

## Strategic Development Advisor – draft scope of services

Winchester City Council (“the Council”) is looking to procure the services of a strategic development advisor (SDA) to provide a multi disciplinary set of services to support with the implementation of its major projects and place strategy.

Significant challenges face the public sector and the Council needs to adopt an entrepreneurial approach to deliver the outcomes outlined in its adopted strategy:-

<http://www.winchester.gov.uk/about/strategies>

The overarching vision of Winchester City Council is to combine a blend of innovation, aspiration and pragmatism and to look beyond the traditional ways of doing things.

The Council is committed to;

- Making the District a premier business location
- Developing quality housing with a balanced range of tenures
- Protecting and enhancing our unique environment
- Delivering services that encourage residents to lead healthy and fulfilling lives

The outcome will be a district where everyone enjoys the opportunities and quality of life that come from living in the Winchester district.

Guided by the Council Strategy, the Council has an ambitious programme of major projects in place which deliver the key priorities throughout the Winchester District.

These include;

- Sports and leisure park (and the site of the existing River Park Leisure Centre when closed)  
<http://www.winchester.gov.uk/projects/5740/replacement-leisure-centre-project>
- Station Approach  
<http://www.winchester.gov.uk/projects/5741/station-approach>
- Central Winchester Regeneration  
<http://www.winchester.gov.uk/projects/5744/central-winchester-regeneration>

The Council has an active programme of homebuilding, as well as having the potential of some further development sites not directly in our ownership, such as Bushfield Camp and Sir John Moore Barracks. There is also the strong desire to think strategically about the future of the city and district and the Council’s assets, and to act in partnership or otherwise to shape the area for the benefit of future generations. The Council is also working with Hampshire County Council on a jointly funded movement strategy for the city.

The SDA will be expected to work across Council projects, strategy and development opportunities as needed but with the initial focus on Central Winchester Regeneration.

Winchester is a special city and as such, the Council will expect the SDA to provide examples of work they have successfully carried out in other locations and to demonstrate that their approach will take in to account the Winchester sense of place.

Services sought are:

**Client Advisor**

The SDA will provide the Council with advice in respect of emerging market trends, funder requirements and best practice in respect of delivery of complex, city centre regeneration projects. Services will include, but not be exclusive to, master planning, viability modelling, site assembly, compulsory purchase, business planning and partnership structuring.

The SDA will also be expected to support the Council's officers in reporting to various Council committees. This role is anticipated to include contributing to committee reports and attending / presenting at committee meetings as necessary.

**Commercial Structures** – to review the optimal commercial structures for project delivery, beginning with the Central Winchester regeneration scheme. This will require the SDA to have regard to the following:

- The Council's phasing requirements;
- The Council's aspirations for the CWR project to be delivered as a series of parcels, on an incremental basis and incorporating multiple architectural practices and potentially multiple developers;
- The Council's requirements to comply with the Public Contracts Regulations 2015; and
- The Council's obligations to demonstrate that it is achieving Best Consideration for any land it disposes of.
- Advise on the Council's options for retaining appropriate control, legacy planning and participation in the development

In addition, the SDA will be required to support the Council's in house legal team and external legal advisors in formulating appropriate legal agreements for the projects. This could take a number of forms, including but not limited to a:

- Conditional Land Sale Agreement
- Development Agreement
- Corporate Joint Venture

- Land Owner Collaboration Agreement

The SDA may be required to provide the following services to support the formulation of the commercial structures:

- VAT and SDLT advice
- Business Case Advice (in accordance with HM Treasury 'Green Book' requirements)
- Funding advice

**Land Use Planning and Site Masterplans** – to provide reasoned, research-backed advice on land uses for individual sites to ensure best value and complement the Council's ambitions for Winchester. This will be backed up by block massing and indicative designs, uses, area schedules, costs, sales values and viability appraisals.

**Development Viability and Phasing** – to undertake periodic reviews of the viability of the projects. The SDA will have regard to the outputs sought within the Central Winchester regeneration SPD; the proposed commercial arrangements; and market informed sales value and cost assumptions.

In reviewing development viability, the SDA will be required to advise on the optimal approach to phasing the development, having regard to the Business Case and overall project cash flow.

**Developer Procurement** – the SDA will be expected to take the lead role, under the direction of the Council, for procuring one or potentially multiple development partners.

This role will include:

- Soft market testing
- Advising on the most appropriate marketing route (for example land sale, framework panel or full OJEU process);
- Undertaking structure market engagement with prospective developers;
- Preparing relevant marketing collateral and procurement documentation;
- Project managing the procurement process, including managing enquiries, chairing meetings with prospective developers and ensuring that the process runs to programme;
- Supporting with the evaluation of bids;
- Preparing a report with recommendations as to which developer to select.

**Land Assembly Advice** – the SDA will be required to provide strategic advice in respect of acquiring third party land interests. The working, and preferred, assumption should be that third party interests will be acquired by agreement. The Council may however opt to use its powers of Appropriation and Compulsory Purchase if negotiations are unsuccessful.

This role will include the following:

- Supporting the Council's estates team in formulating a strategy for acquiring third party interests in the site.
- Preparing a Property Cost Estimate, to inform the potential costs of acquiring third party interests.

Should a CPO be pursued, the role would also include:

- Managing land referencing agents on behalf of the Council
- Supporting the Council's in house legal team and external legal advisors in preparing documents required for a CPO, including the Statement of Case and Statement of Reasons
- Supporting the Council at the CPO Public Inquiry, including provision of evidence as may be required
- Acting as the Council's lead agent in respect of negotiating third party land acquisitions, whether by agreement or pursuant to a CPO

**Best Consideration Advice** – the SDA will be required to prepare Best Consideration advice in respect of any Council disposal of land.

The SDA will be expected to advise the Council as to whether Best Consideration is to be determined under Section 123 of the Local Government Act or Section 233 of the Town and Country Planning Act.

**Development Monitoring** – following the appointment of a development partner, the SDA will be required to:

- Support the Council in monitoring the development partner's satisfaction of any pre-conditions
- Supporting the Council in any disputes which arise – for example in respect of viability
- Monitoring and reviewing the project development account, to establish the extent the developer's obligations to pay overage and any other consideration due have been properly satisfied.

### **Consultant Team**

The SDA is expected to be a lead consultant with access to a trusted and expert team of suitable sub-contractors to deliver the services outlined.