REPORT OF THE COMMUNITY REGENERATION PORTFOLIO HOLDER

1. RECOMMENDATION(S)

1.1. Members are asked to consider and agree a response to the above consultation paper; the section of the document dealing specifically with West Northamptonshire has been extracted and is attached as Appendix A.

2. REASONS FOR RECOMMENDATION(S)

2.1. The West Northamptonshire Urban Development Corporation (WNDC) was established in 2004 with the purpose of regenerating parts of West Northamptonshire and granted the powers of a local planning authority for certain types of planning applications in 2006. Its remit covers distinct parts of West Northamptonshire and for South Northamptonshire this is predominantly Towcester. In view of the potentially significant role that this organisation might play in the development of this part of the district it is important for SNC to comment on its future role.

3. RELEVANT INFORMATION

3.1. At the time of their establishment the Government committed to reviewing the UDC’s after five years i.e. half way through their indicative lifespan of 10 years. The consultation document examines the future of all of the Urban Development Corporations established in 2004-5, but for the purposes of this report only WNDC is being considered.

3.2. The review is asking consultees to consider how well the UDC has performed since it was established; whether changes locally or regionally now affect the continuing need for WNDC; the impact of the changing national context, particularly the establishment of the Homes and Communities Agency; and whether greater freedoms might enable WNDC to operate more effectively.

3.3. It is somewhat difficult to form an opinion as to how different the situation would have been without the existence of WNDC and in particular whether the funding (£5.0m) that has been channelled through them by way of Growth Area Funding for...
the redevelopment of Towcester town centre would have been available to the local authority in their absence, but there is clearly some doubt over this. WNDC have also made other significant contributions to the regeneration of the Moat Lane area and have been instrumental in helping to influence other Government agencies to support the programme.

3.4 In total some £60m of Central Government funding has been invested in local infrastructure by WNDC over this period within West Northamptonshire as a whole, which in turn has secured over £26m of additional funding and a further £140m of additional investment from the public and private sector and there is a view that the area would not have benefitted nor would continue to benefit to such a degree without the existence of an Urban Development Corporation.

3.5 There is however a feeling amongst the partner organisations, indeed shared by WNDC, that it has been distracted from its prime function of delivering a programme focused on heavy/strategic infrastructure and use of CPO and land assembly powers by it having to expend considerable time and effort focusing on planning matters. It is therefore recommended that in view of this and the preceding paragraphs that a response be made to the consultation indicating that this Council favours the return of development control powers to the Local Authorities along with the associated resource and that a properly focused delivery vehicle is required to maximise access to funding and continue to deliver the necessary infrastructure and jobs led growth. This is also the approach advocated by Daventry Council and would also reflect the views of the original Select Committee when it determined that a UDC was the most appropriate delivery mechanism because it would have:

- A clear focus on regeneration and sustainable development
- Direct access to central government
- Considerable financial resources
- Its own powers to carry out land assembly
- In house expert staff

3.6 Having considered the issue of the role of WNDC going forward it is also important to determine whether the UDC boundaries remain appropriate, particularly in light of the emerging core strategy and the potential for a number of preferred locations particularly around Northamptonshire to cross the boundary of more than one local planning authority. It is likely, regardless of whether the current proposals (which this Council opposes) end up being reflected in the actual Joint Core Strategy Consultation Document that this situation will still arise. Depending on whether the previous recommendation is supported, then this will become a matter for the two District Councils or SNC and WNDC. This is a situation that already exists and it would be expected that this situation would continue to be addressed by the introduction of appropriate protocols/formalities between the two Authorities concerned to ensure a co-ordinated approach and on this basis, it is recommended that the boundary remains unaltered.

3.7 As WNDC moves forward as an organisation much more focused on the delivery of infrastructure, there may also be the need for it to have greater flexibility in areas of West Northamptonshire where there is a demonstrated regeneration need and for South Northamptonshire, that could relate particularly to the needs of Brackley. It is therefore suggested that WNDC be allowed to consider assisting with regeneration in these areas perhaps on a Joint Venture basis.
3.8 One of the suggestions that appears to be coming forward from WNDC is that there should be a pooling of public sector land assets against which WNDC can promote and manage development, the aim being to secure the released asset values for future investment against an agreed investment plan. Historically this Authority has been very reluctant to pool its assets in this way and at the moment if certain of those assets were treated in this way it could potentially jeopardise future plans that the Council has itself to utilise some of those released asset values.

3.9 If the current lifespan for WNDC is confirmed, it will still be necessary within a short space of time to consider the legacy arrangements and to give thought in particular as to how the transition of those powers and management of 106 monies etc. is achieved and how quickly that is accomplished. It is essential however that whilst those systems for future delivery are devised, that WNDC concentrates upon the proposed new focus of delivering on its regeneration initiatives. It is understood that Northampton Borough are keen to move towards those successor arrangements by 2011 and it is recommended that this Authority support that ambition.

3.10 It will also be important to ensure that in the meantime provisions are made to ensure there is a open book approach taken to projects funded by their tariff and the CIL in due course. We need to ensure that WNDC reaches agreements in South Northants with developers on an open book basis together with us, as we stand to pick up any long term agreement reached through the CIL. Without knowing what is being agreed we do not know what liabilities we may acquire. This requires much closer co-ordination and collaboration than has been evident so far and it is suggested that this should be a legal obligation or condition required through their operating agreement from their Sponsor Department the DCLG.

3.11 This review also presents the opportunity to consider the existing governance and local accountability arrangements. It is understood that Daventry are recommending that given the scale of the impact of WNDC’s operations on the community that whilst it continues to operate, both DDC and SNC should have two members on the Board and although this would then result in a majority of local authority members, this would be desirable and would secure greater democratic accountability and they draw a comparison with the arrangements that currently exist with the Police Authority. Northampton on the other hand are believed to support the continuation of the current representational arrangements and WNDC are indicating that they would prefer that the Leaders of each council automatically to have an ex officio position on the Board and that the Homes and Communities Agency (HCA) Regional Director becomes an ex officio member. Members are therefore requested to consider what representation they would wish to support.

3.12 WNDC is suggesting that it participates in the respective Scrutiny Committees of the Local Authorities on a regular basis. This can only aid more effective dialogue and hopefully enable Members to have a greater influence in helping shape the plans and priorities of the Corporation and it is therefore suggested that this be supported. Closer engagement will ensure that the development proposals WNDC consider are appropriate to the form and character of South Northamptonshire and in particular Towcester as the centre piece of their operational area.

3.13 Much has been made of the “single conversation” with the HCA, which is set to guide its long term investment. They have recognised that two strategic housing
markets exist and will therefore have two conversations based on the North and West. They have proposed having at least two local investment agreements in each region by March 2010 and West Northamptonshire has already been identified as a potential case study. This investment agreement will have to consider in particular the Local Development Framework, Sustainable Communities Strategy and Local Economic Assessment all issues for which the local Authorities are responsible. WNDC are suggesting that they are best placed through their infrastructure delivery programme to progress these discussions, but in view of the above and the earlier comments it is recommended that the Local Authorities lead on these discussions.

SNC will work with colleagues in Daventry and other rural districts to ensure that the single conversation the HCA wishes to adopt, is not solely focused on the regeneration and growth of large towns to help them realise their city ambitions, but also responds to the specific circumstances and needs of market towns such as Towcester and Brackley. WNDC working in partnership with SNC has a critical role to play in pressing the HCA to help deliver the objectives of the Towcester Masterplan.

3.14 Members will have seen that a set of questions have been included within the consultation. The preceding paragraphs would be included as part of the submission, but suggested responses to this set of specific questions has also been included as Appendix B.

4. RESOURCE IMPLICATIONS

4.1. There are no financial implications in responding to this consultation, however, depending upon the Governments decision on the future of WNDC there could be a range of implications including additional costs and also fee income from the return of development implementation functions

5. IMPACT ON EFFICIENCIES

5.1. It would be hoped that WNDC focusing on the delivery of strategic infrastructure will help maximise the resources available to West Northamptonshire

6. ALTERNATIVE OPTIONS (INCLUDING REASONS FOR REJECTION)

6.1. The Council could choose not to respond, but this is not recommended in view of the importance of the outcome of the consultation to the residents and communities of South Northamptonshire.

7. APPENDICES ATTACHED TO THE REPORT

7.1. Extract from the Urban Development Corporations’ Quinquennial Review Consultation document.

7.2 Responses to the specific consultation questions.

KEY CONSIDERATIONS

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<thead>
<tr>
<th>Key decision</th>
<th>No</th>
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<tr>
<td>Forward</td>
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<td>Plan/Urgency</td>
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<tr>
<td>Links to corporate priorities and policy framework</td>
<td>The future arrangements for planning and delivering growth within the district are reflected in all four of the Council’s priorities</td>
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<tr>
<td>Risk management implications</td>
<td>There are considerable risks associated with the planning and development of the growth within West Northamptonshire</td>
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<tr>
<td>Consultation undertaken</td>
<td>The Leader has been involved in discussions with the other partner agencies in the lead up to the preparation of this report</td>
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<td>Equalities and diversity implications</td>
<td>It would be anticipated that the CLG would undertake an Impact Assessment on any proposals emerging from this consultation</td>
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<tr>
<td>Human rights implications</td>
<td>No specific implications</td>
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<td>Crime and disorder implications</td>
<td>No specific implications from this consultation, but depending upon what is decided for the future of the delivery vehicle could impact upon issues relating to crime and disorder</td>
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<td>Biodiversity implications</td>
<td>There are no direct biodiversity implications. Any implications that might arise would flow from Government decisions and primarily relate to future development implementation decisions</td>
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**Name**   Calvin Bell  
**Title**   Director of Policy  
**Date**   8th September 2009

Background Papers: Urban Development Corporations’ Quinquennial Review - Consultation.

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