

THE OVERVIEW AND SCRUTINY COMMITTEE

17 October 2016

Minute Extract

316. **STATION APPROACH UPDATE (LESS EXEMPT APPENDIX)**
(Report CAB2852 refers)

The Committee noted that the Report had not been notified for inclusion on the agenda within the statutory deadline. The Chairman agreed to accept the item onto the agenda as a matter requiring urgent consideration by The Overview and Scrutiny Committee, prior to its consideration by Cabinet at its meeting on 19 October 2016.

Councillor Godfrey introduced the Report and highlighted that the RIBA Competitions Office would help deliver a new design concept for the proposals which in turn would be widely consulted on.

Michael Carden (City of Winchester Trust) reported that the process described in the report would be helpful in ensuring positive outcomes for the development proposals. He stated that previously, the urban design aspects in the Council's Design Brief had been largely ignored in the process, for example the quantity of accommodation at the site bringing about unacceptable architectural solutions. These requirements should be emphasised and more strictly observed going forward. Mr Carden also stated that there was an apparent absence of strategic thinking overall, notably with regard to transport matters and the consequential impact upon the public realm. However, in summary, Mr Carden was confident that the involvement of RIBA should help 'rebalance' the design brief for the scheme. Mr Carden referred to the recommendations to Cabinet in the Report and suggested that delegations to the Assistant Director (Estates and Regeneration) should perhaps also include input from Councillors. Mr Carden also suggested that the Council's Urban Design Officer should be involved as part of the procurement process.

The Chairman thanked Mr Carden for his presentation and advised that the Committee would have regard to his comments as part of its discussion of the Report.

Chris Higgins commented that previously he had had concerns with aspects of the Design Brief for Station Approach, but this was the first opportunity for full discussions since the end of the first procurement process had released the 'gag' on comments being made about the competitive process. In addition, Mr Higgins spoke of his own personal concerns of unprofessional conduct of officers, including their manipulation of the process. He referred to an email sent to a Council officer suggesting that the Design Jury members had been misled by officers. Mr Higgins also suggested that officers were in general not sufficiently experienced to be able to deal with the matters involved. Mr

Higgins highlighted also that the Design Jury had been unable to speak to Cabinet members or with the architects. He raised that if only officers were able to speak with Cabinet, were Members misled? And were officers or Councillors responsible for the eventual outcomes? In addition, he stated his view that incorrect legal advice had been provided to the Council, to the effect that it was not possible to have a RIBA competition under the EU Procurement Rules. He claimed that it was also unprecedented that more than half the original participants in the competition dropped out of the process and this had caused much consternation among the architectural world. He also stated that the Design Jury had voted for Bidder C's scheme, but all reports were in favour of Bidder B, with no explanation for this. In summary, at conclusion of his presentation, Mr Higgins suggested potential officer maladministration of the process and he requested that the email suggesting impropriety of officers be referred to the Leader.

The Chairman thanked Mr Higgins for his presentation and advised that the Special meeting of the Committee on 30 November 2016 would specifically deal with the scrutinising aspects of the competitive dialogue process and therefore he may wish to attend this meeting accordingly.

The Interim Managing Director referred to the matters raised by Mr Higgins and requested that he substantiate, in writing to him, his serious allegations of unprofessionalism and manipulation and deliberate misleading by officers. With regard to the email referred to by Mr Higgins, he stated that it did not make new allegations but did seem to confirm that the jury had not expected the low scores awarded for design to operate as they had. This could be addressed in the forthcoming report to The Overview and Scrutiny Committee.

The Committee asked a number of detailed questions and Councillor Godfrey, the Interim Managing Director, Assistant Director (Estates and Regeneration) and Assistant Director (Policy and Projects) responded accordingly as summarised below.

- i. The previous procurement process for Station Approach entailed procuring an architect design based on a brief and whilst also seeking to ensure that financial viability (not maximum profitability) was considered. The proposed way forward was different, and comprised a process to obtain expressions of interest from firms of architects, who would then be interviewed by a panel to decide which firms would be suitable to be invited to tender for the work.
- ii. Public parking provision will be in line with the Council's Parking Strategy – and this was articulated in the Design Brief. The competitive dialogue process had previously produced proposals that were not acceptable to the Council.
- iii. The new procurement process would allow changes to be made to the initial requirements of the Brief in response to the design coming out of the process. The new process would allow greater flexibility for the

selected architect to work up a deliverable scheme that was widely acceptable as possible.

- iv. Councillor Godfrey pointed out that the Council's Parking Strategy, Traffic Movement Study and other ongoing related work was likely to influence the need for parking at Station Approach and that this aspect of the Brief would evolve during the procurement and design phases. Work already commissioned was looking at the impact of changes to parking demands in Winchester. The Traffic Movement study would be looking to establish a baseline position and it could be investigated whether this could be modelled around parking pricing structures. The Brief would also continue to have regard to the Council's Air Quality Action Plan.

During debate, the Committee acknowledged that the new procurement process offered greater flexibility to deliver a scheme likely to be more acceptable and this was welcomed, as was the ability of the preferred design team to establish ongoing dialogue with the Council. Some Members considered that the evaluation panel should also include local councillor representation to help ensure that the views of local residents were taken into account and for there to be general buy-in from the public. However, it was also considered that the representation on the panel of the City of Winchester Trust, as experts and residents, already achieved this objective. Some Members also questioned whether a similar process overall would be utilised to deliver future redevelopment of the Cattle Market site.

RECOMMENDED:

THAT THE REPORT BE NOTED.

RESOLVED:

That it be Recommended to Cabinet that the Station Approach Evaluation Panel should also include a local ward councillor to help ensure that the views of local residents are taken into account.