

Town Centre Strategy – Procurement of Professional Team

Timetable	
Meeting	Date
Economic Regeneration and Leisure Policy Advisory Committee	4 October 2022
Executive	26 October 2022

Will this be a Key Decision?	Yes
Urgency	Not Applicable
Final Decision-Maker	Executive
Lead Head of Service	Chief Executive
Lead Officer and Report Author	Alison Broom
Classification	<p>Public with Exempt Appendix</p> <p>Appendix B Exempt – The information contained within the Exempt Appendix is considered exempt under the following paragraph of Part 1 of Schedule 12A to the Local Government Act 1972:</p> <p>3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p> <p>Public Interest Test: The public interest in non-disclosure of the information contained within the Exempt Appendix outweighs the public interest in disclosure of the information. Disclosure of the information contained within the Exempt Appendix would compromise the Council's position in the procurement process.</p>
Wards affected	All with particular impact for High Street, East, Fant and North wards

Executive Summary

The aim of this report is to secure agreement to the allocation of funding for a professional team to support the Council in the preparation of our Maidstone Town Centre Strategy and authority for the appointment of the preferred supplier. It sets out the background to the decision that a Town Centre Strategy should be produced, summarises decisions made by the former Policy and Resources Committee and the scope of expertise to be secured to complement that of the Council's policy and engagement, economic development, spatial planning, development management and property teams.

The issue was considered by the Economic Regeneration and Leisure Policy Advisory Committee on 4 October 2022 and the Committee supported the recommendations set out in the report.

Purpose of Report

Decision

This report makes the following recommendations to the Executive:

1. That the existing resources contained in Exempt Appendix B be allocated for funding professional expertise needed for development of the Maidstone Town Centre Strategy.
2. That, following the procurement evaluation process, delegated authority be given to the Chief Executive for appointment of the professional team in consultation with the Leader (who is the Lead Member with responsibility for Economic Development).
3. That delegated authority is given to the Head of the Mid-Kent Shared Legal Service to enter into a contract with the preferred supplier.

Town Centre Strategy – Procurement of Professional Team

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	Accepting the recommendations will materially improve the Council's ability to achieve corporate priorities for embracing growth and enabling infrastructure, Maidstone being a thriving place, safe clean and green and homes and communities.	Chief Executive
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendations support the achievement of cross cutting objectives heritage is respected and biodiversity and environmental sustainability is respected.</p>	Chief Executive
Risk Management	Already covered in the risk section at paragraph 5.	Chief Executive
Financial	The proposals set out in the recommendations are all within already approved budgetary headings and so need no new funding for implementation.	Section 151 Officer & Finance Team
Staffing	The purpose of this report is to allocate funding from an already agreed budget to secure extra expertise to deliver the Maidstone Town Centre Strategy.	Chief Executive
Legal	The Council must follow its internal procurement rules and the Public Contract Regulations 2015. When the consultant is selected, Legal can draft a suitable contract that protects the Council's interests.	Team Leader, Contracts and Commissioning, MKLS
Information Governance	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council Processes.	Information Governance Team

Equalities	The recommendations do not propose a change in service therefore will not require an Equalities Impact Assessment. The Town Centre Strategy once produced may impact on service delivery and a judgement will be made about the need for an Equalities Impact Assessment when consideration is given to adopting the Strategy.	Equalities & Communities Officer
Public Health	We recognise that the recommendations may ultimately have a positive impact on population health or that of individuals as the Council endeavours to incorporate health improvement in all its strategies and policies.	Public Health Officer
Crime and Disorder	We recognise that the recommendations may ultimately have a positive impact on community safety as the Council endeavours to incorporate a reduction in crime and disorder in all relevant strategies and policies.	Head of Service or Manager
Procurement	The Council is undertaking a procurement exercise to put a professional team in place to complement internal expertise and capacity and thereby enable the Town Centre Strategy to be produced. The recommendations in this report would enable resources to be allocated from an already agreed budget and delegations for appointment to be made within agreed parameters.	Head of Service & Section 151 Officer
Biodiversity and Climate Change	The implications of this report on biodiversity and climate change have been considered; there are no direct implications on biodiversity and climate change however the Town Centre Strategy will ultimately address these issues.	Biodiversity and Climate Change Officer

2. INTRODUCTION AND BACKGROUND

- 2.1 Reports concerning the Town Centre Strategy were presented to the Policy and Resources Committee in September and October 2021 and March 2022. These led to discussions around the principle and scope of an ambitious Town Centre Strategy for Maidstone designed to establish and provide clarity on the Council's long-term vision for the town centre to 2050, complemented by a comprehensive delivery plan to achieve this. Following engagement with the service committees in the late part of 2021, the scope and workstreams of the proposed Strategy were amended. In March 2022, the Policy and Resources Committee agreed the scope and workstreams for the Town Centre Strategy, the governance structure, and principles for engagement with the public and key stakeholders.
- 2.2 Delivery of the Strategy needs a wide range of expertise and significant capacity. To put this in place the Council has established a project team with expertise from policy and engagement, economic development, spatial planning, development management and property teams. Our experience with other projects has demonstrated the benefits of complementing the internal team with external professional expertise to provide specialist knowledge, skills and capacity.
- 2.3 Informal engagement with the Executive and market engagement has taken place to inform, amongst other things, the scope of the brief for external professional advice and strategy production and information requirements. The brief has been established and is set out in Appendix A. The brief includes greening and lighting as identified in the UK Shared Prosperity Fund Local Investment Plan with a financial contribution from this source of £20,000. It is envisaged that this work will take approximately 12-14 months commencing in December 2022 and spanning the financial years 2022/3 and 2023/4.
- 2.4 Market engagement has provided a range in the cost of expertise and capacity to produce the Strategy and a delivery plan which varies quite widely dependent on a number of factors including the extent of public and stakeholder engagement, the amount of additional information (beyond that already held by the Council) needed and the range/depth of options appraisals e.g. for opportunity sites and elements of the spatial framework that is needed – with all these dependent on feedback including from members generally and decision makers. The former Policy and Resources Committee made financial provision for the Town Centre Strategy on two occasions. In October 2021 the Committee agreed to allocate £175,680 from the Covid Recovery and Renewal Fund for year 1 costs to develop the Town Centre Strategy. In February 2022 the Committee and subsequently Full Council agreed that the first £1 million of 2022/23 New Homes Bonus be allocated for strategic policy and plan making. This includes work on the Town Centre Strategy.
- 2.5 As part of this process, the Economic Regeneration and Leisure Policy Advisory Committee was asked to consider and recommend the allocation of funding as set out in Exempt Appendix B for the engagement of an external professional team.

- 2.6 Procurement services at this scale require the Council to apply the “Find a Tender Service” methodology; this has replaced the OJEU/TED methodology from 31 December 2020 as a result of Brexit. The cost quality ratio of this process is key to securing a professional team of the best calibre that the Council can achieve within its allocated budget. It is requested that, following the procurement evaluation process, delegated authority be given to the Chief Executive for appointment of the professional team in consultation with the Leader (who is the Lead Member with responsibility for Economic Development) and that delegated authority is given to the Head of the Mid-Kent Shared Legal Service to enter into a contract with the preferred supplier.
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3. AVAILABLE OPTIONS

- 3.1 Option 1 – that the Executive considers the recommendations set out in this report and supports them; the merit of this option is that the Town Centre Strategy can be progressed quickly, drawing on expertise and capacity that the Council would otherwise not have access to, whilst equally ensuring a good quality Strategy.
- 3.2 Option 2 – that the Executive considers the recommendations set out in the report and agrees an alternative approach.
- 3.3 Option 3 – that the Executive considers the recommendations set out in the report and agrees not to continue with the process of securing external expertise to support the creation of a Town Centre Strategy; the impact of this would be the opposite of Option 1 including potential adverse consequences for the quality of the work and pace at which the Strategy is progressed.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 Option 1. The allocation of funding and engagement of a professional team to support delivery of the Town Centre Strategy will positively contribute to the Council’s aspiration to create a town centre which responds to current and future challenges. This is a key pillar in the Council’s Economic Development Strategy, to delivering the policies in the Local Plan and for the quality of life for the town centre community.
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5. RISK

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council’s Risk Management Framework – see below. We are satisfied that the risks associated are within the Council’s risk appetite and will be managed as per the Policy.
- 5.2 The creation of a Town Centre Strategy is a key mitigation action for several corporate risks relating to restructuring of the economy and particularly

changes to town centres and high street retail, as well as to the delivery of housing in the town centre particularly at opportunity sites and in articulating how further housing can be accommodated in this broad location.

- 5.3 The risks in terms of the procurement of a professional team relate to ensuring the quality of expertise and value for money of the tendered offers. These risks have been mitigated by undertaking a market engagement stage in the procurement process. This produced a significant response, from 15 consultancy companies with a range of useful feedback which has been considered in preparing the brief and as background to this report in terms of factors such as financial provision. Subject to decisions on allocating funding, the subsequent procurement process evaluations will emphasise quality as part of the value for money assessment.
- 5.4 There are risks to the Council of not having sufficient expertise in all areas and capacity to develop the Town Centre Strategy. In addition to compromising the mitigation to corporate risks for the economy and housing supply, there would also be a reputational risk, should the Council be perceived as not investing sufficiently or strategically enough to mitigate these.
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6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 The former Policy and Resources Committee has considered and agreed both the need for, scope of and the workstreams of a Town Centre Strategy, and in doing so considered the input from the three service committees in place until May 2022.
- 6.2 Engagement with stakeholders and anchor institutions to inform the Strategy took place on 26 September 2022; engagement and consultation is a key element of the production of the Strategy.
- 6.3 Market engagement has been undertaken as part of the preparation for procurement of a professional team.
- 6.4 The issue was considered by the Economic Regeneration and Leisure Policy Advisory Committee on 4 October 2022 and the Committee supported the recommendations set out in the report.
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7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 If the recommendations are agreed, the procurement process will progress to source the professional expertise needed for development of the Town Centre Strategy.
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8. REPORT APPENDICES

Appendix A: Brief – Town Centre Strategy Professional Team Procurement

Exempt Appendix B – Recommended financial provision for Town Centre Strategy Professional Team Procurement

9. BACKGROUND PAPERS

None