

**WRITTEN STATEMENT OF A KEY DECISION
CABINET**

ITEM:	EDGAR STREET GRID DEVELOPMENT – SELECTION OF PREFERRED FIRST PHASE DEVELOPMENT PARTNER
Members Present:	Councillors: RJ Phillips (Leader), LO Barnett, AJM Blackshaw, H Bramer, JP French (Deputy Leader), JG Jarvis, DB Wilcox.
Date of Decision:	28 February 2008
Exempt:	No
Confidential	No
<p>This is a key decision because</p> <p>It is significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards</p>	
<p>A notice was served in accordance with section 15 of the Local Authorities (Executive Arrangements) (Access to Information) Regulation 2000</p>	
Urgency/Special Urgency: (As defined in Constitution)	No
Purpose:	To approve the selection of the preferred developer for the Edgar Street Grid Retail Quarter and authorise detailed negotiations with that supplier prior to consideration of a full Development Agreement.
Decision:	<p>THAT: Cabinet</p> <ul style="list-style-type: none"> a) agrees the selection of Stanhope as the preferred Retail Quarter Development Partner; b) authorises the Director of Adult & Community Services, in consultation with relevant officers, to complete negotiations regarding a Heads of Term agreement; c) authorises the Head of Legal & Democratic Services to sign a Heads of Terms agreement with the preferred development partner following satisfactory completion of the negotiations; d) authorises the Director of Adult & Community Services, in consultation with the Director of Resources, Head of Legal & Democratic Services and ESG Herefordshire Ltd, to undertake further negotiations regarding a Development Agreement; and

	<p>e) notes that a further report be brought to Cabinet, on completion of the further negotiations regarding a Development Agreement, setting out the detailed financial implications, and seeking approval to enter into a Development Agreement before it is finalised with the preferred developer.</p>
<p>Reasons for the Decision:</p>	<p>The Retail Quarter is the first element of the Edgar Street Grid (ESG) redevelopment to come forward for development. The developer selection process requires Herefordshire Council to approve the selection of the preferred developer of the Retail Quarter. The ESG Herefordshire Ltd Board and Advantage West Midlands (AWM) have been involved in the selection process. This report sets out the process that has been followed in the procurement of a Retail Quarter developer. The process demonstrates that it has been robust and independent; and that the preferred developer has been selected on technical and financial merits that justify preferred developer status. Once selected, negotiations must be undertaken with the preferred supplier to establish the detail of the future scheme to be incorporated in a Development Agreement. This will be the subject of a future report to Cabinet.</p>
<p>Options Considered:</p>	<p>To appoint an alternative developer; or not appoint any of the three short listed developers.</p> <p>Either would have implications for the role and integrity of the ESG Herefordshire Ltd Board and would go against a procurement process which has already been assessed as technically robust and that follows an approved OJEU methodology.</p> <p>Additionally, a decision not to progress the proposal would result both in damage to the reputation of the authority and loss of significant resources to support the regeneration of the city.</p>
<p>Declaration of Interest:</p>	<p>Councillor RJ Phillips, Leader of the Council and Mr CJ Bull, Chief Executive of the Council declared a personal interest in the Edgar Street Grid</p>
<p>Date the key decision is due to take effect:</p>	<p>5 March 2008</p>

COUNCILLOR RJ PHILLIPS.....Date: 28 February 2008
LEADER OF THE COUNCIL

<p>To be completed by officer:</p>	
<p>Date consent received from Chairman of Scrutiny Committee:</p>	
<p>Subject to Call-in:</p>	<p>This Decision was not called in</p>
<p>Was the decision modified?</p>	<p>No</p>
<p>If yes Cabinet Member (.....) decision reference:</p>	
<p>If no any comment(s) to be noted</p>	
<p>Date original decision took effect:</p>	<p>28 February 2008</p>