

Part 2 Specification

Title

**Registered Provider Housing Delivery Partner
(Preston Down Road)**

Reference

TPL5722

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A Overall Scope and Nature of the Requirement

A1 The Site

- A1.1 The Preston Down Road site is situated approximately 2 miles from the centre of Paignton and 22 miles from the centre of Exeter.
- A1.2 The Council's ownership at Preston Down Road extends to c. 4.06 hectares (10.03 acres) provided within two separate land parcels to the north (2.11 hectares / 5.21 acres) and south (1.95 hectares / 4.82 acres) of Preston Down Road, which links Paignton sea front with the A380.
- A1.3 The site currently comprises a vacant agricultural land. It extends to approximately 4 hectares (10 acres), with potential for approximately 101 residential units. Boundaries are defined by trees and mature hedgerows. The site is bordered centrally by Preston Down Road, by residential dwellings to the east and west and open countryside or woodland to the north and south. It is in an excellent location and is well connected by road. Straddling Preston Down Road the site offers an opportunity to create a high-profile gateway development.
- A1.4 Preston Down Road is not allocated for housing in the Local Plan, however, it is identified as being suitable for development as a result of a Strategic Housing Land Availability Assessment (SHLAA). A Sustainability Appraisal confirmed that development of the site for housing would be consistent with planning for sustainable development.
- A1.5 Although the Torbay Local Plan provides for the site to be considered for allocation within the Paignton Neighbourhood Plan, the adopted Paignton Neighbourhood Plan does not allocate any sites for housing development in the Paignton area.
- A1.6 In accordance with the Torbay Local Plan, identified housing need in Paignton is 4,285 homes. In order to meet this identified housing need and demonstrate a five-year supply of deliverable housing sites Torbay Council, as Local Planning Authority, needs to make further residential site allocations.

A2 Planning Application

- A2.1 The surveys and assessment submitted as part of current planning application P/2022/0820 are available through the Council's planning portal and can be accessed using the following link:

<https://publicaccess.torbay.gov.uk/view/applicationDetails.do?activeTab=summary&keyVal=REZZHGQIL3500>

- A2.2 Additional supporting documents have been provided as Appendices to this opportunity.

A3 Cost Information and Sales Values

Cost and sales value information in relation to the planned development, provided in May 2022, have been provided as Appendices to this opportunity and are listed in Part 1 Information Section F2.

A4 Land Release Fund

The subject site received grant funding from the Land Release Fund (LRF). The LRF was announced in February 2018 and in total extends to a £45m cash injection into key community projects that will kick start the building of thousands of homes across the Country. Funding is only available to Local Authorities for the release of their own land.

The LRF in respect of the subject site has been used to procure various technical reports in respect of the site.

Not all of the funding allowance has been spent, approximately £600,000 remains. This grant is available as a contribution towards site works and surveys as it has been deemed that a developer led approach is more appropriate in respect of the following:

- Highways enabling works, including associated fees in the design, and overseeing of the highways works.
- Site surveys and investigations to include undertaking percolation tests.
- Grounds maintenance works required in accordance with feedback from RSPB and specialist environmental and legal advice.
- Drainage strategy review.
- Traffic impact assessment
- Ecology mitigation works
- Procurement of EIA and HRA advice and reports.
- Site servicing and utilities

B Mandatory Pass / Fail Requirements

This section sets out the Authority's mandatory requirements for the successful Applicant to perform the Contract.

Evidence requirements are as set out in Part 5 Mandatory Criteria.

B1 Data Protection, Information Sharing and Information Security

- B1.1 For the purposes of this Contract the role of the Provider will be as Data Processor, and they will be acting on behalf of the Council in respect of the processing of Personal Data. For example, individuals personal data following nomination by the Council for housing (nomination rights).
- B1.2 To ensure protection for the rights and freedoms of data subjects:
- a) The Council's data must not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to their personal data;
 - b) The successful applicant will be required to comply with all relevant data protection legislation and any changes in data protection legislation.
- B1.3 Applicants are required to have appropriate measures in place to protect personal contract data and provide confirmation within their Part 5 Mandatory Criteria response.

B2 Climate Emergency

On 24 June 2019, Torbay Council declared a 'Climate Emergency' and are committed to helping to tackle climate change and to become carbon neutral by 2030. We want to ensure the environmental impact of the Council's procurement of goods, services and works is minimised in line with our response to the climate emergency.

- B2.1 The Council's expectation is that it's Providers:
- a) know the impact their organisation has on the environment;
 - b) have an environmental policy which embeds a culture of reducing negative environmental impacts within their organisation;
 - c) ensure their environmental impact is measured, regularly reported, and overseen at the highest level;
 - d) specifically in relation to this Contract are able to outline how carbon emissions will be minimised, with a clear action plan outlining the work to be undertaken focussing on the biggest impacts, with key targets and timelines to the actions to be undertaken, for example:
 - if travel is used, mileage is reduced. For the miles that are unable

to be reduced more environmentally friendly ways to travel are used;

- if buildings are used, environmental building survey(s) have been undertaken and any negative environmental impacts are mitigated / reduced;
- if purchasing new vehicles low emission alternatives are considered/

e) work with their supply chain to know the environmental impact of the goods / services they purchase and mitigate / reduce negative impact, where the negative impact is not able to be reduced offset the impact;

f) work towards their organisation being Carbon Net Zero by 2030.

A1.2 The Council's Environment and Carbon Neutral Policy can be found at Appendix J

B3 Health and Safety

B3.1 All Provider staff who undertake work on behalf of the Council are required to fully comply with their legal duties under health, safety, and welfare legislation while at work to ensure the health and safety of themselves and others that may be affected by their acts or omissions.

B3.2 In recognition of the legal duties imposed upon them all Providers and those Provider staff undertaking work on behalf of the Council under this Contract will:

- a) co-operate with the Council's Director Responsible for Health and Safety, Managers, Supervisors, Corporate Health and Safety Department and their own Employer to enable them to comply with their legal duties;
- b) comply with ALL requirements of the Council's Health and Safety Policies and other rules and procedures in place;
- c) not intentionally or recklessly interfere with or misuse anything provided in the interests of health and safety;
- d) actively promote a positive health and safety culture;
- e) only undertake work for which they have been trained and are qualified and competent to undertake;
- f) where applicable, ensure that risk assessments and method statements relating to their work are presented to the Council's authorised officer, prior to commencement of work, if they are not following the Safe System of Work provided by Torbay Council.

B3.3 The Council's Health & Safety Policy Statement can be found at Appendix F.

B3.4 Tenderers should note that there may be unidentified hazards on site, or which arise during the progress of the works, which will require suitable controls and management procedures.

B4 Payment Requirements

- B4.1 The Provider is required to deliver a receipt to the Council of no less than £1.8 million.

B5 Use of Council Branding

- B5.1 Torbay Council owns its identity, branding devices and logos, these are protected by law.
- B5.2 The Provider must agree only to use the Council's visual identity in accordance with the terms set out in the Contract.
- B5.3 The Provider will be issued a licence number to use the Council's visual identity and use must be only in relation to this Contract, further usage will be subject to separate request and approval.
- B5.4 Permission to use the Council's visual identity does not prevent the Council from revoking that permission at a later point. Any revocation is at the sole and complete discretion of the Council.
- B5.5 The Council's identity is provided 'as is' and must not be altered in any way.

B6 Contract Specific Requirements

- B6.1 The Provider is required to be registered with the Regulator of Social Housing (RSH) at the date of submission, and must be listed on <https://www.gov.uk/government/publications/registered-providers-of-social-housing>

C Core Requirements

This section sets out the Authority's core requirements for this Contract, which Applicants are required to demonstrate within their response that they are capable of meeting

C1 Objectives

- C1.1 The key objectives set out below should be integral to the Applicant's proposed scheme to ensure the best form of development whilst enhancing the site and preserving the surrounding areas:
- a) Complement the village character of the area;
 - b) Reflect the countryside setting;
 - c) Ensure a good standard of amenity;
 - d) Integrate green infrastructure into the development; and
 - e) Create well designed, safe, and visible links between the site and its surroundings.

C2 Outputs

- C2.1 The Applicant's proposed scheme should meet the core outputs set out below:
- a) Maximise the on-site delivery of affordable housing over and above policy compliant levels while maintaining a sustainable mix and balance of tenures;
 - b) Provide a good mix of house types to demonstrate a balanced community, including wheelchair accessible accommodation; and
 - c) Deliver environmentally sustainable solutions within both the construction and occupancy of the properties.

C3 Housing Mix

- C3.1 The Applicant's proposed scheme will provide a mix of housing with reference to the Council's Housing and Economic Needs Assessment.
- C3.2 The Applicant's proposed scheme should deliver the following:
- a) 30% of the dwellings as policy compliant (Local Plan policy H2) affordable housing ("the Compliant Affordable Dwellings");
 - b) No less than 20% but no more than 30% of dwellings as additional affordable rented housing ("the Additional Affordable Dwellings");
 - c) Affordable housing designated as Affordable Rent shall be let at Local Housing Allowance level;
 - d) All affordable dwellings will be designed/constructed to a minimum of 80% of NDSS;

- e) 5% of the dwellings will be constructed to a minimum of Part M4(2) in accordance Local Plan policy H6; and
- f) 20% of the Additional Affordable Dwellings will be constructed to a minimum of Part M4(2).

C4 Nomination Rights

C4.1 The Council is seeking nomination rights for the affordable units, in perpetuity.

C5 Council Engagement

C5.1 The Applicant is required to engage with council officers through the planning, design, and construction phases.

D Additional Requirements

D1 Additional Requirements

- D1.1 The Applicant is required to provisionally set out how they could work with the existing application, including to what extent amendments will be required, or whether a new application will be required.

D2 Further Services Offered

The Applicant will be expected to suggest as part of its response to the Evaluation Questions any additional products or services that they may be able to offer as part of this Contract or any other added value that their offer might be able to bring to the Authority. Applicants are expected to build any such offers into their submissions regardless of whether specific questions are asked along these lines or not.

E Social Value

E1 Our Commitment

- E1.1 The Council is committed to its responsibilities under The Public Services (Social Value) Act 2012. Therefore the Council is seeking Participants who will add value to the Agreement by providing additional community benefits (above the services described within this specification).

E2 Our Priorities

- E2.1 We are seeking submissions that support our local priorities.
- E2.2 The Council's mission is to be a Council that supports, enables, and empowers its residents, communities, and partnerships.
- E2.3 The Council's ambition and priorities for Torbay and its residents to thrive are outlined in the Community and Corporate Plan 2019 -2023:
<https://www.torbay.gov.uk/council/policies/corporate/corporate-plan/>
- E2.4 We are looking for Applicants to make submissions in relation to Social Value that support the collective delivery of this plan in Torbay.
- E2.5 In evaluating Social Value offers we are looking for bidders who wish to contribute and join us as partners in delivering the ambitions for Torbay and its residents. All responses are expected to demonstrate what and how they will contribute to the delivery of this plan in Torbay.
- E2.6 The Council recognises that measuring and delivering Social Value requires flexibility and a collaborative approach. Agreed Social Value commitments may require a certain amount of refinement as a result. A key requirement is the willingness of the successful Applicant to work openly and transparently with the Council, whilst bearing in mind that the overall value of Social Value commitments made must be delivered by the successful Applicant.

E3 Additional Information

- E3.1 Further information on the Council's approach to Social Value are available to bidders in Appendix H The Torbay TOMs Framework.