

Public Document Pack



**TRAFFORD
COUNCIL**

SUPPLEMENTARY AGENDA PAPERS FOR EXECUTIVE

Date: Monday, 22 June 2020

Time: 4.00 p.m.

Place: Virtual Meeting – on Zoom

PLEASE NOTE: A link to the virtual meeting can be found below:

<https://www.youtube.com/channel/UCjwbIOW5x0NSe38sgFU8bKg>

A G E N D A	PART I	Pages
9. HALE LIBRARY		1 - 6
To consider a report of the Executive Member for Housing and Regeneration. <u>PLEASE NOTE:</u> A revised report is now attached and Members are requested to note a change to the recommendations.		
10. GREATER MANCHESTER'S CLEAN AIR PLAN: UPDATE		7 - 14
<u>PLEASE NOTE:</u> In connection with the previously circulated report of the Executive Member for Environment, Air Quality and Climate Change, Appendices 1 and 2 are now attached for information.		

SARA TODD
Chief Executive

COUNCILLOR ANDREW WESTERN
Leader of the Council

Membership of the Committee

Councillors A. Western (Chair), C. Hynes (Deputy Leader), S. Adshead, M. Freeman, J. Harding, E. Patel, T. Ross, J. Slater, G. Whitham and J.A. Wright.

Executive - Monday, 22 June 2020

Further Information

For help, advice and information about this meeting please contact:

Jo Maloney, Governance Officer

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Email: joseph.maloney@trafford.gov.uk

This agenda was issued on Thursday 18th June 2020 by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall; Talbot Road, Stretford, Manchester, M32 0TH

1.

TRAFFORD COUNCIL

Report to: Executive
Date: 22nd June 2020
Report for: Decision
Report of: Executive Member for Housing and Regeneration

Report Title

The Disposal of the Hale Library at Leigh Road, Hale (Library Site) and the 'Pavilion' building at the bowling green on Ashley Road in Hale (Pavilion Site).

Summary

This report seeks approval from the Executive to proceed with the revised scheme from that set out in the Executive Member decision of the 28th May 2015 for the provision of a new library and other community facilities within Hale funded through the redevelopment of the existing Library site at Leigh Road.

Recommendation(s)

It is recommended that the Executive: subject to satisfactory due diligence approved by the Corporate Director of Place:

1. Approves the disposal of the Hale Library site at Leigh Road (Library Site) to the Hale Community Trust (HCT) for £500,000 for the purpose of the redevelopment of the site.
2. Approves the disposal of the Pavilion Site and the leaseback to the Council of the new library facility for 125 years less 10 days.
3. Approves the deferred payment of the £500,000 purchase price
4. Approves the temporary re-location of Hale Library during the construction of the new library facility at the Pavilion
5. Delegates authority to the Corporate Director of Place in consultation with the Corporate Director of Governance and Community Strategy to agree the terms of the disposals and leases
6. Delegates authority to the Corporate Director of Governance and Community Strategy to enter into the requisite legal documentation to dispose of the property to Hale Community Trust and take a lease of the new library.

Contact person for access to background papers and further information:

Name: Tim McGreavy

Extension:

Background Papers: None

Implications:

Relationship to Corporate Priorities	<i>Revenue cost savings of the new Library facility and a capital receipt from the sale of the Land at Leigh Road</i>
Relationship to GM Policy or Strategy Framework	<i>Supports GM policies for sustainable development.</i>
Financial	<i>The capital value of the land is estimated to be £900k, The proposed sale value is a discounted value of £500k which will not be received by the Council until the residential units are sold. The deferment of the receipt transfers a proportion of the development risk to the Council. This risk is mitigated to some extent as described in 1.4.3. in the body of the report.</i> <i>The deferment also increases the borrowing requirement and costs of the Council during the deferment period. The capital receipt from the sale of the land will be used to support either new capital expenditure or to repay debt. The new purpose designed and built library and community facility will deliver a small revenue saving of £55k per annum compared to the existing budget for the two separate facilities.</i>
Legal Implications:	<i>The Council will need to ensure that the leases and agreement being entered into fully protect the Council's interests, in particular the grant of a lease of the new library facility and the security of the deferred payment</i>
Equality/Diversity Implications	<i>The new facility is purpose built and DDA compliant and will be available for use by community groups as well as existing library users.</i>
Sustainability Implications	<i>All sustainability issues will be considered as part of the ongoing design and development phases.</i>
Resource Implications e.g. Staffing / ICT / Assets	<i>The procurement and delivery stage will be managed by the Property and Development team to ensure the assets are delivered to the end user requirement of the Library Services team</i>
Risk Management Implications	<i>Risk of inability of Developer to complete transaction, but this will be managed by a robust contract</i>
Health & Wellbeing Implications	<i>All Health and Wellbeing issues will be considered as part of the ongoing design and development phases.</i>
Health and Safety Implications	<i>All H & S issues will be considered as part of the ongoing design and development phases.</i>

1.0 Background

- 1.1 On the 25th March 2015 the Executive approved a proposal to proceed to invite formal tenders for the redevelopment of the Hale Library site on Leigh Road, Hale. Consequently expressions of interest were sought to assess the market appetite for the disposal of the site and the reprovision of a library facility. The options proposed for consideration for the new library were for the provision either on the existing site or an alternative site in Hale and for either a permanent new building or a temporary facility to be provided until 2017.
- 1.2 On 28th May 2015 the Executive Member for Transformation and Resources agreed to the disposal of the Library and Pavilion sites to the preferred bidder Hale Community Trust and Hillcrest Homes. The bid allowed for the re-provision of the library in a re-built pavilion. The library would be handed back to the Council on a 125 year lease on a peppercorn rent, with Hale Community Trust being responsible for toilets, pavilion and other community facilities. The new building was to be funded by a residential development on the existing library site, which would also provide a land receipt to the Council of £900,000.

- 1.3 Following the confirmation of Hale Community Trust and Hillcrest homes there has been an extensive period of negotiation and collaboration on the form of development on both sites and the financial return to the Council. Planning applications were submitted in November 2017 and subsequently withdrawn on 5th February 2019. New applications for both sites, 97376/FUL/19 and 97375/FUL/19, were validated on 8th April 2019 and 10th April 2019 respectively and approved at planning committee on 9th August 2019. The revised planning application reduced the size of the development from that originally envisioned.
- 1.4 Since the original decisions in 2015 there have been a number of key changes predominately driven by changes in the scale of the residential development. The objectives of the proposal and the fundamentals of the original submission, in relation to residential development on the existing library site cross-funding the development of a new library and enhanced community facilities managed by Hale Community Trust, remain unchanged. The changes are summarised below;
- 1.4.1 In 2015, Hillcrest Homes and Hale Community Trust were appointed as the preferred bidder. Hillcrest Homes and Hale Community Trust bid as a consortium but have since dissolved their arrangement by mutual agreement. Hale Community Trust has committed to continue in its provision of the scheme and has engaged Westshield Ltd to replace Hillcrest as developer. Westshield Ltd have an equal capability to finance and deliver this form of development. Hale Community Trusts involvement in relation to the new library and community facilities remains unchanged.
- 1.4.2 A revised offer of £500,000 for the Leigh Road site; all other elements of the original submission being unchanged. DTZ provided a valuation of the Library site in November 2014 of £870,000. However, the proposed new Library and Community facilities at Ashley Road will provide revenue savings for Trafford Council from reduced running costs of £45,000/annum and also revenue savings of £10,000/annum from the ongoing costs of repair and maintenance liability. The Council will also no longer be responsible for the maintenance of public toilets and the bowling/elderly welfare pavilion. The Council will also benefit from the Council Tax of the 8 new dwellings, business rates and new homes bonus. On this basis whilst the sale of the current library site will be at an undervalue for the site on its' own, the disposal provides a social and economic benefit to the Council in addition to the capital receipt and revenue savings.
- 1.4.3 The previous Executive decision accepted a deferred payment of the capital sum until all residential sales had been completed. This would be following an extended contract period of two and a half years. This period allowed for the construction of the Library building first followed then by the residential scheme. This new proposal is to build both schemes concurrently which consequently reduces the contract and sales period to 18 months. The Council will therefore receive its capital receipt 12 months earlier. By way of further security and to ensure delivery of the Library no residential sales would complete until the library has been delivered. A step in agreement in favour of the Council is also incorporated into the draft legal agreements.
- 1.4.4 Library services have agreed a preferred location for a temporary library, which would enable development of both sites to take place concurrently, of the former RBS Bank; with a potential alternative location within the Crown

Passages development. The relocation costs of the library to a temporary facility are funded by Westshield.

1.4.5 Westshield Ltd and Hale Community Trust to engage through a formal Pre Planning agreement with the Local Planning Authority to submit a section 96a (NMA) application to deliver both Works sites at Leigh Road and Ashley Road concurrently, together with an application to discharge the conditions on the current approved planning permissions of the 8th and 9th August 2019

1.4.6 It is now proposed to grant a lease of the Pavilion site so the Council can take back control and step in if community use stops/Hale Community Trust becomes insolvent – under the previous approvals Hale Community Trust would have had the freehold and all obligations to maintain.

1.5 The anticipated start date in June 2020 provides sufficient time to manage the library relocation, discharge planning conditions and apply for planning permission for a site compound to be located at Cecil Road car park. It is currently anticipated that both sites will be completed by June 2021.

Other Options

1. Do nothing – keep current library

The original proposal for the current Hale Library was closure due to its proximity to Altrincham and Timperley Libraries and the fact the building was costly to upkeep. Hale Community Trust formed in order to keep Hale Library open and provide a newer library in a different location. Since the original proposals a new library has opened in Altrincham and a new library will open late 2020 in Timperley. The proposed approach maintains library services, in a new building, whilst also providing a financial saving to the Council.

2. Close Library and dispose land for development

The Executive could determine to close the existing library and dispose of the land development, which may generate a higher land receipt, potentially up to circa £900,000. However, it would also reduce the requirement to defer payment of the capital receipt, which carries a risk and increases borrowing requirements. However, it would reduce library provision in the Borough by one and the Council would still be required to fund and maintain the existing bowling pavilion and public toilets.

Consultation

Two stages of public consultation for the libraries service have previously been undertaken and are set out in the report to the Executive of 25 March 2015. Extensive consultation has taken in respect of the development both prior to and as part of the planning applications. No further consultation is required at this stage.

Reasons for Recommendation

Implementation of the recommendation will allow for the provision of a new library and other community facilities within Hale, funded through the redevelopment of the existing library

site. The development will produce a deferred capital return for the Council which, once received, will support the delivery of the Council’s strategic objectives across the Borough. The proposal will also provide small revenue savings for the Council as future maintenance liabilities and running costs for the building will be covered through the development agreement and there will be no on – going liability to the Council.

Urgency of Decision No

Key Decision: Yes

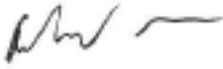
If Key Decision, has 28-day notice been given? Yes

Finance Officer Clearance (type in initials)...NB.....

Legal Officer Clearance (type in initials)...DS.....

[CORPORATE] DIRECTOR’S SIGNATURE

(electronic).....



To confirm that the Financial and Legal Implications have been considered and the Corporate Director has cleared the report prior to issuing to the Executive Member for decision.

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Department
for Environment
Food & Rural Affairs

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Cllr Andrew Western
Trafford Council,
Trafford Town Hall,
Talbot Road,
Stretford,
M32 0TH

16th March 2020

Dear Andrew,

I am grateful for the work Greater Manchester authorities and the team at TfGM have undertaken on your plan to deliver nitrogen dioxide (NO₂) compliance in the shortest possible time. Following the submission of your OBC last year, we asked you to provide further evidence on a number of aspects. I am satisfied that, with the further evidence submission provided by TfGM at the end of January 2020, the main evidence queries set out in earlier correspondence from then Minister Coffey have been suitably addressed. There are some technical clarifications my officials will discuss with you to provide final assurances, however, I am content that you should continue to consult and implement your Class C Clean Air Zone (CAZ).

I am aware that you have also provided further evidence and justification to JAQU for an exemption to 2023 for LGVs in the Clean Air Zone. Following a review of this evidence I am prepared to accept your case for the exemption for LGVs to 2023.

Upon reviewing the evidence provided for the preferred option to achieve compliance, we do not support all of the measures proposed. While the modelling shows some additional support measures alongside a CAZ are required to enable delivery of NO₂ compliance in the shortest possible time, our assessment indicates that not all would be needed.

From the evidence provided, we are not convinced the sustainable journeys measure is necessary. The evidence shows this contributes a minimal amount to NO_x reduction in key locations. We can only support, from the Implementation Fund, measures that are needed to meet compliance as soon as possible so I regret we will not be supporting this measure in your plan. Similarly, I know you have been discussing electric vehicle charging infrastructure with JAQU. It is not a measure needed for compliance, so cannot be supported by the Implementation Fund. The JAQU will continue to discuss with TfGM other funding opportunities for this.

I am also aware that you have been looking for assurances to support drivers affected by the Clean Air Zone. We have always been clear that funding will be provided from the Clean Air Fund for businesses and individuals most affected by the Greater Manchester Clean Air Zone and least able to adapt, based on evidence of need. It is disappointing that this has led you to delay the consultation on the plan, and thus failing to meet the legal requirement to provide an FBC by the end of 2019.

Despite this, I am satisfied that you have continued to prepare and develop arrangements for the CAZ. I believe there is a case for releasing some funds from the Clean Air Fund now, ahead of your final plan to support businesses most impacted by the CAZ. I am pleased to provide an initial £41m in funding, comprising £15.4m to support bus retrofit; and the upgrade of PHVs (£10.7m), HGVs (£8m), coaches (£4.6m), and minibuses (£2.1m) through grant or loans.

The JAQU will continue to work with TfGM on a timeline for delivery of these schemes. This is without prejudice to further funding decisions. We will provide additional CAF funding for sectors affected by your plan based on demonstration of need once the final plan is approved. This is in addition to funding for implementing the CAZ, where we have already provided £36m and will make further funding awards based on your final plan.

I understand alongside the NO₂ plan, Greater Manchester authorities will also be consulting on minimum emission licensing standards for taxi and private hire vehicles. This will be an

important complementary measure to the NO₂ plan to support raising the standard of the fleet, alongside CAF funding. I looking forward to the conclusion of that consultation and confirmation of the standards and timing for when these will be in place. I would be grateful if you could keep JAQU informed of progress.

I look forward to Greater Manchester authorities commencing the consultation on your Clean Air Plan, and providing a final plan as soon as possible. As you know the requirement is to meet compliance with legal NO₂ limits in the shortest possible time. We are still expecting that, in line with the timetable Greater Manchester authorities have set out, that the Clean Air Zone will be in place in 2021 in order to meet compliance in 2024. Accordingly, I attach a revised direction to Greater Manchester authorities setting out delivery dates for key business case documentation based on your plans, requiring

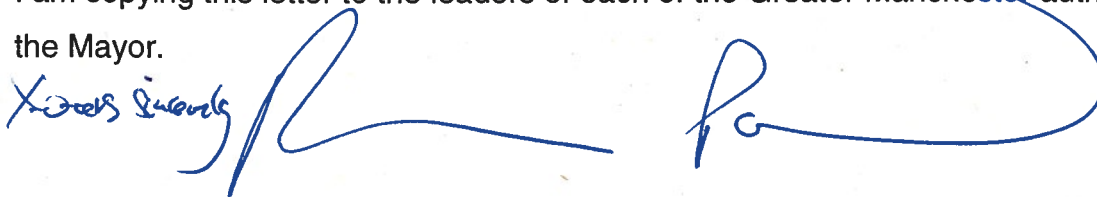
- (i) a draft delivery plan for each of the individual measures in your NO₂ plan by 31 July 2020;
- (ii) an interim FBC by 30 October 2020; and
- (iii) a report by 30 November 2020 that details: the results and analysis of the consultation; any proposed changes to individual measures; and the steps to FBC.

The delivery plans should set out the strategic, economic, commercial, financial and management detail of each measure, ahead of the FBC (and for the Clean Air Zone the outstanding commercial, financial and management detail).

We recognise that the draft delivery plans and interim FBC, under (i) and (ii), will be prepared ahead of the consultation and will be subject to change, further we also recognise that some documentation requested may be subject to formal governance by the 10 Greater Manchester authorities, so draft versions that have been prepared for governance to meet these dates are acceptable, so we can consider these documents in parallel recognising they may not be approved during the decision making process.

My officials will shortly be issuing grant letters for the Clean Air Fund award.

I am copying this letter to the leaders of each of the Greater Manchester authority councils and the Mayor.



REBECCA POW MP

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Rebecca Pow MP
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs
Seacole Building
2 Marsham Street
London
SW1P 4DF

08 April 2020

Dear Minister

I write further to your letter received on 18 March, regarding next steps with Greater Manchester (GM)'s Clean Air Plan proposals. My response to your letter is made with advice from TfGM ahead of a formal discussion with my Local Authority colleagues.

I welcome the confirmation that you are satisfied with the additional options appraisal evidence with the main evidence queries having been suitably addressed, recognising there are some further technical clarifications that are needed for final assurances; and the steps forward that are contained within your letter. In particular, I noted that your letter outlines:

- the government's desire for GM to consult on a Class C Clean Air Zone (accepting our case for exempting LGVs to 2023) with the timings of reporting back on the consultation suggesting that this activity is expected to take place in the summer;
- that the government will provide an initial tranche of funding of £41m for grants or loans – and that this is broken down as £15.4m for bus retrofit, £10.7m for PHVs, £8m for HGVs, £4.6m for coaches and £2.1m for minibuses; and
- that there is an expectation that GM's Clean Air Zone will be introduced in 2021 so compliance with NO₂ legal limits is met in 2024.

Whilst the initial tranche of funding is welcome along with the acceptance of our case for 2023 being the earliest point possible to bring LGVs into the scope of the charging Clean Air Zone, there are a number of aspects within our Plan that your letter has not yet been able to provide certainty over.

Firstly, I have noted that the initial release of funds outlined in the letter does not currently set out an offer of funding for Hackney Carriages as proposed by Greater Manchester, however, I do note the intention to review this further with GM officials. Further development of this funding ask is crucial if consultation on our plan with the taxi trade is to be progressed in a fully informed manner.

I also noted that the initial release of funds outlined in the letter does not currently set out an offer of funding for the business community that relies on the 70,000+ LGVs in operation here in Greater Manchester. Again, I must encourage the work on this aspect to progress quickly so funding can be forthcoming as soon as possible, so as to ensure that bureaucratic delay does not use up the valuable time that could otherwise be available to enable vehicle replacement to happen, following your agreement to exempt Category C vehicles to 2023.

The funding for buses in your letter will provide the basis for developing a model to retrofit the circa 1,000 buses in Greater Manchester that are capable of being converted. However, there remain a further 600+ vehicles for which there are no accredited retrofit options. We

anticipate the parallel funds for ultra-low emission buses, announced in the March Budget Statement, may provide a source for this funding requirement, but we would welcome early confirmation that this is the case. Similarly, we would welcome clarification from JAQU, to help us to secure funding for Electric Vehicle charging infrastructure. I note that £500m was awarded to OLEV in the March Budget Statement.

Finally, we need to ensure that funding routes remain open to the other elements in our Plan that have not been supported by the letter, including the proposed Clean Air Hardship Fund; and the mobilisation/delivery costs for vehicle funds; and there remain outstanding issues regarding specific locations on the Highways England trunk road network that will be crucial to a coherent consultation proposal.

I note that your letter and the accompanying direction were dated 16 March, before the enactment of the Coronavirus Act 2020. Clearly since this time the focus of the nation has shifted dramatically to responding to the global COVID-19 pandemic. As a result, GM colleagues are working to understand the wider impacts of the coronavirus outbreak on this programme of work.

Most immediately, I would like to highlight the timing of GM's consultation, which is assumed in the letter to be taking place in the summer. The planning for this activity cannot be progressed until there is more clarity around the implications of the national response to coronavirus.

As you will appreciate, whilst the government has made a number of financial packages available to businesses and the self-employed in this extraordinary situation, our residents and businesses are rightly focused on ensuring they and their families and employees stay safe. In addition, we are very aware that the impact of pandemic management policies will be felt very strongly within the taxi trade. Furthermore, conducting a consultation in this lock down situation would seem inappropriate as many consultees may not have the opportunity or capacity to consider and respond to the proposals in a meaningful way as required by the public law principles of fair consultation.

Therefore, the proposition of consultation during this immediate period would not seem either viable or appropriate. Nonetheless, we remain committed to meeting our clean air obligations at the earliest opportunity and will be ready to continue to work as the circumstances change.

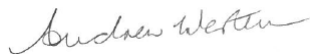
In doing so, we will also need to be mindful of the significant changes that could result from these exceptional times. We know that the transport sector has already been hugely impacted by the epidemic, and government policies to stem its spread; and its ability to recover from significant revenue loss whilst also being expected to renew fleet to respond to pre-pandemic policy priorities requires further thought and consideration. Therefore, the groups most affected by our Clean Air Plan may need even further assistance than we had anticipated at the time of our previous submission to Government.

More broadly, there will be wider economic impacts that may be sustained and that could significantly change the assumptions that sit behind our plans. Our officials have begun to consider this; and it is highly likely that we will need to update you and the JAQU team as the picture becomes clearer over time. I note that in recent days the JAQU team have made contact with TfGM to clarify that they understand that COVID-19 may impact our ability to progress this work and deliver to previously agreed timelines. They have also confirmed that they do not wish to create additional burdens on Local Authorities at this time. We understand they are committed to keeping an open dialogue with us keeping the situation under regular review, this position is welcomed.

Finally, we remain committed to continue to pursue dialogue with Government on supporting measures that we consider important in achieving plan outcomes, namely powers to act on congestion including moving traffic offences, and reforms to taxi and private hire legislation, in particular to end the practice of out-of-area operation which currently prevents effective local regulation of agreed standards for private hire services.

I hope that this letter helps to show that our commitment to clean air remains strong. However, given the extraordinary circumstances that will remain for some time, I hope that we can continue to work closely to ensure that its achievement is reached in a pragmatic and adaptable manner.

Yours sincerely,



Cllr Andrew Western

Leader of Trafford Council and Greater Manchester Portfolio Lead for Green City

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