers would like to take this Development Brief/Masterplan out to consultation with the local community.

**The Development Brief/Masterplan**

3.4 The Development Brief/Masterplan has been developed using engagement with key stakeholders and cabinet and ward members. To date there has been no engagement with the public – because of the interplay between the timescale for developing the brief and the local elections. Overall the steer from members was that a higher density of development on the site may be acceptable if this was necessary to enable the delivery of required infrastructure such as schools.

3.5 The emerging vision for the site states that; 'Watford Junction will become a vibrant mixed use neighbourhood and gateway to Watford, which complements the existing character and function of the surrounding area and seamlessly connects with the commercial centres of Clarendon Road and St Albans Road and existing residential neighbourhoods. This new neighbourhood will provide for the community of Watford and help raise the profile of the town and develop its position in the regional context. A new and improved train station and public pedestrian concourse will improve movement across the site and promote the use of public transport. The station will provide the focus for a new commercial centre, including office space, and outstanding opportunities for shopping and leisure. The commercial centre will be supported by a number of residential neighbourhoods, which stitch into

surrounding areas and provide valuable community services. Watford Junction will benefit from an environment of distinction, where buildings are appropriate to their context, integrated within a high quality public realm including streets and public spaces, and support a range of activities. The important features will be secured in an enhanced Watford Junction, defined by its strong identity as a place to live, enjoy, do business, travel and invest.'

3.6 The emerging Masterplan shows the creation of a new urban quarter to the north and east of the station. It will be transformational. It would consist of 2,777 new homes over the 20 year period, 2 new schools, underground and multi-storey car parking for 3,771 vehicles, 74,000 sqm of employment floorspace including a new hotel, offices, supporting retail, community uses, and a new pedestrian bridge extending from the station across the platforms and railway tracks landing close to the existing Balmoral Estate. The draft information is contained in Appendix A.

3.7 Watford's Skyline SPD identified the land around the station as suitable for taller buildings.

### **The Bridge**

3.8 The proposed pedestrian bridge would be a wide structure, similar in scale to the Reading Station scheme. (See Fig 1 below) and would include a range of coffee shops, sandwich outlets and specialist shops to meet passenger needs. The station would link to the individual platforms and would both address current and future passenger capacity issues in the in the station.

3.9 A precise design solution and cost for the bridge still needs to be worked up. However part of this cost (£10-15M) could be met by Network Rail as part of their capacity upgrades they have to undertake by 2022 to cater for the forecast growth in passengers using rail, TFL lines and the implications of more travellers using the station as a transfer point during HS2 construction works at Euston.

3.10 To assist in funding this bridge, opportunities are being explored with the LEP as part of their Growth Deal and Central Government as part of the national transport development hub recently announced by No10.

**Figure 1 Reading Station**



### **Offices and Commercial Development**

- 3.11 Extending to the north of the railway lines, across what is now the surface car park will be a commercial quarter comprising of offices, health centre, neighbourhood retailing and a hotel. This would be linked by a series of green walkways with only limited vehicle access at surface level. A good example of this type of scheme today would be Kings Cross (Fig 2).

**Figure 2 Kings Cross office development**



### **Residential and Schools**

- 3.12 2,771 new homes mainly in flatted schemes would be developed to the north and to the east of the site across the railway lines. Both sides of the railway lines would have their own primary schools.
- 3.13 In terms of tenure this is still to be worked up. However the scale of the scheme, according to PBA, would result in a largely policy compliant scheme in terms of affordable housing provision. It should be noted though that following the introduction of the Government's Starter Homes policy, 20% of the housing would need to be starter homes leaving only up to 15% for other forms of affordable housing provision.

- 3.14 Mews type schemes are proposed on the edges of the Masterplan area including at Bedford Street in Nascot Conservation Area and to the north of the site.
- 3.15 Currently consideration is also being made for student accommodation in the scheme.
- 3.16 Two new schools are proposed. These are likely to be two form entry primary schools. These may be unlike previous schools built in Hertfordshire and could be integrated into the lower floors of tall residential buildings with multi-deck play areas. Such schools are rare in the UK but are likely to become more common as demand for places continues to grow. Fig 3 shows the Kings Cross primary school.

**Figure 3 Kings Cross Academy**



**Open and amenity space**

- 3.17 Open space provision is going to be provided through a range of linear spaces and two open spaces. Further amenity space would be provided through roof gardens and balconies.

**Car Parking**

- 3.18 One of the fundamental constraints on the site is the level of car parking required to meet the station needs, 1,000 plus spaces. Given the scale of development the current proposal would provide 3,771 spaces contained underground and in two multi-storey car parks which are attached to either end of the bridge.
- 3.19 The proposed parking would be around 0.4 units per residential unit. A developers' group in February confirmed that this would be acceptable in market terms. In planning terms as the site is located in one of the most sustainable transport accessible locations in Watford it could be argued that 0 parking would be acceptable.

### **Considerations**

- 3.20 Currently the local plan identifies SPA2 for 1,500 new homes and 2,500 to 3,500 new jobs. This emerging Development Brief/Masterplan is bolder in scale. However although part of the site could start to materialise within the next 5 years, the whole emerging scheme will take 20 plus years to come to fruition given the complexity of existing leases in the existing industrial lands and the future of the railway sidings. This would extend into the Local Plan Review period which will run through to 2036.
- 3.21 A scheme of this scale has a £1billion plus price tag and will require involvement with the Housing and Communities Agency, Department for Communities and Local Government, Department for Transport and the Department for Business Innovation and Skills. Work has already begun on unlocking national funding to support the scheme.
- 3.22 Highway traffic flows and capacities are a key consideration with any scheme in this location. Currently only one route is used in and out of the car park – using the tunnel adjacent to the station. However the proposed scheme sees a further two routes in and out of the site including through Colonial Way and another through Penn Road (Currently through the retail park). Hertfordshire County Council is currently undertaking a strategic transport model study using the Comet model. The first results due in the summer will include Watford. Further detailed work will be needed using Paramics modelling.
- 3.23 The aggregates rail batching plant use is currently protected in national policy and the local plan. Ideally we would ultimately like this to be relocated to a more appropriate location. In the short term it would help supply the material necessary to build the scheme. There are examples of residential schemes close to such facilities including in Greenwich Peninsula. Retention would reduce the total quantum of housing that could be delivered by approximately 200 units. Officers are currently trying to make contact with the new owners although the site is owned by a third party.
- 3.24 The operational railway land has a range of activities including sidings and depot facilities. Whilst we have been informed that the sidings will not be required for Crossrail 2, they may be required for HS2 or other freight operations. Officers are working with the rail companies to understand what is actually needed and for how long.
- 3.25 The Abbey Flyer is retained within the scheme as a heavy rail service. However conversion of the route into a tram/ guided bus option could contribute to the creation of a new boulevard along the route.

- 3.26 The children's nursery adjacent to the Abbey Flyer line will need to be re-provided within the scheme and additional facilities provided to meet the need.
- 3.27 With Watford's population likely to continue to grow there is a need to increase housing supply locally. Intensifying Watford Junction would provide the housing and jobs Watford needs, in a location which could cope with the demands such a scheme would generate. This would help retain the character of other areas of the town.
- 3.28 At this stage phasing has only been considered at the very strategic level. The first housing element is likely to come forward in the next 2-5 years. The Bridge would need to be in place by 2023. Other aspects still need to be worked through but overall this would be a twenty year scheme.
- 3.29 Whilst WBC has no land holdings in SPA2, WBC's role at this stage is as project leader, enabler and navigator, thereby showing the way, encouraging investment and keeping partners focused on achieving the highest possible quality in a timely way.
- 3.30 The station forecourts on either side of the proposed pedestrian bridge will require improved bus and taxi interchange facilities. This will need to be progressed with Hertfordshire County Council, the bus and taxi operators, Network Rail, the rail franchisee responsible for running the station, currently London Midland, and station user groups.

### **Consultation**

- 3.31 Once the Development Brief/ Masterplan is completed, it is proposed to take it out to public consultation in mid-August for a six week period closing in late September. This will coincide with the Local Plan 2 Publication and SPA6 Ascot Road Croxley View Development Brief proposed consultations. This would provide the opportunity for local communities and other stakeholders to have their say.
- 3.32 Consultation relating to the Watford Junction Development Brief/Masterplan will reflect the approach set out in the Council's Statement of Community Involvement. In line with this approach we will make the document available online and at the Town Hall and at local libraries, along with a statement of representations procedure detailing how to respond. We will notify everyone on our consultee list and place an advert in the local press. The consultation will be available online in our consultation software. In addition we will work with the Communications team during the consultation. We may also arrange some public meetings including consultants working on some of the related projects/evidence.

- 3.33 Once the document has completed consultation, a revised version will be taken to Cabinet for adoption. Once approved it will be used to facilitate the redevelopment of Watford Junction and inform the planning decision process.

## **4.0 Implications**

### **4.1 Financial**

- 4.1.1 The Head of Finance notes that there are no financial implications identified in the report and therefore it is taken that any costs would be contained within previously agreed budgets.

### **4.2 Legal Issues (Monitoring Officer)**

- 4.2.1 The Legal & Democratic Services Section Head comments that there are no legal issues at this stage and that the final proposed Development Brief/ Masterplan will need to be approved by Cabinet.

### **4.3 Equalities**

- 4.3.1 An Equalities Impact Assessment has been undertaken for the Watford Junction Special Policy Area in Local Plan Part 1: Core Strategy 2006-31 and the emerging Local Plan Part 2: Site Allocations and Development Management Policies.

### **4.4 Potential Risks**

- 4.4.1 There are no risks associated with this report at this time. A further report will be brought to Cabinet in the future.

### **4.5 Staffing**

- 4.5.1 Preparing and publishing a consultation takes time and resources. Sufficient staff should be retained and available in the policy team and supporting teams such as Communications to deliver an appropriate level of consultation and engagement.

### **4.6 Accommodation**

- 4.6.1 Meeting venues may be required for public meetings. In line with the equalities duty and commitment in the Statement of Community Involvement, any such venue should be fully accessible.

#### **4.7 Community Safety**

- 4.7.1 The emerging Local Plan 2 includes a specific policy YLC9 on Community Safety. Any future planning applications in Watford Junction would need to take this into consideration.

#### **4.8 Sustainability**

- 4.8.1 The proposed draft Development Brief/Masterplan seeks to deliver a sustainable neighbourhood. The Watford Junction Special Policy Area has already been subject to a Sustainability Appraisal at the Core Strategy Stage. Further work will be undertaken on specific site development considerations if required.

### **Appendices**

Appendix Draft Watford Junction Development Brief (printed separately)

### **Background Papers**

No papers were used in the preparation of this report

### **File Reference**

SP1.2.2.2



### Part A

**Report to:** Cabinet  
**Date of meeting:** 4 July 2016  
**Report of:** Property & Regeneration Section Head  
**Title:** Amendments to the Various Agreements for the Watford Health Campus Partnership LLP

#### 1.0 **Summary**

- 1.1 After a procurement exercise, conducted via the Official Journal European Union (OJEU) process, a joint venture partner, Kier Property Investments Ltd, was selected by the Council to take forward the regeneration of the Watford Health Campus.
- 1.2 The Watford Health Campus Partnership LLP was formally established in June 2013, with various legal agreements signed by both the Council, Kier and West Watford Hospitals National Health Service Trust.
- 1.3 Three years have elapsed since these legal agreements were entered into and for various operational reasons it has become necessary to make a number of amendments to them to reflect changes in circumstances coupled with a better understanding of issues relating to the regeneration of the site.
- 1.4 An Operational and Partnership Board with members of both the Council and Kier has been set up as a governance mechanism to manage the regeneration process which sets out approval processes within the parameters of the above mentioned documentation.

#### 2.0 **Recommendations**

- 2.1 To AGREE to an amendment of the Members Agreement allowing the Council to lend Senior Debt to the project, similar to a bank. This debt would carry a priority return from development receipts.
- 2.2 To AGREE in the Members Agreement to the prioritising of the return of an additional tranche of Growing Places Funding (GPF) which has been invested in the scheme's infrastructure.

- 2.3 To AGREE to delegate decisions to the Partnership Board regarding the allocation of site specific abnormal costs to site wide costs where appropriate to create viable development zones
- 2.4 To AGREE to an amendment of the Campus Agreement relating to the land equalisation agreement with West Hertfordshire Hospital Trust (WHHT) so that payment from the Council is deferred until plans for the hospital and it's development land are further progressed and that a reconciliation mechanism is entered into when WHHT plans are finalised

**Contact Officer:**

For further information on this report please contact: Martin Jones  
Regeneration and Property Section Head  
telephone extension: 8408  
email: martin.jones@watford.gov.uk

**Report approved by:** Jane Custance Head of Planning and Development

3.0 **Detailed Proposal**

- 3.1 In June 2013 the following Agreements were entered into to govern the Watford Health Campus Partnership LLP, the joint venture created to enable the regeneration of the area known as Watford Health Campus:-
- Members Agreement (between the Council and Kier)-Sets out the governance process and financial issues for the Joint venture
  - Campus Agreement (between the Council the Hospital and Kier)-To regulate the relationship between WBC, Kier and WHHT and agree the overarching regeneration objectives of the site and financial issues between landowners.
  - Development Agreement (between the Council, Kier and the LLP)-Sets out the process for developing specific zones
- 3.2 It is deemed advantageous to the Council to lend funds to the WHCP LLP and obtain a better return for the Council's reserves. At present the reserves return 0.5 to 1% to the Council and agreement has been reached in principle to lend at a rate of 4.5%. This is seen as advantageous to the Council in increasing revenue and also generates a higher land value for the first development project Industrial Zone South (IZS) as it assists viability and helps enhance land value reducing the Council's need to put equity into the scheme.

The loan is anticipated to be for a period of 18 to 24 months and will be repaid with

interest upon the sale of the development which is anticipated in financial year 2017/18.

The alteration to the documentation is proposed to allow the Council to lend money to WHCP and for this funding to be classed as Senior Debt giving it a priority return.

Currently the Members Agreement does not envisage either partner acting as a bank or other lending institution to the LLP but putting in any money (or in the Council's case land and/or money) as a Member of the LLP with a different mechanism for securing a return depending on whether both parties put in equal or unequal values.

A separate Cabinet paper dealing with the development of (IZS) has been prepared on this matter highlighting the quantum of potential returns.

- 3.3 Further funds of £3m Growing Places Funding (GPF) which were originally intended to invest in specific development zones needed to expended on infrastructure and it was economically advantageous to address site specific issues whilst the groundwork contractor for the road was on site. This will result in those zones not carrying these extra costs going forward but is expended earlier on the zones than anticipated.

The Members Agreement needs to be altered to reflect the expenditure of this funding and to prioritise the GPF return in the development receipts "waterfall payments" which is set out as follows:-

- Repayment of external senior debt (council loan)
- Repayment of Growing Places Funding (tranche 1)
- Loan interest and Loan on Loan B Notes ( Council or Kier equity)
- Loan Interest and Loan on Loan A Notes (Council or Kier equity)

The specific alteration to the Members Agreement will align the repayment of the extra GPF (tranche 2) funding to the existing GPF (tranche1) payback. Any further GPF funding deployed in the same way would be treated similarly.

- 3.4 The development of the Campus site is challenging and abnormal costs are high. WHCPLLP are regenerating a former railway goods yard site and a former coal and gas power station which are challenging.

In assessing viability of the individual projects that make up the campus development it is seen as necessary when assessing viability, in certain circumstances, to attribute some site specific costs to site wide costs. This has the effect of attributing site specific costs in some circumstances to higher value and more profitable areas and improving viability of lower value development zones. These decisions will be closely monitored and approved by the Partnership Board having reviewed the business plan.

It is proposed to make an amendment to the Members Agreement which presently doesn't allow for site specific costs to be allocated elsewhere and to provide for this scenario in certain scenarios subject to Partnership Board sign off.

A summary of the proposed Deed of Variation is contained in Appendix 1. This document will be subject to minor changes but addresses the main issues recommended in this report.

- 3.5 The development of Watford Health Campus originally envisaged that much of the existing hospital site would be developed in a similar timetable to the land owned by the Council. Therefore a land equalisation agreement was agreed to with West Hertfordshire Hospital Trust (WHHT) in the Campus Agreement which was calculated on the basis of gross development area of each parties developable land included in the scheme. In June 2013 this was calculated at 75%:25% in favour of the Council.

The plans to develop the hospital however are at Outline Business Case stage whilst faster progress has been made on non-hospital land areas. There is therefore no clarity at this stage on the eventual configuration of their plans so an accurate calculation of a revised equalisation split cannot be agreed at this point.

It has been agreed verbally with WHHT that as development plans for IZS will shortly commence that the present formula for distributing land value is unworkable and inequitable. It is proposed that until plans for the hospital are clearer that the equalisation formula will not operate immediately but when the hospital plans are finalised that a reconciliation exercise is undertaken on the first development of the hospital site to reflect any changes.

It is proposed this matter is dealt with by way of a side letter.

#### 4.0 **Implications**

##### 4.1 **Financial**

- 4.1.1 The Shared Director of Finance comments that the ability to provide loans will increase the Council's revenue funding as increased returns can be obtained above placing in deposit at the bank. In addition the Growing Places Funding which is a loan that has to be paid back in 2020 is secured.

##### 4.2 **Legal Issues** (Monitoring Officer)

- 4.2.1 The Head of Democracy and Governance comments that under the terms of the various agreements any changes to the terms of them have to be agreed for the Council by Cabinet and they will also have to be approved by the Kier Board and in relation to the Land Equalisation proposals by the WHHT Board.
- The Council has been using Browne Jacobsen to advise on appropriate wording. The partner at Browne Jacobsen was the partner at Nabarro LLP who advised the Council and WHHT and led the negotiations on the original terms for setting up the LLP.
- The advice the Council has received has included advice on whether the loan would be

deemed to be State Aid. The advice has concluded that state aid is not an issue as the interest rate of the loan is what can be obtained in the market taking into account the covenant strength of Kier and financial strength of the council.

#### 4.3 Potential Risks

Potential Risk	Likelihood	Impact	Overall score
The loan is considered state Aid	1	2	2
WHHT renege on equalisation approach	2	3	6
Those risks scoring 9 or above are considered significant and will need specific attention in project management. They will also be added to the service's Risk Register.			

#### 4.4 Staffing

4.4.1 N/A

#### 4.5 Accommodation

4.5.1 N/A

#### 4.6 Community Safety

4.6.1 N/A

#### 4.7 Sustainability

4.7.1 The development is remediating contaminated land and improving the environment.

### Appendices

- Appendix 1- summary of Deed of variation

### Background Papers

No papers were used in the preparation of this report.

### File Reference

- None



Dated

2016

- (1) Watford Borough Council
- (2) Kier Project Investment Limited
- (3) Watford Health Campus Partnership LLP

Deed of Variation of Members' Agreement  
relating to Watford Health Campus Partnership LLP

## **Contents**

- 1 Terms defined in the Agreement
- 2 Incorporation of the Members' Agreement and Variation
- 3 Governing law
- 4 Jurisdiction



**Date:**

**Between**

- (1) **Watford Borough Council** of Town Hall, Watford, Hertfordshire, WD17 3EX (the **"Council"**);
  - (2) **Kier Project Investment Limited** (incorporated and registered in England and Wales under registration number 02127111), the registered office of which is at Tempsford Hall, Sandy, Bedfordshire, SG19 2BD (the **"PSP"**); and
  - (3) **Watford Health Campus Partnership LLP** (a limited liability partnership registered in England and Wales under company registration number OC384954), the registered office of which is at Tempsford Hall, Sandy, Bedfordshire, SG19 2BD (the **"LABV"**),
- together the **"Parties"**.

**Recitals**

- A The Council and the PSP agreed to incorporate the LABV to deliver regeneration through the Campus Development and other regeneration in the Area.
- B In order to facilitate such regeneration, the LABV may (amongst other things) (directly or through subsidiaries or other joint venture entities) enter into agreements for the purchase of land, purchase, develop and/or sell land, enter into leases with third parties, establish subsidiaries to deliver development, enter into arrangements with third parties and do all such activities in pursuance of the Objectives.
- C On 18<sup>th</sup> June 2013, the Parties entered into a members' agreement relating to the Watford Health Campus Partnership LLP (the **"Members' Agreement"**) to regulate their respective responsibilities and the dealings between them in relation to the objectives, management and affairs of the LABV. The Development Agreement and the Campus Agreement were also entered into on the same date.
- D Under the Members' Agreement, the LABV may fund developments by inter alia loans provided on arms length commercial terms by institutional investors or other third parties, made to Development Subsidiaries on terms as may be agreed by the LABV on behalf of the relevant Development Subsidiaries from time to time.
- E The Council, having satisfied itself that it has sufficient statutory powers to do so, may wish to provide a loan or loans to the LABV or individual Development Subsidiaries on arms length commercial terms as third party funder to facilitate the pursuance of the Objectives (the **"Members' Agreement"**).
- F Consequently, and in order to facilitate such loans, the Council wishes to vary the Members' Agreement as set out in this deed with effect from the date of this deed (the **"Variation Date"**).
- G Subsequent to the Parties entering into the Members' Agreement, and in addition to the Growing Places Tranche 1 Loan, a further interest free repayable loan of £3,000,000 was provided to the Council by the Hertfordshire Growing Places Fund, as a second tranche. Consequently, and as is also set out in this deed, the Council also wishes to vary the Members' Agreement, with effect from the Variation Date,

to govern the treatment of this second tranche and any additional tranches of Growing Places funding.

- H The PSP and the LABV have agreed to join in this deed to record their consent to the variations to the Members' Agreement.

## Agreed terms

### 1 Terms defined in the Agreement

In this deed, expressions defined in the Members' Agreement and used in this deed have the meaning set out in the Members' Agreement. The rules of interpretation set out in the Members' Agreement apply to this deed.

### 2 Incorporation of the Members' Agreement and Variation

- 2.1 The terms of the Members' Agreement are incorporated into this deed subject to the variations set out in this deed.
- 2.2 With effect from the Variation Date the Parties agree the following amendments to the Members' Agreement:

(a)	Definition of "Council Conflict Matter"	Sub-section (a) is amended to read as follows:  "any decision by the LABV to enforce any of the rights of the LABV in relation to the Council Loan and/or the Council Loan Notes and/or a loan by the Council under clause 6.5.3;"
(b)	Definition of "GP Repayment Date"	This definition is amended to read as follows:  "means the relevant date for repayment of any sum drawn down as part of the Growing Places Tranche 1 Loan and/or the Growing Places Tranche 2 Loan, being on or before 31 March 2020 (unless in each case otherwise extended in writing);"
(c)	Definition of "Growing Places Tranche 2 Loan"	A new definition is inserted to read as follows:  "means a £3,000,000 interest free repayable loan to be provided to the Council in accordance with the terms set out in Schedule 14;"
(d)	Definition of "Project Agreements"	This definition is amended to read as follows:  "means each and any of the contract(s) to be entered into by the LABV relating to the Business including but not limited to this Agreement, the Development Agreement, the Campus Agreement, the Loan Note Instruments, the Deed of Priority, the PSP Security Agreement, the Council Security Agreement, the Development Management Agreement and Supply Chain Contracts and any loan by the Council under clause 6.5.3;"

(e)	Definition of "Site-Wide Works"	<p>This definition is amended to read as follows:</p> <p>"means any works, operations, services and other matters in relation to the Site which are either:</p> <ul style="list-style-type: none"> <li>(a) not necessarily attributable to or in connection with any specific Zone or Additional Site; or</li> <li>(b) which can be attributed to a specific Zone or Additional Site but are of such an abnormal nature that the parties agree (acting reasonably) that the cost of such works, operations or services should not be attributed to a specific Zone or Additional Site." </li></ul>
(f)	Clause 6.5.3	<p>This clause is amended to read as follows:</p> <p>"further loans provided on arms length commercial terms from an institutional lender or other third party or the Council ("<b>Third Party Funder</b>") to the LABV or individual Development Subsidiaries on terms as may be agreed by the LABV for itself or on behalf of the relevant Development Subsidiaries from time to time ("<b>Third Party Funding</b>"); and"</p>
(g)	Clause 6.8	<p>Insert new clause 6.8 to read as follows:</p> <p>"In the event that the Council provides Third Party Funding to the LABV as a Third Party Funder pursuant to clause 6.5.3, its rights as a Third Party Funder (particularly in relation to the operation of clause 29.3(a)) shall not be prejudiced by its participation in the LABV as a Member under this Agreement."</p>
(h)	Clause 7.1.11	<p>This clause is amended to read as follows:</p> <p>"No loan notes shall be issued in respect of the Additional Council Contribution, the Growing Places Tranche 1 Loan, the Growing Places Tranche 2 Loan or any Third Party Funding provided by the Council"</p>
(i)	Clause 7.7	<p>The title of this clause is amended to read as follows:</p> <p>"Repayment of Growing Places Tranche 1 Loan and Growing Places Tranche 2 Loan"</p> <p>This clause is amended to read as follows:</p> <p>"In the event that:</p> <p>7.7.1 any amount of the Growing Places Tranche 1 Loan and/or the Growing Places Tranche 2 Loan has not been repaid by 20 Business Days before the GP Repayment Date; and</p> <p>7.7.2 the LABV has insufficient distributable reserves in</p>

		<p>order to repay such amount,</p> <p>the Members each undertake to repay 50% of the outstanding amount no later than the GP Repayment Date.”</p> <p>7.7.3 In circumstances where the Members agree that additional tranches of Growing Places funding should be provided to the LABV (in addition to Growing Places Tranche 1 and 2 Loans), the current intention of the Members is that, where the LABV has insufficient resources to repay such finance by the appropriate agreed repayment date, the 50:50 repayment principle shall extend to such future Growing Places funding.”</p>
(j)	Clause 24.2	<p>This clause is amended to read as follows:</p> <p>“Subject to clause 24.3, in the event that Third Party Funding is required in order to fund the development of a Zone or Additional Site, any such funding shall be provided to separate subsidiary vehicles set up for the purpose of developing each particular Zone or Additional Site (“<b>Development Subsidiaries</b>” and each one a “<b>Development Subsidiary</b>”).”</p>
(k)	Clause 24.3	<p>Insert new clause 24.3 and the subsequent re-numbering of the current clause 24.3 to 24.4:</p> <p>“In the event that Third Party Funding is obtained from the Council (as opposed to institutional lender or other third party) in order to fund the development of a Zone or Additional Site, any such funding shall be provided solely to the LABV and the requirement to set up a Development Subsidiary shall not apply.”</p>
(l)	Clause 29.3(b)	<p>A new clause 29.3(b) be added, and the subsequent renumbering of succeeding paragraphs, to read as follows:</p> <p>“repayment of any Third Party Funding provided to the LABV by the Council;”</p>
(m)	Current Clause 29.3(b) now Clause 29.3 (c) as a result of paragraph (l) above	<p>This clause is amended to read as follows:</p> <p>“any repayment of the Growing Places Tranche 1 Loan and/or the Growing Places Tranche 2 Loan when due to be repaid on the relevant GP Repayment Date as well as any repayment of any additional tranches of Growing Places funding, which the Members have agreed to, when due to be repaid on the agreed repayment date;”</p>
(n)	Clause 29.4	<p>This clause is amended to read as follows:</p> <p>“The Parties agree that, as and when any payments are</p>

		made by the LABV to the Members in pursuance of this clause 29 (or otherwise), they shall take into account the proximity of the relevant GP Repayment Date and shall not make such payments or distribute Operating Profit unless satisfied that the relevant Growing Places Tranche 1 Loan and/or the Growing Places Tranche 2 Loan can be paid when due, based on their prudent assumptions with regard to the likely revenues and profits of the LABV and with the objective of the Members not being required to fund any amount of the repayment of the Growing Places Tranche 1 Loan and/or the Growing Places Tranche 2 Loan under clause 7.7.”
(o)	Schedule 14	The title of this Schedule is amended to read as follows:  “Growing Places Funding Terms”
(p)	Schedule 14, paragraph 1	This paragraph is amended to read as follows:  “The LABV shall procure compliance with the following conditions of the Growing Places Tranche 1 Loan and/or the Growing Places Tranche 2 Loan (in each case where relevant):”
(q)	Schedule 14, paragraph 1.2	This paragraph is amended to read as follows:  “LABV to ensure that all invoices, receipts, accounts and other documents relating to expenditure of the Growing Places Tranche 1 Loan and the Growing Places Tranche 2 Loan are retained for at least six years”.
(r)	Schedule 14, paragraph 1.5	This paragraph is amended to read as follows:  “Publicity: LABV will acknowledge support from Local Enterprise Partnership (LEP) in all written material, press releases and public presentations when marketing the delivery of the Infrastructure Business Plan. LABV will acknowledge receipt of the Growing Places Tranche 1 Loan and the Growing Places Tranche 2 Loan from HCC/LEP to enable HCC/LEP to publicise involvement.”
(s)	Schedule 15	The title of this schedule will be amended to read as follows:  “Schedule of Drawdown of Additional Council Contribution and Growing Places Funding and Member Equity Contributions”  The first table in Schedule 15 will be amended to read as follows:

		Additional Council Contribution - interest free, non-repayable - first part	
		Additional Council Contribution - interest free, non-repayable - second part	
		Growing Places Tranche 1 Loan	
		Growing Places Tranche 2 Loan	
		PSP equity contributions	
		Council equity contributions	
		Total	<b>[NOTE: PRINCIPLE IS AGREED BUT FIGURES REMAIN SUBJECT TO THE FINALISING OF INDUSTRIAL ZONE SOUTH BUSINESS PLAN]</b>

2.3 Except as set out in clause 2.2, the Members' Agreement shall continue in full force and effect.

2.4 All, if any, references to time periods and dates under the Members' Agreement as incorporated into this deed shall (except as stated in this deed) continue to be calculated and applied on the same basis as they were to be calculated and applied under the Members' Agreement immediately before this deed.

### 3 Governing law

This deed and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England.

### 4 Jurisdiction

Each party irrevocably agrees that the courts of England shall have exclusive jurisdiction to settle any dispute or claim arising out of or in connection with this deed or its subject matter or formation (including non-contractual disputes or claims).

This agreement has been entered into as a deed on the date stated at the beginning of it.



**EXECUTED** under the Common Seal of  
**WATFORD BOROUGH COUNCIL**

in the presence of:

.....  
Head of Democracy and Governance

**EXECUTED** as a deed by  
**KIER PROJECT INVESTMENT LIMITED**

.....  
Director

.....  
Director

**EXECUTED** as a deed by  
**WATFORD HEALTH CAMPUS PARTNERSHIP  
LLP**

acting by duly authorised representatives  
of its JV Partners

.....  
Duly authorised for and on behalf of  
**Watford Borough Council (JV Partner)**

.....  
Duly authorised for and on behalf of  
**Kier Project Investment Limited**  
(JV Partner)

