

**From:** Leigh Hogan  
**Sent:** 01 April 2010 11:39  
**To:** Tandra Forster  
**Cc:** Shiraz Sheikh; David Holling  
**Subject:** PPf Board - Wed 7/4

Hi Tandra.

I spoke to Manda this week and we agreed to report back to Board with an update on legal support with a fuller picture at the May Board (as jointly agreed between us)  
Hope this is OK with you. I note you are attending for June on Wednesday.

The update that I was going to give was briefly :-

[REDACTED]

Priory

I understand that further to Corporate Board, you are re-writing the Report. Once we have this, it is likely to be outsourced from legal's point of view. DH feels something along the lines of a Conditional Development Agreement with various trigger points needs to be in place. Given 13/5 Executive, this is unlikely to be finalised by end of May.

[REDACTED]

[REDACTED]

[REDACTED]

One question which arose from our discussions are whether any of these could be classed as Capital Projects. Are you able to confirm / can you ask someone from Finance to? (Joseph H?)

If you need to discuss any further, I am around until 12.30ish, back on Tuesday. Shiraz is here all day today.

Thanks,  
Leigh.

**Items withheld relate to other matters – not the Priory development.**

**From:** Leigh Hogan  
**Sent:** 25 March 2010 10:45  
**To:** David Holling  
**Cc:** Shiraz Sheikh  
**Subject:** The Priory project  
**Importance:** High

David,  
In your absence, Shiraz and I have been talking with June and Tandra regarding the above. Shiraz has provided legal input into Tandra's Report to Corporate Board.

WBC need to negotiate with Sovereign regarding the agreement, including the risk sharing element. The deadline for completion is end of May. Shiraz has suggested that if Corporate Board agree in principle, that negotiations are then begun and the specifics incorporated into the Report as it goes through its various stages. By the time the Report gets to Executive, the idea is that it will include specifics of the agreement.

Tandra wishes to instruct legal to negotiate on the Council's behalf. As you know, Shiraz will be on a/l for 3 weeks for most of April (I am also away for 1 week) Shiraz has suggested that (pending approval from external auditors which Andy Walker is seeking) he could meet with Tandra to discuss Heads of Terms before going on leave and start the process. However, it will then need to continue whilst he is away.

We can pass it out externally - but this will mean extra budget implications for Legal. If we do pass it out externally, it may be better for those dealing with the matter to meet with Tandra in the first instance, rather than Shiraz. Or, is it possible for you to negotiate (I can help where possible!)

Can we have a chat please?

Thanks, Leigh.

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**From:** Mel Brain  
**Sent:** 09 February 2010 09:41  
**To:** Shiraz Sheikh  
**Cc:** June Graves  
**Subject:** The Priory - S106 Spend

Dear Shiraz

Further to our recent conversations about state aid, I wished to seek your advice on a potential award of S106 funding. We are currently working on an extra care housing scheme, in Hungerford ('The Priory') with Sovereign Housing Association. The scheme will provide a mixture of 55+ accommodation, along with around 40 units of extra care accommodation. The extra care housing is being provided at the Council's request to meet identified local needs and we would have nomination rights to it. The site is owned by Sovereign.

This will be a jointly funded scheme, with SHA, HCA and Council funding (via S106). Indicative costs show that around £1M of S106 funding will be required for the extra care element only. This scheme is also subject to the risk-sharing agreement which I understand Tandra is meeting with you to discuss.

At our recent meeting, you advised that we would need to seek legal advice on each project, to consider the implications of state aid and to look each case on its merits. You also pointed out that the approach taken may differ if the land was owned by the RSL.

We are now seeking to progress this scheme, but wish to be aware of any potential factors that may need to be taken into account. I would be grateful if you could provide advice on the implications of state aid in this development, and any conditions that may need to be included in any legal agreement that we put in place. If you require any additional information, please let me know.

Many thanks

Mel

**Melanie Brain FCIH**  
**Housing Strategy Manager**

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