

FOI Ref
11600

Response sent
01 Sept 22

(CCC) Anglian Water

Thank you for the response to FOI request 11124 and copy of the corresponding Members Agreement dated 29-06-22 @14.00.

Unfortunately, having considered the response provided, there appears to be some confusion, possibly due to timing and a range of naming conventions and/or different legal entities having been used for 'Anglian Water'.

Response a) states that 'there is no Memorandum of Agreement between Anglian Water Services Limited (as statutory provider) and Cambridge City Council relating to the relocation of the Cambridge Water Treatment Centre'.

However, Page 2 of the Housing Infrastructure Fund Business Case, which I understand was submitted by Cambridge City Council to Homes England 7th December 2018 contains a statement as follows:

This bid is submitted by Cambridge City Council on behalf of its partnership with Anglian Water. Having worked closely with Anglian Water under an MoU, we have agreed heads of terms for a formal joint venture, and jointly appointed U+I as master developer

Page 21 states

Delivery of the scheme will be overseen on a partnership basis:

-Cambridge City Council and Anglian Water are working as partners to enable the development of the core site through the relocation of the CWRC. They have previously worked via an MOU, but have now agreed Heads of Terms for a Joint Venture agreement via a Limited Liability Partnership.

Other formal information from Cambridge City Council states that 'Homes England requirements at the business case stage included the request for a far more formal delivery partnership, and Cambridge City Council and Anglian Water formed a joint venture partnership in 2018.'

However, the Members Agreement provided is dated 3 June 2020.

In the interests of clarity and with a view to concluding this request, please provide the following:

- a) A timeline of all agreements entered into by Cambridge City Council in relation to its plans to relocate the Cambridge Waste Water Treatment Plant and corresponding development of the North East Cambridge site.
- b) Confirmation of all agreements entered into between Cambridge City Council and Anglian Water, including all Anglian Water companies and wholly or partly owned subsidiaries relating to the Anglian Water Group, at any level in the Anglian Water Group Structure.

Response

The following agreements have been entered into in relation to the project:

Memorandum of Understanding dated 19 April 2017 between (1) Grosvenor Developments Limited (2) AWG Land Holdings Limited and (3) Cambridge City Council;

Termination Deed dated 23 February 2018 relating to the above Memorandum of Understanding;

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Housing Infrastructure Fund Grant Determination Agreement (Forward Funding) dated 27 March 2020 made between (1) Homes England (2) Cambridge City Council (3) CWRP Relocation Limited (4) Anglian Venture Holdings Limited and (4) AWG C4 Limited;

Supplemental Agreement dated 27 March 2020 made between (1) Cambridge City Council (2) CWRP Relocation Limited, (3) Anglian Venture Holdings Limited and AWG C4 Limited

Members' Agreement dated 3 June 2020 relating to Cambridge 4 LLP made between (1) Cambridge City Council (2) AWG C4 Limited and (3) Cambridge 4 LLP; and

Master Development Agreement dated 23 June 2022 made between (1) Cambridge 4 LLP (2) U and I (Cambridge) Limited and (3) Land Securities Property Holdings Limited

In terms of any discrepancy in dates between the wording in the HIF application business case (submitted in 2018) and the dates for the current agreements, I hope the following may help.

Originally, the City Council and Anglian Water agreed to work together to establish the HIF expression of interest application via the MOU developed with Grosvenor Developments. This was submitted in September 2017. Once the Expression of Interest was approved and the Business Case submission stage was formally confirmed, Homes England confirmed that they were looking for formal evidence, amongst other things, of formal partnerships where required and of commitment to deliver e.g. having a master developer agreed. Anglian Water and the City Council therefore went out formally to tender for a Master Developer and U&I were the preferred bidder (hence the subsequent termination of the MOU with Grosvenor). The Master Development Agreement was drawn up in 2018 to underpin the business case submission, and also subsequently formed part of the negotiating process around the HIF Grant Determination Agreement mentioned below, once the project was confirmed by Ministers as being successful in its HIF application.

The formal Heads of Terms and draft Members Agreement for the Joint Venture between Cambridge City Council and Anglian Water were agreed in 2018, as part of the development of the evidence for the business case submission, but , despite the HIF formal announcement in March 2019 that the application had been awarded the funding, the HIF Grant Determination Agreement was not actually concluded until a year later, in March 2020. Part of the completion terms for the Grant Determination Agreement included Homes England having prior approval of final documents. Until the GDA was finally completed, it was not therefore possible to finally sign off the Master Development Agreement and the Members Agreement, but these were done as soon as possible after the GDA was completed. Up until then the organisations were working together in principle within the draft terms. The Master Development Agreement has been updated in line with contractual requirements , hence the revised version is dated 2022.

We aim to provide a high-quality service to you and hope that you are satisfied with this response. If you have any further questions, please do not hesitate to contact us.

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Further queries on this matter should be directed to foi@cambridge.gov.uk