APPENDIX 5: VIABILITY USER TEMPLATE AND VIABILITY REVIEW EXPLANATORY USER GUIDE

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		Gross acres					Gross acres		
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	Average (E/m2)	Average (£/ft2)	Locational Weighting	Net to Gross Allowance 15%	External Cost Allowance 10%	Contingency Allowance 2.5%	BCIS Figure
state Housing - Semi Detached Generally		£0.00	£0.00		60.03	£0.00	£0.00
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lats (Apartments) - Generally (Median)		£0.00	60.03	£0.00	60,00	60.00	€0.00

Viability BCIS Costs per square foot	£127.47
Updated Average BCIS Costs per square foot	£0.00
Uplift	0.0%

Check

Ipswich Garden Suburb - Viability Review - Explanatory User Guide

The following user guide is appended to the s106 agreement, not as a legally binding document, but to provide an overview to anyone using or reviewing the s106 agreement, seeking to ascertain how the Viability Reviews in Part 2 of Schedule 2 of the Agreement are intended to operate.

As such this note contains a guide of general principles in a non-legal and/or binding explanation of the Viability Review process. It should not be regarded as a substitute for or an alternative to the detailed drafting of the Agreement which is legally binding. If there is any inconsistency between this User Guide and the detailed drafting in the S.106 Agreement then the detailed drafting in the Agreement shall always prevail.

This User Guide seeks to capture the basic principles and methodology sitting behind the Viability Review Templates (VRT(s)) and appraisal assumptions on which the viability review process is based. The expression IBC means Ipswich Borough Council and The Owner is the developer(s) of the Development.

Defined terms in this guide correspond with the definitions in the Agreement.

Introduction

The Viability Review provisions contained in Part 2 of Schedule 2 of the Agreement will determine the number of any Deferred Affordable Housing Units, and/or the level of any Deferred Contributions that would be provided if the Viability Reviews show a surplus. There are three potential Viability Reviews under the Agreement: (1) an Early Viability Review; (2) Viability Assessment 1; and (3) Viability Assessment 2. This User Guide is only applicable to Viability Assessments 1 and 2 and as such does not make any further reference to an Early Viability Assessment.

Subject to the paragraph below, for the purposes of calculating any additional obligations addressing Deferred Affordable Housing Units, and/or any Deferred Contributions, the Development shall be subject to two separate Viability Review phases.

The methodology outlined below assumes that the Owner has or will meet its obligation under paragraph 2 part 1 of Schedule 2 whereby they have completed and made available for occupation 30 units together with associated infrastructure within 2 years of the 1st residential reserved matters planning consent being granted.

The methodology also assumes the Owner has met their obligations to provide 4% of the whole scheme as affordable housing in Phase 1 of the development, prior to the occupation of 456 units.

For information on how the original Viability Review was carried out and the assumptions/ data used at that time the assessors should refer to the Financial Viability Assessment dated 21st June 2018 by Turner Morum which supported the planning application.

VRT Structure

Both Viability Reviews will follow the same process, with the number of units to be included within each outlined below.

Triggers for Viability Reviews

The first Viability Review must be submitted by the Owner to the Council prior to submission Reserved Matters Application for any more than 455 Residential Units, but no earlier than Legal Completion or Occupation of any more than 50 Residential Units.

The Owner shall not:

- i) submit Reserved Matter Applications for more than 455 Residential Units, nor Legally Complete or Occupy more than 455 units until Viability Assessment 1 has been submitted to the Borough Council.
- ii) Practically Complete more than 475 Residential Units in connection with Viability Assessment 1 until the value of any Surplus and any Deferred Affordable Housing Scheme has been agreed with the Borough Council or otherwise determined by an Expert

The intent of the first Viability Review is to determine the additional amount of Deferred Affordable Housing Units, Deferred Affordable Housing Contribution, and/or Deferred Contributions that can be provided (if any) in the second viability phase of the development, i.e. from unit 456 onwards; it being expressly stated in the proviso at paragraph 5.1.2 that if any surplus from Viability 1 can support Deferred Affordable Housing Units, the priority will be to provide those, over and above any available Deferred Affordable Housing Contribution.

Reserved Matters submissions for not more than 550 Residential Units may be permitted before the first Viability Review has been agreed between the parties or

determined by an expert. After the first Viability Review has been agreed or determined there will be no further restrictions on the submission of RM applications, save that at paragraph 1.4 of Part 2 of Schedule 2 the Owner accepts that where the surplus and any Deferred Affordable Housing Scheme have been agreed or determined after the reserved matters application(s) for up to 550 Residential Units has been submitted, the Owner shall be required to accommodate any Deferred Affordable Housing Units within such applications and/or approvals or as agreed or determined pursuant to Viability Assessment 1 and any agreed or determined Deferred Affordable Housing Scheme.

The second Viability Review must be submitted to the Council no earlier than the Legal Completion or Occupation of 600 Residential Units and no later than the Legal Completion or Occupation of 650 Residential Units. The Owner shall not Legally Complete or Occupy more than 650 Residential Units until the Viability Assessment has been submitted.

The Owner shall not Legally Complete or Occupy more than 700 Residential Units until the second Viability Review has been agreed by the parties or determined by an Expert

The intent of the second Viability Review to determine the additional amount of Deferred Contributions that can be provided (if any) in the third viability phase of the development, i.e. unit 701 onwards.

Each VRT utilised in the Viability Reviews will use the assumptions as noted below or unless otherwise agreed by the Borough Council at its absolute discretion or as determined by an Expert.

Type

The Affordable Housing to be delivered on site as part of the first 456 Residential Units in the Development is to be provided in accordance with the residential mix included within Schedule 2 Part 1 Paragraph 9 of the S.106 Agreement. The residential mix of any Affordable Housing included in any Deferred Affordable Housing Scheme shall be as identified in that agreed Deferred Affordable Housing Scheme.

The location and design of any Deferred Affordable Housing within each relevant phase will be determined by approval of any Deferred Affordable Housing Scheme submitted in accordance with Part 2 of Schedule 2 of the s106 Agreement, together with the timing for its delivery

VRT Inputs

The following inputs will be <u>fixed</u> in the respective VRTs for each of the Viability Reviews:

- 1. Non-Residential District Centre) land at £475,000 per acre (index linked as noted below)
- 2. Marketing fees 3% of the Market Housing GDV, 0.5% for the affordable Housing GDV and 3.0% for any Non- Residential Income
- 3. BCIS allowances, for external costs (10%), contingency (2.5%), and the net to gross adjustment for apartments (15%)
- 4. Costs for single garages at £7,000 for every 3 and 4-bed house and double garages for each 5-bed house at £11,000 index-linked based on % increases to the average BCIS build costs
- 5. Professional fees allowance 8.0%
- 6. Allowances for Developer Profit for the market housing (20% of market GDV), affordable housing (6.0% of the affordable GDV) and the non-residential element (at 15% of the non-residential GDV)
- 7. Finance cost calculations 5% of total scheme costs
- 8. Benchmark Land Value (BLV) at £125,000 per gross acre (index-linked as noted below)
- Acquisition agency and legal fees allowance at 1.75% (combined) of the BLV including indexation
- 10. Land Areas the gross acreage used within each Viability Review will be a straight-forward apportionment of the total gross acreage of the site. For VRT 1, the whole site gross acreage of 107.07 gross acres will be multiplied by 456 units and then divided by 800 units, to give 61.03 gross acres. For VRT 2, the whole site gross acreage of 107.07 gross acres will be multiplied by 344 units and then divided by 800 units, to give 46.04 gross acres.
- 11. Ground rents (if applicable) capitalisation yield of 5%

The <u>variable</u> VRT inputs that will be updated at each Viability Review will be defined by reference to the data schedule attached at Appendix 1 which identifies suitable data sources for each input and are identified as follows:

- 1. Residential mix & unit types to reflect the balance of the scheme.
- 2. Market revenues based on appropriate/ recent net open market revenue evidence
- 3. Affordable revenues will be based on completed affordable transaction evidence from the completed scheme or if this is not possible, the appointed valuers will seek to agree these values based on other evidence from RP's operating in the area.
- 4. Non-Residential (District Centre) land value indexation to be based on the Nationwide Building Society Property Index. The parties will agree a suitable alternative index if this index ceases to be published.
- 5. Non-Residential/ commercial land area expressed in acreage terms as that provided on each viability review phase
- 6. Ground rents (if applicable) number of qualifying dwellings and chargeable ground rents per annum
- 7. BCIS median average base build costs & locational weighting based on the latest available information at the review point
- 8. Number of 3, 4 and 5-bed Houses (to calculate the garage numbers).
- 9. Abnormal/ infrastructure costs and cost of compliance with planning conditions, S106 works obligations and maintenance costs to be updated to reflect the whole scheme abnormal/ infrastructure costs at the time of the review, applied on an average rate per dwelling of the review phase. For the avoidance of doubt any limitations placed on the expenditure by the S.106 agreement will be taken account of in carrying out the VRT appraisal at each Review (eg: Commuted Sums for maintenance).
- 10. S106 contributions (including commuted sums and maintenance sums) together with any previously agreed or determined VRT contributions to be based on the whole scheme s106 costs (updated to reflect any indexation), applied on a rate per dwelling of the review phase.

- 11. BLV Indexation based on the Nationwide Building Society property index. The parties will agree a suitable alternative index if this index ceases to be published.
- 12. SDLT applied based upon prevailing SDLT rates at the time of the review
- 13. Grants Housing Infrastructure Funding (HIF), Social Housing Grant or any other grants made to support the development that are not loans or required to be repaid

Methodology

The simple premise within each VRT is that fixed formula inputs remain unchanged (in so far as how they are calculated; but their quantum may change) so that one only has to update the variable inputs at each review. The VRT will automatically calculate a level of Surplus or Deficit, this being the amount by which the Residual Land Value of the relevant review exceeds an index linked Benchmark Land Value of £125,000 per gross acre, thus yielding a Surplus, or the amount by which it falls below the Benchmark Land Value (a Deficit).

VRT 1 Part 1 will be completed reflecting the balance of Affordable Housing yet to be provided from the base level. If the VRT illustrates a Deficit, the Affordable Housing is not required to increase. However, if a surplus is generated, 50% of that Surplus will go to a Deferred Affordable Housing Units and/or Deferred Contributions,.

In both Viability Reviews it is agreed that the remaining 50% share of any Surplus will be retained by the Owner

Any payments would be spread over the subject review phase and any additional affordable housing will be phased in accordance with paragraph 7 of Schedule 2 Part 2 of the s.106 Agreement.

If I/DT Dart 1 produces a Curplus I/DT Dart 2 18

the surplus from VRT 1 Part 1 included as a development cost within VRT Part 2). The amount of affordable housing will be increased within VRT (Part 2), with a corresponding reduction in the number of market units until the first of the following alternatives occurs:

1. A zero surplus figure is produced in VRT Part 2 (or as near to zero as reasonably possible whilst remaining a positive amount), the balance of the surplus will be payable as Deferred Contributions or

2. The number of affordable dwellings reaches 35% for the Development, across the remaining development (or such percentage as may be set out in local planning policy at the time of the viability review) AND the Owner has contributed its total proportional recovery amount of any HIF Funding, applicable to the Development and applied by the Council for the delivery of housing and related infrastructure within its administrative area.

The Council will respond to the Owner with comments on the VRT Submission, until an agreed position is reached between the parties (agreement not to be unreasonably withheld) within 50 days of the Validation Date. Failing agreement within this time period, the Viability Review can be referred as a dispute for Expert Determination by either party pursuant to paragraph 4.4 of Part 2 of Schedule 2 of the s106 Agreement.

Where Expert Determination is required the scheme will continue until a determination is received on the Viability Review subject to the restrictions set-out in paragraph 1.4 and 1.5 in relation to the first Viability Review and paragraph 1.6 and 1.7 of Part 2 to Schedule 2 of the s106 Agreement in relation to the second Viability Review. Following determination of the Viability Review the Owner will implement the determined position.

The above process will be repeated for the second Viability Review. Once each exercise has been carried out and agreed or determined, this will fix the level of additional S.106 obligations and the Viability Review for that viability phase will be deemed complete.

APPENDIX 6: VIABILITY APPRAISAL INPUTS

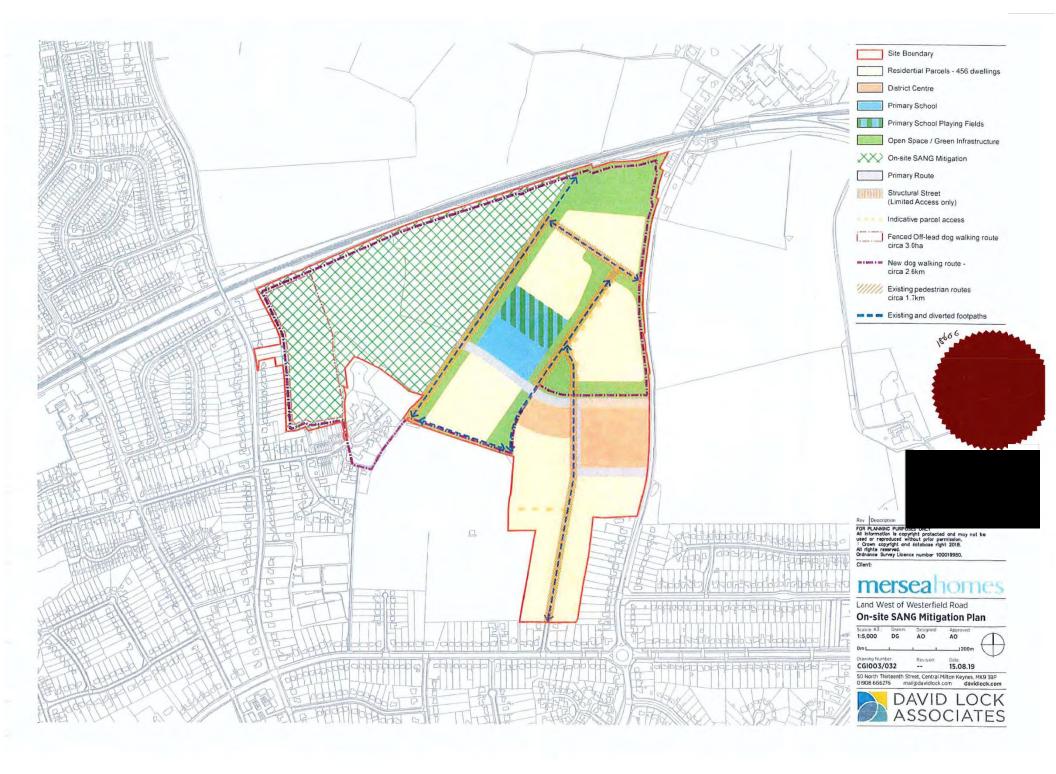
IPSWICH GARDEN SUBURB VIABILITY REVIEW TEMPLATE

SCHEDULE OF VARIABLE INPUTS AND SOURCES OF INFORMATION

Rev C

	Item	Description	Information Source
1	Residential Values	Sale Value of each residential unit type	RICS local valuer
		or Capital Value of units for open market	Internet Research
		rental. All to be net of incentives	Local Estate Agents
			Evidence from the IGS development
2	Self Build Income	Value of each plot sale to a self-builder	RICS local valuer
			Internet Research
			Local Estate Agents
			Evidence from the IGS development
3	Base Build Costs	Building Costs for each type of building	BCIS
3	Dasc Duild Gosts	including locational weighting at valuation date	50.0
		exclusive of abnormal costs	
	Abnormal Costs	Those costs over and above the normal	Quantity Surveyor's Cost Plan
7	Abriornial Costs	costs allowed in the assessment of the	supported by evidence from
		base build as noted in 3 above.	appropriate surveys and engineer's
		eg: Decontamination, Demolision,	reports
		Site Preparation, Archealogical Surveys	
		Foundations in excess of 1m deep	
		Basement or UnderCroft Parking applied	
		as a per unit cost	
5	Infrastructure	Cost of roads, sewers, utilities and	Quantity Surveyor's Cost Plan
		engineering works to service the land	supported by evidence from
			appropriate surveys and engineer's
			reports
6	Affordable Housing Income	An offer from an agreed Registered	Registered Provider
	- Philippin and the second sec	Provider for the purchase of the	RICS valuer familiar with Affordable
		Affordable Homes or	Housing.
		Details of Affordable Rents	Council Housing Dept
		First Tranche Sales	Evidence from the IGS development
		and Equity Rent for Shared Ownership,	2000 0 mm on 100 0 mm on 100 mm on
		yields to be applied to rents and	
		management costs to be deducted	
7	Social Housing Grant	Amount of Grant to be offered to the	Registered Provider
,	Coolar , louding Grant	Registered Provider to assist in	HE Investment Team
	1	purchasing the affordable housing	Council Housing Dept
Я	Other forms of Funding	HE grants for Infrastrusture	Appropriate funding body
0	Caller forms or radiality	EU Grants	FF. Spriate failuring body
	1	Cross Subsidy from the Registered	
	1	Provider for the purchase of the	
	1	Affordable Homes	
_	Diagring Obligations	Other sources of Funding	Council / S 106 Agracment
9	Planning Obligations	Capital & Maintenance Sums included in the S.106	Council / S.106 Agreement
		Agreement or agreed subsequently applied	
		on a per unit basis	11100
	Acquisition Costs	Stamp Duty	HMRC
11	Residential Unit Mix	Building Type, Unit Type and Number of Each	Architect's or Developer's accomodation
		Size (Net Internal Area and Gross Internal Area)	schedule
		Tenure of each dwelling type	
12	Ground Rents	Annual ground rents	RICS local valuer
			Internet Research
	1		Local Estate Agents
			Evidence from the IGS development
13	Non Residential/Commercial land	Nationwide Building Society Property Index	Nationwide Building Society
	value indexation	or a suitable alternative agreed by the parties	
		agious sy mo parado	
14	Non Residential/Commercial land	Area of land designated for this use	Architect's or Developer's accomodation
01-02	acreage		schedule
15	Number of 3,4, and 5 Bed Houses	Used to calculate the number of garages on the	Architect's or Developer's accomodation
		remainder of the scheme	schedule
16	Benchmark Land Value Indexation	Nationwide Building Society Property Index	Nationwide Building Society

APPENDIX 7: TEMPORARY SANG DRAWING (DRAWING NUMBER CG 1003/032)



APPENDIX 8: TERMS OF REFERENCE FOR DELIVERY BOARD

Project: Ipswich Garden Suburb (IGS)

1. Purpose and Role of the Delivery Board:

- 1.1 In accordance with the Ipswich Garden Suburb Supplementary Planning Document (IGS SPD) adopted 22nd March 2017, a Delivery Board is to be formed to oversee the delivery phases of the Ipswich Garden Suburb (IGS).
- 1.2 The purpose and role of the Delivery Board will be:
 - To assist and facilitate a co-ordinated approach to the delivery of strategic infrastructure, and to identify any issues that would impede the delivery of that the infrastructure which is required will be delivered by specified triggers;
 - To assist and facilitate the delivery of a high quality form of development in this garden suburb in accordance with the guidance set out in the IGS SPD;
 - To assist and facilitate, where appropriate, securing of external funding to help deliver IGS:
 - To assist and facilitate agreement and the delivery of long term management and governance arrangements for the phases of IGS;
 - To monitor progress of the delivery of the IGS and inform the Authority Monitoring Report (as detailed in Paragraph 7.32 of the IGS SPD);
 - To receive updates from Members of the Delivery Board on progress of the phases of IGS and any engagement with other landowners and those with third party interests;
 - To identify and discuss possible solutions to issues which arise that may stall the delivery and progress of the high quality development of IGS.

2. Membership of the Delivery Board:

- 2.1 The Delivery Board would include key stakeholders who have an interest or knowledge in aspects of the delivery of the IGS.
- 2.2 The core membership would include:
 - Chair IBC Chief Executive
 - Deputy Chair IBC Head of Development
 - Developers (Master Developers) S106 includes obligations for involvement
 - IGS Landowners
 - IBC appropriate Officers to include those from Special Projects, Housing, Economic Development, Parks and Legal Teams
 - SCC appropriate Officers to include those from Planning, Education, Libraries, Highways and Flood and Water Management.
- 2.3 Members will be encouraged to nominate suitable deputies and suggest relevant guests to attend appropriate for the agenda items being discussed. Based on these recommendations and nominations, IBC will invite attendees for each meeting. Depending on the agenda, additional representation may be sought from a range of organisations, including:-
 - Councillors (IBC and SCC)
 - Home England
 - Network Rail
 - IBC Technical Consultants (e.g. Ecologist)

- Utility Companies
- Suffolk Constabulary
- NHS
- East Suffolk Council
- Natural England
- Chamber of Commerce
- Local Enterprise Partnership
- 2.4 Membership will be reviewed and refreshed annually.
- 3. Terms of Reference:
- 3.1 IBC will establish the delivery board within three months of the first permission (including outline) being granted on any part of the IGS.
- 3.2 The Delivery Board will meet on a quarterly basis in an appropriate location for Members, with additional meetings convened as required.
- 3.3 Members of the Delivery Board will provide relevant information relating to their areas of interest and as may be reasonably requested by the Delivery Board.
- 3.4 Members of the Delivery Board will respect the views of other Members.
- 3.5 Where such items are highlighted as confidential, Members of the Delivery Board will respect the sensitive and confidential nature of the issues raised and discussed by the Delivery Board.
- 3.6 The content of meetings shall be topic based matters derived from objectives of the IGS SPD such as:
 - Housing delivery and site updates
 - Public realm, Open Space and Country Park (including Visitor Centre)
 - Community development and services
 - District and Local Centres
 - Highways
 - Rail
 - Education
 - Infrastructure including bridges, health provision, police facilities, library etc.
 - Housing Infrastructure Fund and other external funding
 - Conditions and S106 Obligations including Monitoring.
- 3.7 Project teams or task groups will be arranged by the Delivery Board to work on individual project plans for certain issues and topics where considered necessary.
- 3.8 Agenda and supporting papers for each meeting will be circulated at least 5 working days prior to the meeting by IBC.
- 3.9 Minutes of meetings covering the main points discussed and actions will be circulated to Members, subject to commercial sensitivity, by IBC.
- 3.10 Members will agree a rolling forward work programme.
- 3.11 A review of the operation of the Delivery Board will take place after first year.

4. Decisions

- 4.1 The Delivery Board is to support the coordinated delivery of the IGS, and assist with project management. The remit of the Delivery Board is not to make decisions regarding the delivery and implementation of IGS but to identify, discuss and work on any issues and their potential solutions. As such there will be no voting arrangements required to be put in place for the Delivery Board membership.
- 4.2 Commitments to participation in the Delivery Board for Developers, Landowners and IBC are drafted into the relevant S106 Obligations.

5. Financial

The Delivery Board will not have any direct financial responsibilities.