
By: Paul Crick, Director of Planning and Environment,
Enterprise and Environment

To: Bryan Sweetland, Cabinet Member for Environment,
Highways and Waste.

Subject: To approve the development of a new Gypsy and Traveller
site at Coldharbour Lane, Aylesford, within Tonbridge &
Malling Borough and the appointment a main contractor.

Classification: **Unrestricted** summary of an exempt report

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Summary and Recommendations

The Coldharbour Lane Gypsy and Traveller site is proposed to be built, part funded by the Homes and Community Agency (HCA) and providing 26 new pitches. Work is to begin in April 2012.

1. Introduction

Coldharbour Lane site in Aylesford is one of seven Gypsy and Traveller sites owned and managed by Kent County Council (KCC). The existing location is in need of considerable improvement and reconfiguration. It was built in 1981 and numbers have varied over the years but currently there are 8 double pitches. The current configuration of the site does not permit KCC to make good use of its landholding, and is also proving inadequate in terms of meeting the needs of the existing residents.

In 2008 a bid was made to the Homes and Communities Agency (HCA) for funding to provide 18 new pitches at the Coldharbour site. The bid required the purchase of adjacent land and planning consent. Planning consent was given, and a conditional contract put in place for the land, however the bid was unsuccessful.

The HCA in March 2011 offered funding of £930k to KCC to deliver a Value For Money (VFM) scheme at the Coldharbour site which was accepted. The funding contract between KCC and HCA requires work on site to start by April 2012 and 18 pitches to be delivered. KCC acquired the additional land at Coldharbour in April 2011 and a new design has been developed to gain best value for money, provide 26 pitches and bring significant economies of scale.

The project was given approval to spend in September 2011 for an 18 pitch site. The HCA support our plans to extend the scheme by 8 pitches to 26 providing best value for money as it contributes significantly to the number of pitches needed in Kent. Planning consent for the 26 pitch site was granted in December 2011, however the scheme produces a shortfall for the additional pitches. Tonbridge and Malling Borough Council, our long-term partners on this project,

are fully supportive of the pitch increase and have committed to forward-fund half the shortfall to provide the additional pitches. The Project Advisory Group endorsed in March 2012 that the County Council should underwrite the overspend through prudential borrowing.

Funding for the additional costs is to be sought from the Homes and Communities Agency (HCA) in the next bidding round in May 2012. The HCA are aware of the value for money and benefits of the additional pitches and have been strongly supportive of the project and any future bid to be made.

2. Relevant priority outcomes

National Strategic Priorities

Communities in control: Real People, Real Power – This White Paper looks at who has power, on whose behalf it is exercised, how is it held to account, and how can it be accessed by everyone in local communities.

Consultation Paper – Planning for Traveller Sites (April 2011). The consultation on the Government's draft planning policy for Traveller sites ended on 3 August 2011, and a new Planning Policy Statement for Traveller Sites will be published shortly, following due consideration of the consultation responses.

The Government was also consulting on the draft National Planning Policy Framework until 17 October 2011. As part of this consultation, views were gathered on the consistency of the draft Framework with the draft planning policy for Traveller sites, and any other comments about the Government's plans to incorporate planning policy on Traveller sites into the final National Planning Policy Framework. The new Planning Policy Statement for Traveller sites will be reviewed in the light of all comments received and incorporated into the final National Planning Policy Framework¹ Expected to be published in March 2012.

¹ <http://www.communities.gov.uk/publications/planningandbuilding/travellersitesconsultation>

Local Priorities

Bold steps for Kent is Kent's Community Strategy and sets out our ambitions and priorities for the next four years.

- **To help the Kent economy grow** – We must support and facilitate the new growth in the Kent economy by delivering the priorities in our regeneration framework *Unlocking Kent's Potential*, by setting the environment in Kent that supports businesses in locating in Kent and growing and prospering; and by supporting the housing recovery and providing for essential infrastructure.
- **To put the citizen in control** – power and influence must be in the hands of local people and local communities so they are more able to take responsibility for their own community and service needs, such as creating new social enterprises.
- **To tackle disadvantage** – We will make Kent a county of opportunity where aspiration rather than dependency is supported, particularly for those who are disadvantaged or who struggle to help themselves and their family.

This project aligns to all three priorities: growing the economy by redeveloping the site, putting citizens in control of their environment by giving ownership, and tackling disadvantage by improving standards of living through quality accommodation and environment.

Gypsy and Traveller Business plan is a vision setting out the local strategic foundation upon which this Business Case is built.

It sets out the direction for service development, including empowering and supporting people in managing their own lives so they remain as independent and as active as possible.

Area and Unit Asset Management Plan, 2010 / 2014 sets out Kent's future plans for the Coldharbour Lane Site.

The **Tonbridge and Malling Sustainable Community Strategy Sustainable Community Strategy 2009-2012** also highlights objectives to provide improved quality of life for impoverished communities within Tonbridge and Malling.

3. Consultation and communication

Dialogue with Tonbridge and Malling Members has been frequent since the pre-project planning back in 2008. Parish councillors have engaged closely with the design process and have constructively brought forward concerns from the communities in the area. Due to this involvement, the planning consent saw no objections.

Site residents have also engaged closely with the design and management processes. This has led to a more sustainable and user friendly approach to the design and management of the scheme.

The Education, Learning and Skills Directorate were originally consulted regarding increased numbers of children on the new site and are satisfied that projected figures do not exceed current or projected local school capacity.

4. Financial Implications

The HCA are funding part of the scheme - £932,107, so far, and part of the contract obligations are that there should be a start on site date of April 2012 and completion by March 2014.

The Gypsy and Traveller Unit (GTU) has set aside £72k from the Modernisation of Assets - Gypsy Sites budget. Project Advisory Group (PAG) recommended that prudential revenue be repaid over 15 years.

Negotiations are currently taking place to sell a parcel of surplus land for the future expansion of the Police's adjacent site.

The project was put out to tender with a pre-project questionnaire sent to 20 contractors, a process resulting in 7 submitted bids. The 3 with the lowest costs were chosen to qualify further their submissions. One was subsequently chosen as performing the best at interview and being best value for money.

After a thorough and competitive tender process, including value engineering, it was established that the HCA contract sum could support 12 new pitches + a minor amount on refurbishments. However, the basic infrastructure costs for a 26 pitch scheme provide much better value for money but produce a shortfall. The costs are only available before a contract is signed with a preferred contractor and are very unlikely to be achievable at a later date.

The shortfall will be equally provided by Tonbridge and Malling Borough Council and KCC through prudential borrowing. Tonbridge and Malling Borough Council (T&MBC) have been working in partnership with KCC to develop the scheme and have in the past have contributed to the scheme project costs.

A bid to the HCA will be made in May 2012 to secure the shortfall amount however the funding results will not be released until late in 2012.

5. Legal Implications

Work is required to start on site by April 2012 as stipulated by the HCA funding contract. If it does not, the funding could need to be returned and costs to date would be the responsibility of KCC.

The preferred main contractor required to be in place by April 2012. KCC legal team are currently discussing with the project team requirements for these contracts.

6. Equality Impact Assessment

This has been undertaken with a positive impact given.

7. Sustainability Implications

Within the planning consent there are several conditions ensuring that the environment is enhanced with the development. The management of the planting will be the responsibility of KCC for the first five years, ensuring plants are matured appropriately and any which do not survive are replaced. The planting of further greenery can only increase the level of carbon dioxide absorption. This planting will take account of any climate change with the choice of adaptable and native species.

The aesthetics of the site have been discussed at length with Members, residents and the local community and site community to ensure the site has a positive impact. There will be ecology studies in March which will lead to the implementation of an ecology plan mitigating any risk to the wildlife on site. Noise pollution will be mitigated through acoustic fencing, bunding and planting throughout the site.

A sustainable design has been key to the management of the site. The utility blocks are being provided with wet rooms to widen their flexibility and reduce future maintenance costs, lighting is being provided to meet the needs of the community for the footpath between the road and the site and a play area will be provided in the middle of the scheme to ensure parents can see their children playing safely in a dedicated area.

Enhancing the environment for residents of the site will increase opportunities for the community. This includes increasing health provision by providing enhanced utility blocks which comply with the Disability Discrimination Act, ensuring residents do not have to move away from the site when health issues arise.

This scheme is therefore for a “site for life” for its residents, and those who follow them.

8. Alternatives and options

Throughout the development of this project, there has been detailed appraisal of options and alternatives. This included consideration of seventeen possible alternative sites, as well as considering different layouts and site sizes, from 2007 onwards.

The business case for the project carefully considered options which included ‘do nothing’, redevelop the current site, build new facilities and decommission

the site. The project board recommended that a new site be built as it was the best value for money option and would propose the least amount of risks to site residents.

9. Risk and Business Continuity Management

Phasing of the construction may cause disruption to residents. Work will continue with the architect and main contractor to ensure minimal disruption.

The sale of the spare land may not generate the anticipated income – a minimal amount of income has been factored into the cost plan and therefore anything over the amount allocated is an additional sum which can either reduce the prudential borrowing or may be used as further contingency.

Project costs should stay as planned however, should any unforeseen costs arise, there is a planned contingency in place. Regular monitoring of the contract reporting back to the project executive will ensure progress is maintained.

10. Conclusion

Coldharbour Lane will ensure capacity for the future with a sustainable approach to design for the management of the site. Residents will benefit from good facilities, enhanced environment and a vibrant community.

The main contractor will need to start on site by April 2012 to ensure the project is delivered to time, to improve standards of living, health and social inclusion at the Coldharbour Lane site in Aylesford.

11. Recommendations

The Cabinet Member for Environment, Highways and Waste is asked to agree

(a) that for the reasons set out in this report confirmation of the main contractor be given

(b) that, subject to being satisfied as to the detailed terms and conditions, the Corporate Director for Enterprise and Environment and/or the Director of Governance and Law be authorised to enter on behalf of the County Council all necessary contracts and agreements in respect of this scheme; and

(c) that it be noted that in order to deliver the scheme some of the total estimated build cost will be met through prudential revenue, that KCC will underwrite the overspend and submit a bid to the HCA to secure the additional costs for 26 pitches.

12. Background documents

Equality Impact Assessment- March 2012

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