



26<sup>TH</sup> JULY 2024

<b>REPORT TITLE:</b>	<b>DRAFT INDICATIVE SITE DEVELOPMENT PLAN FOR THE PRICE STREET, CAR PARK, BIRKENHEAD</b>
<b>REPORT OF:</b>	<b>HEAD OF REGENERATION DELIVERY</b>

## **REPORT SUMMARY**

This report sets out the proposal to approve a draft Indicative Site Development Plan for Price Street Car Park, Birkenhead which would have the effect of utilising Wirral Growth Company LLP to implement the initial stages of design development. The initial phases of work are to complete design to RIBA stage 1 to allow viability and planning assessment to be undertaken together with the proposals being tested with potential funders and development partners.

The Price Street Car Park has been owned and operated by the Council for a number of years. It is heavily underutilised and available for re-development. It currently benefits from a hybrid planning consent as per the original Wirral Growth Company masterplan that covers large swathes of Birkenhead Town Centre. Original scheme details were to deliver in excess of 150 residential units in a mixture of sizes and tenures.

Town centre regeneration is a long-standing priority for the Council and is reflected in the Wirral Council Plan 2023 to 2027 through the requirement to deliver inclusive economic growth, working for a prosperous, inclusive economy where local people can get good jobs and achieve their aspirations.

This matter affects the wards of Birkenhead and Tranmere. This is not a Key Decision.

Appendix 1 of this report is exempt from publication pursuant to paragraph 3 of part 1 of Schedule 12 A of the Local Government Act 1972 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) because it contains or refers to information relating to the financial and business affairs of Muse, Wirral Growth Company and the Council and the public interest in maintaining the exemption outweighs the public interest in disclosure.

## **RECOMMENDATION**

The Assistant Director Property & Regeneration Investment is recommended to approve:

- (1) the draft Indicative Site Development Plan for Price Street Car Park, Birkenhead; and

(2) that the Council shall proceed with legal agreements necessary to enable Wirral Growth Company LLP to proceed with the RIBA Stage 1 Design process, soft market testing and review of the soft market testing exercise as part of the proposals set out in the draft indicative Site Development Plan as a pre-requisite to any decision to proceed to RIBA Stage 2.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 The Price Street Car Park forms a critical part of Birkenhead Town Centre regeneration. The site is a cleared surface car park adjacent to Conway Street Train Station and its re-development formed part of the hybrid planning application secured by Wirral Growth Company in 2021. The site was included as a priority option site within the Wirral Growth Company Partnership Agreement but was removed from that along with all other option sites in 2022.
- 1.2 The hybrid consent proposed 189 residential apartments for the site and the proposed scheme was allocated £3.1m from Future High Street Fund. Following the site's removal from Wirral Growth Company's control in 2022 Wirral Borough Council undertook a procurement exercise utilising Homes England DPS Framework but no development partners were identified. A further soft marketing exercise followed which resulted in interest being identified from two regional developers but a procurement compliant structure for disposal and development could not be agreed.
- 1.3 Future High Street Funding through the Pathfinder Programme requires that the grant is spent by March 2026. Following the failure of procurement exercises and the urgent need to both deliver this critical phase of regeneration and not suffer clawback of grant, the Council has engaged with Wirral Growth Company as its pre-procured development partner to re-examine the business case for the accelerated delivery of residential led development of the site.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 Do nothing. This would result in the potential clawback of the Future High Street Fund and not bring forward wider regeneration benefits. The Future High Street process has been lengthy and protracted, taking several years to date including the Pathfinder process that has elongated timescales from March 2024 to March 2026. Despite these delays the spend profile and project completion date of March 2026 remains, so it is imperative to avoid further delay and commence activity to develop and deliver the projects.
- 2.2 Seek to identify an alternative delivery partner via a competitive process that can bring forward suitable proposals within the very restricted timetable linked to grant funding. This would result in delays that are likely to take the Council past the grant drop-dead date. The use of WGC as the Council's re-procured delivery partner will better meet the timetable.

### **3.0 BACKGROUND INFORMATION**

- 3.1 Owned by the Council for a number of years, the Price Street Car Park is a 4 acre brownfield site situated in a strategic location proximity wise to Birkenhead town centre. Conway Park Railway Station lies immediately

adjacent and it has the capacity to take upwards of 180 residential units alongside some other ancillary uses.

- 3.2 Accelerated residential development on the Price Street Car Park site will provide new homes and bring added diversification in the town centre, increasing and enhancing its catchment. This will also contribute to the maturing of the local housing market making later phases of development more viable and support early brownfield residential delivery which is critical to the Council's emerging Local Plan.
- 3.3 The site fronts immediately onto a series of highways and connectivity projects to address the over-engineered highway routes around the town centre that will simplify and enhance pedestrian and cycle access at key gateway entry points to the retail core and improve road safety. These include Conway Street/Europa Boulevard, Charing Cross/Grange Road West and Birkenhead Central Gyratory.
- 3.4 The emerging Birkenhead Town Centre and adjacent St Werburghs Masterplans make provision for the delivery of large numbers of high-quality residential uses in the town centre as part of a right sizing of the historic over provision of retail space in the vicinity as shopping trends have changed. They also set out the need to re-define the key thoroughfare of Grange Road, complimented by opening up new north / south routes to Conway Street / Borough Road as part of a re-introduction of the former grid layout in parts of the town centre to greatly increase aspect and accessibility for occupants and visitors alike.
- 3.5 The Wirral Growth Company Joint Venture Board has approved the draft Indicative Site development plan as set out at exempt Appendix 1. Should the recommendations within this report be approved the Council would invest up to £150,000 of working capital into Wirral Growth Company and this investment will be matched by Muse Places as required by the Partnership Agreement. Wirral Growth Company will then:
  - i. Appoint the design team and other consultants to complete design work to RIBA Stage 1;
  - ii. Test projects costs and viability, engage in pre-application meetings with the Councils Planning team;
  - iii. Meet with key stakeholders and grant providers LCRCA and Homes England to ensure the project meets their business needs for grant funding support and to test the level of that support;
  - iv. Undertake soft market testing of the proposals with funders and developers;
  - v. Update Wirral Growth Company Joint Venture Board when the above workstreams are complete to allow consideration to be given to further investment to commit to Detailed Design and submission of Planning application subject to the subsequent approval of the Council..

The proposed timetable for the project is set out below:

Actions	Timescales	Milestones
Begin RIBA Stage 1 Design		July 2024
Soft Market Testing		July 2024
Review of Soft Market Testing Exercise before potential proceeding with RIBA Stage 2		September 2024
Submit Planning Application		November 2024
Planning committee approval		January 2025
Judicial Review period	6 weeks	Feb-March 2025
Legal Unconditional Date	Upon satisfaction of items above	May 2025
Contractor Mobilisation	4 weeks	June 2025
Start on Site		July 2025
Project Completion	24 months	September 2027

- 3.6 Appendix 1 of this report is exempt from publication pursuant to paragraph 3 of part 1 of Schedule 12 A of the Local Government Act 1972 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) because it contains or refers to information relating to the financial and business affairs of Muse, Wirral Growth Company and the Council and the public interest in maintaining the exemption outweighs the public interest in disclosure

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 The Council has been awarded £24.7m from the Future High Street Fund. From this a total of £3.3m has been allocated towards the cost of delivering up to 200 residential units on this site. This will be utilised to progress detailed project design and delivery. The aforementioned Future High Street Fund will support the financial viability of the project to overcome, for example, the cost of abnormal ground conditions and / or underperforming housing market values, should it be demonstrated by the Council's chosen delivery partner that this is required.
- 4.2 The Council's grant funding agreement with DHLUC sets out that the project must be completed by 31<sup>st</sup> March 2026.

4.3 RIBA 1 costs are being covered by WGC reserves initially and the RIBA 1 fees will not exceed £111,546.

## **5.0 LEGAL IMPLICATIONS**

5.1 The Director of Law and Corporate Services will, complete any legal documentation required to embody the recommendations within this report.

5.2 The Partnership Agreement (as varied) between the Council provides that there are progressive iterations of the Site Development Plan which need to be approved by the WGC Joint Venture Board and then separately Muse and the Council. These are as follows:

- Draft Indicative SDP;
- Approved Indicative SDP; and
- Draft Formal SDP which becomes the Adopted SDP once WGC, the Council and Muse approve it.

## **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

6.1 The project will be managed by existing staff from within the Place and Investment Team, within the Regeneration and Place Directorate. This resource can be supplemented using external consultancy resources where necessary.

## **7.0 RELEVANT RISKS**

7.1 A programme Risk Register has been developed as well as individual Risk Registers for each of the individual projects including that of the Price Street project. These are updated throughout the project lifecycle in order to assist the Council in identifying, controlling and managing risk. These are reported within the Council's Corporate Risk Management structure.

7.2 As outlined elsewhere within this report the redevelopment of this site on Price Street has been subject to delay and taken more than 2 years to date. However, the final date for spend and delivery remains March 2026 following the Pathfinder adjustments. To mitigate any risk of not delivering and spending within this timescale it is recommended that the proposals within this report are endorsed.

## **8.0 ENGAGEMENT/CONSULTATION**

8.1 The Price Street project supports and adds value to the previous Birkenhead Town Centre consultation conducted by Wirral Growth Company in 2021.

8.2 Stakeholders will shortly (summer 2024) be re consulted on a new/refreshed masterplan for Birkenhead town centre more broadly following the recent acquisition by the Council of the Grange Road / Pyramids shopping centre and associated assets.

- 8.3 As the Price Street project is developed further, proposals will also go through engagement and consultation as part of the statutory planning process.

## **9.0 EQUALITY IMPLICATIONS**

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision, or activity.

- 9.2 A copy of the EIA for Wirral's Economic Strategy, which has been checked and is still valid, can be viewed at:

<https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments/equality-impact-assessments-2021-0#overlay-context=communities-and-neighbourhoods/equality-impact-assessments/equality-impact-assessments-2021>

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

- 10.1 The content and recommendations contained within this report are expected to reduce the emissions of greenhouse gases. This will include, as appropriate, energy efficient buildings within new developments; infrastructure improvements to reduce car dominance and create a safer environment for road users and pedestrians, and environmental and climate considerations within the Council's Social Value strategy to be used within the procurement of a delivery partner.

## **11.0 COMMUNITY WEALTH IMPLICATIONS**

- 11.1 Regeneration of Birkenhead is the backbone of the Birkenhead 2040 Framework and emerging Local Plan. In this context this FHSF project is part of a wider regeneration programme to deliver a prosperous, inclusive economy to benefit local residents and communities.
- 11.2 Community Wealth Building reorganises local economies to be fairer and stops wealth flowing out of communities. The principles of the FHSF to facilitate a diversified and mixed-use town centre, with a wider catchment of people living and working in the area and a major transformation of Birkenhead market to make it more appealing, sustainable and fit for modern market trading conditions will support economic, social and health outcomes, the community and many small and medium enterprises.
- 11.3 Within the context of the FHSF programme Council land and assets are being used as a base to build community wealth, revitalising the town centre and maximising opportunities for local people. Future procurement exercises will build the wealth of our local communities where we will strive to maximise social value activity through the creation of local employment/training opportunities and local labour / spend to maximise the Wirral pound.

**REPORT AUTHOR: David Marsh**  
Head of Regeneration Delivery  
davidmarsh@wirral.gov.uk

## **APPENDICES**

1. Wirral Growth Company indicative Draft Site Development Plan for Price Street Car Park, Birkenhead

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## **BACKGROUND PAPERS**

Suite of legal documentation relating to Wirral Growth Company (exempt)  
Wirral Growth Company Partnership Business Plan.

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>

## **Terms of Reference**

Part 3 Section C – Overview and Scheme of Delegations of Authority to Officers

The decision is not reserved to a Committee or Sub-Committee and the Assistant Director is satisfied that paragraphs 2(a) to 2(c) apply.