

**On behalf of
London Borough of Newham**

Detailed Development Brief

**Queens Market
Green Street
Upton Park
E13**

1. INTRODUCTION

Introduction and Area Description

Green Street is one of the most dynamic and colourful areas in the United Kingdom lying at the heart of the East End in one of the most ethnically diverse boroughs in the whole of Europe.

It is an area bustling with activity and is the Newham's third largest shopping centre.

Its role has changed considerably since the 1970's and has developed as a district shopping centre for local people and a specialist Asian shopping centre serving a sub-regional catchment area.

The commercial core of Green Street is the main focus of the Green Street SRB Programme which has been in existence since 1995. The programme aims "**to improve the Green Street area by encouraging sustainable growth as a specialist retail centre in an attractive and safe environment: to enhance the education and skills of local people**".

The SRB programme is now in its eighth year and has been responsible for a variety of projects that have had a significant impact on the locality.

The site amounts to an area of 1.97 hectares immediately to the south of Upton Park Underground Station as shown at Appendix 1.

The built environment consists of a street market with stores and shop units, a roof car park, a public house, a sheltered housing block and an area of open space.

2. BASIS FOR TENDERS FOR SHORTLISTED PARTIES

Parties who have been short listed to this second and final stage will be expected to submit detailed proposals in support of their offers for the interest within the Queens Market site, as described more fully in Section [].

The information contained within those proposals should include, but not necessarily be limited to, the following:

i. **Identity of bidding company/companies**

Re-confirmation of the full name or title of the proposed purchasing company/entity and address, if relevant, of its registered offices.

In the event of proposals being submitted on behalf of a joint venture or two or more parties, a clear statement as to the areas of responsibility between those individuals must be given together with an explanation as to the relationship between the parties.

ii. **Company Reports and Accounts**

Company reports and accounts for the last three financial years together with sufficient additional information to enable the London Borough of Newham to fully understand the historic financial performance of the bidding entity.

iii. **Funding arrangement**

Confirmation of the funding arrangements in relation to the purchase of the site, securing vacant possession, and the subsequent redevelopment.

iv. **Professional Team**

Details of the proposed professional team including summaries regarding the expertise of individual members in undertaking development projects of a similar nature

v. **Scheme Description**

A detailed description of the proposed form of development with particular attention given to the types of use, massing, car parking and access arrangements.

Individual submissions should include, as a minimum, the following:

- a. **A site plan showing the proposed form of development and the overall scheme layout in the context of the adjoining properties/ land ownerships;**
- b. **A schedule of floor areas showing the individual bidding parties assessment of the gross and net floor areas;**
- c. **Plans and elevations showing the residential element of the scheme in the context of both the commercial ground floor, relocated Queen Street market and the surrounding environment;**
- d. **Details of the proposed car parking and access arrangements should be given with the numbers, or areas, of car parking spaces provided for specific uses;**
- e. **A detailed description of the servicing arrangements and how servicing access is proposed for each element of the scheme;**
- f. **An indication as to the proposed development programme should be provided to support any offer. In the event of conditional offers, particular emphasis should be made upon the timing for the eradication of all conditions to any offer, including, but not limited to, planning.**

3. **LONDON BOROUGH OF NEWHAM PROFESSIONAL TEAM**

The professional team appointed to advise the officers and members of the London Borough of Newham in relation to the proposed redevelopment of the Queens Market site is as follows:

Consultant Surveyors

ATIS REAL Weatheralls
Norfolk House
31 St James's Square
London, SW1Y 4JR

Tel: 020 7338 4200

Fax: 020 7493 0746

Contact: M Sudlow Esq

Email: Michael.sudlow@atisrealweatheralls.com

Solicitors: To be advised

Development Planning

London Borough of Newham
Property and Design Consultancy
City Gate House
246/250 Romford Road
Forest Gate
London, E7 9HZ

Tel: 020 8430 2000

Fax: 020 8430 1305
Contact: Meloneze Wynter
Email: mel.wynter@newham.gov.uk
London Borough of Newham Transport: To be advised

London Borough of Newham Planning Officer: To be advised

Any additional enquiries in relation to the material contained herein should be addressed in the first instance to Michael Sudlow at these offices.

4. **TIMESCALE FOR RECEIPT OF BIDS AND BASIS OF DISPOSAL**

- i. Formal expressions of interest, either on a conditional or unconditional basis, should be received at these offices prior to 12 noon on Friday [] November 2002 addressed to:
Ms Meloneze Wynter
London Borough of Newham
c/o ATIS REAL Weatheralls
Norfolk House
31 St James's Square
London, SW1Y 4JR

Tel: 020 7338 4200
Fax: 020 7493 0746
- ii. The London Borough of Newham will offer Queens Market upon the basis of a ground lease for a term of 150 years, subject to a peppercorn rental. The site is offered subject to the schedule of tenancies as set out under Appendix []. It is envisaged that the preferred developer/joint development partner will work with the London Borough of Newham and their consultants to obtain vacant possession of the site in an orderly and controlled manner which reflects the nature of the existing occupiers particularly in relation to the market stalls and market retail units.

All fees in relation to securing vacant possession will be the responsibility of the preferred development partner upon terms to be agreed at that time.

5. **LAND OWNERSHIP**

The site is owned freehold by the London Borough of Newham and will be offered on a long lease with part vacant possession subject to the rights, way leaves, easements, quasi easements or rights of way and leases as described within Appendices [] to [].

6. **ADJOINING LAND OWNERSHIPS**

The site is immediately to the south of the Upton Park Underground Station. The London Borough of Newham is keen to encourage a pivotal relationship between the new development and the underground station maximising the benefits of the local transport system. In the short term it is envisaged that LRT Transport will be Involved within the design process.

7. **METHODOLOGY AND APPROACH TO THE DEVELOPMENT**

The London Borough of Newham wishes to encourage schemes, which will create a new invigorated environment, which will address the acknowledged problems in relation to the existing Queens Market scheme.

In essence the London Borough of Newham wishes to achieve a number of ambitions with regard to the future of the Queens Market site as follows:

To create a new vibrant mixed use development incorporating a variety of uses including private residential housing and the retention of the existing market operation. Any scheme or development must comply with the following parameters:

- a. **Re-establishing Queens Market as a vibrant and thriving retail offer within the core hierarchy;**
- b. **Re-establishing Queens Market as a vibrant centre of activity within a safe and secure environment;**
- c. **Establishing a wide variety of shops, services and catering facilities;**
- d. **Establishing a new residential environment which maximises the benefits of the current local transport infrastructure;**
- e. **Establishing new reasons for shoppers to visit the scheme extending the dwell time of those who already use the market and increasing spending by customers;**
- f. **Developing an identity for the Queens Market area which will establish it as one of the premier locations within the London Borough of Newham.**

8. **QUEENS MARKET RETAIL AND MARKET STALL TENANTS/LICENSEES**

Introduction

There has been an extensive consultation process with occupiers within Queens Market itself that have included a direct approach to each tenant/market trader to enable occupiers to have the opportunity to express concerns and pass on first hand experience of trading within Queens Market.

Queens Market currently has a number of vacant stalls/pitches and the overall image of the market is reflected by a poor quality of design/presentation combined with a lack of active management and little promotion of the markets positive aspects outside its immediate catchment area.

There is a high degree of multiple occupancy between the market and the retail units with a number of shop occupiers also utilising pitches, which has had the effect of creating a proliferation of certain uses such as meat sales and fruit and vegetables. This has had a knock on effect in causing inertia in terms of the markets growth.

9. **ENVIRONMENTAL AUDIT**

Queens Market is largely a covered architecturally undistinguished box currently open at both ends and lacking in modern facilities.

Stalls are laid out on a preconceived grid however there is little cohesive design within the environment and the shop units surrounding the market itself on the two principle boundaries do not necessarily complement the market operation in terms of their trading styles.

10. **FUTURE OF QUEENS MARKET**

Introduction

As specified within the original outline brief any scheme of redevelopment must include the retention of Queens Market as an integral part of the overall programme. Bidding parties therefore should note that the following conditions would apply in relation to Queens Market itself:

- i. Whilst consideration will be given to relocating the market within the site, possibly to the southern end of the scheme, continuity of trading during the development programme is important and the scheme should be phased so that the market is capable of taking occupation of the new site without any significant cessation of trade;
- ii. The new market must demonstrate a number of essential factors as follows:
 - a. A safe and secure design capable of being self contained during non trading hours;
 - b. Adequate servicing arrangements, which reflect the residential nature of the surrounding streets. The trading hours of the market require that stalls commence set up by approximately 6am;
 - c. That the market should have an element of permanency. At the current time stalls are broken down and removed at the end of the days trading which requires a significant market store. It is therefore envisaged that in the new secure environment stalls will remain erected over night/during non-trading days;
- iii. In general terms the market will become a self contained operation and the existing market retail units will either be significantly reduced in number or incorporated elsewhere within the retail offer upon the site.

Whilst the final figure is subject to detailed consideration and the input from both the Council and Market Traders Association we would anticipate that area required for the replacement market would be in the region of 45/50,000 sq ft.

11. **MANAGEMENT OF QUEENS MARKET**

At the current time the Queens Market is directly managed by the London Borough of Newham. Proposals therefore are encouraged from bidding parties that cover one or more of the following options:

- a. That the market continues to be managed by the London Borough of Newham direct;
- b. That the market is managed by a specialist firm of private contractors as sub-consultants to the London Borough of Newham;
- c. That the market is managed by a specialist firm of private contractors by way of a headlease hold interest.

12. **PUBLIC TRANSPORT**

The site is serviced by Upon Park Underground Station immediately to the north and bus routes along Green Street (number 58: East Ham to Walthamstow, number 104: Manor Park to Stratford, number 330: Canning Town to Wanstead Park, number 376: Beckton to Eastham).

13. **CAR PARKING ARRANGEMENTS AND VEHICLUAR ACCESS**

Car parking is currently provided upon the roof top car park over and above Queens Market itself accessed by a ramp linked to Selsdon Road (see Appendix []).

The current car park arrangements are perceived by both traders and operators as both inadequate for current needs and lacking security.

The inability to close the car park at night encourages vandalism and damage to the parking surface aggravating the problems of water penetration into the lower areas.

The Council's preference is to retain a high number of parking spaces for the general public and the site currently provides only 150 spaces which are used mainly four days a week on market trading days or by spectators of West Ham Football Club.

The area to the north of Upton Park Underground Station is designated as a controlled parking zone (CZP) and is classified as parking for residents only. We understand there are plans to extend the CPZ areas, which will include all of the residential streets surrounding Queens Market. The new CPZ boundaries are subject to consultation but will in all likelihood replace the current pay and display system.

14. **PLANNING**

Introduction

The site currently contains a mix of uses as follows:

Residential: Sheltered accommodation
Retail: Predominantly A1 and A3 units
Car Parking: 150 spaces (pay & display)

Planning Policy

The site lies within the Green Street market area and is contained within the town centre boundary and allocated as primary shopping frontage.

The site is not in a conservation area and does not contain statutory or locally listed buildings.

Policy SG4 (Appendix []) applies to this area which includes the subject site. In essence proposals that promote and encourage development, which sustain the role of Green Street will be permitted.

15. **RETAIL USE**

The Council through Policy SH4, (Appendix []) would support a major retail use upon the site.

A single large food superstore is considered to be suitable in meeting the objective of promoting Green Street as a district centre.

16. **RESIDENTIAL**

Residential accommodation as part of a mixed use scheme is supported by housing policies within the UDP (Policy 10C) and National Policy in PPG3 and PPG1 (mixed use development in town centres).

Any residential element should be self contained and include a separate access. A high density scheme should have regard to the potential for overlooking and subsequent loss of privacy that would occur to existing properties along Green Street, Tollpiddle Avenue and Rochester Avenue. The sheltered residential block will be offered with full vacant possession and it is believed there is scope to rationalise the rear servicing and current access arrangements as part of the overall scheme.

17. **DENSITY: RESIDENTIAL**

High-density development may be permitted where a high level of public transport is available (Policy H14).

18. **AFFORDABLE HOUSING**
To be completed.
19. **CAR PARKING**
The Council wishes to retain a high number of parking spaces for the general public.
20. **A3 USES**
The re-provision of an A3 use on the site is supported by Policy SH4 although consideration must be given to its location commensurate with the proposed residential accommodation.
21. **MARKET STALLS**
As noted elsewhere within the report the UDP recognises the dual function of Green Street as a sub regional specialist Asian shopping centre and a district shopping centre for the central area of Newham.
- There is a strong presumption in favour of the retention of the market although, as noted elsewhere within the report, there maybe scope to reduce the number of stalls as many are currently vacant and the market overall is not operating at maximum capacity.
22. **HIGHWAYS**
The principle access/egress points to the site are Selsdon Road and Queens Road. The transportation department of the Council have advised that a traffic impact assessment would be required to identify current traffic flows, predicted flows from the development and an assessment of the safety and free flow of traffic onto Green Street.
23. **ALTERNATIVE USES**
Alternative uses which would be considered in relation to the scheme include leisure, crèche and a nursery.
24. **ARCHAEOLOGY**
Part of the site falls within an archaeological priority area and therefore will need to be surveyed to determine whether it is of archaeological interest.
25. **TENURE OF EXISTING OCCUPIERS ON SITE**
This practise has analysed various forms of tenure across the scheme ranging from occupational licenses through to leasehold interests, some of which are protected under the relevant legislation. We enclose at Appendix [] an analysis of the following forms of tenure:

- i. A street traders licence (Appendix []);
- ii. The lease in respect of 21 Queens Market (Appendix []);
- iii. The under lease in respect of the kiosk, 16 Queens Market (Appendix []);
- iv. A lease dated 11 August 1997 between Samuel Properties Developments Limited and Allied Breweries UK Limited (Appendix []).

26. **PROPOSALS FOR CHANGE OF STATUS: QUEENS MARKET**

London Borough of Newham operates the market under the provisions of the London and Local Authorities Act 1990. The act governs licensed street trading described as “the selling or exposing or the offering for sale of any article (including a living thing) or the supplying or offering to supply any services in a street for gain or reward”.

Given that the Council has adopted the provisions of the London and Local Authorities Act 1990 the London Borough of Newham is presented from setting pitch fees at any level that might result in a surplus income and can only recover the costs of managing and running the market.

Considerable thought has been given to the basis upon which the status of the Queens Market should be altered in order to achieve the long term aim of redeveloping the site and extinguishing the central core of Queens Market as a licensed street under the Local Authorities Act 1999 Section 24.

In order to extinguish the central core of Queens Market as a highway (see Appendix []) Counsel’s opinion has been taken and it is intended in the long term to rescind the 1992 resolution to adopt Queens Market as a licensed street. It is envisaged that the rescission will take place in consultation with the preferred developer once a preferred developer/development partner has been achieved.

27. **DEVELOPMENT CONSTRAINTS**

There are a number of key development constraints in relation to this site which must be considered as follows:

Queens Market

Following the various tenant and retail unit surveys and questionnaires it is widely appreciated and understood that if the long-term future of the market is to be secured a major scheme of redevelopment must take place.

Given that it is a prerequisite of any development that the Market remains operational during the building programme it will be necessary to ensure that the works are phased enabling traders to relocate to the new site prior to demolition of the existing market unit in order to ensure continuity of trade and encouraging, as far as possible, the active cooperation of the market stall and shop unit operators.

28. **SURROUNDING RESIDENTIAL AREAS**

Whilst the site has an extensive commercial frontage to Queen Street the surrounding streets of Selsdon Road, Crown Mews, Rochester Avenue and Tollpuddle Avenue are largely residential in nature and this will require any building programme to take account of the maintenance of the residential amenity with a minimum interference in terms of pollution and disturbance.

29. **SAFETY AND CONSTRUCTION ISSUES**

Any redevelopment undertaken upon the site will be a major engineering project and there will be a number of specific site safety issues that will need to be taken into account. These would range from insuring that construction works were undertaken during social hours to respecting the safety of the open tube line servicing Upton Park Underground Station.

30. **FINANCIAL PROPOSALS**

The London Borough of Newham wishes to dispose of a 150 year lease at a peppercorn rental as set out above and short-listed parties are invited to submit proposals on either a conditional or unconditional basis or both as follows:

i. **Unconditional Offers**

Unconditional offers for the long leasehold interest should be clearly expressed and should specify the following information:

- a. The premium for the long leasehold interest;
- b. The basis upon which the market will be managed and be operated;
- c. The London Borough of Newham will consider offers whereby the Council retains an interest in the site either through operation of the market or a new headlease, at a peppercorn rental, over all or part of the commercial areas.

ii. **Conditional offers**

Conditional offers for the site should be clearly expressed and must be accompanied by a statement regarding the individual conditions attached to any such proposal with particular emphasis upon the anticipated timescale for the eradication of all conditions to any offer including planning.

iii. **Profit Share**

The London Borough of Newham will consider proposals for a potential share of super profit achieved by any scheme over and above an initial agreed return to the developer. Any proposals regarding profit share should be accompanied by a statement regarding the initial return that will be retained by the developer along with a development appraisal illustrating the split of any super profit over an above that figure to be shared between the long leaseholder and purchaser.

iv. **Indemnity on Cost**

The chosen developer/joint venture partner on either a conditional or unconditional basis will be required to give an undertaking with regard to the London Borough of Newham's legal costs in relation to progressing the legal documentation up to a ceiling of £15,000 once solicitors have been instructed.

31. **FINAL SELECTION OF PREFERRED PURCHASER**

The London Borough of Newham, along with their consultant advisors, ATIS REAL Weatheralls, may, if it is deemed appropriate at that time conduct interviews with one or more selected parties to discuss their proposals in further detail.

32. **CONDITIONS ON TENDERS**

It should be noted that the London Borough of Newham is not bound to accept the highest or indeed any offer received for the long leasehold interest within its land holding. Neither the London Borough of Newham nor any of their consultants will be liable for any costs incurred by bidding parties either at the initial short-listing stage,

detailed submission stage or indeed once selected as preferred bidder and all such costs are incurred at the individual tenders sole risk.

33. **MISREPRESENTATION CAVEAT**

ATIS REAL Weatheralls, for themselves and for the London Borough of Newham, whose agents they are, give notice that:

- i. The details herein are set out as a general outline for the guidance of intending bidding parties and do not constitute nor constitute part of any offer or contract;
- ii. All descriptions, dimensions, references to condition and necessary permissions for use and occupation, are details given in good faith and are believed to be correct but any bidding party should not rely on them as statements or representations of fact, but must satisfy themselves by inspection or otherwise as to the correctness of each of them;
- iii. No person in the employment of ATIS REAL Weatheralls has any authority to make or give any representation or warranty whatsoever in relation to this site or these particulars nor enter into any contract on behalf of the London Borough of Newham;
- iv. Any services referred to in this document were present at the date of publication. They have not, however, been tested and therefore we are unable to give any warranty as to there condition or operation;
- v. No responsibility can be accepted for any expenses incurred by intending purchasers in inspecting properties which have either been sold or withdrawn;

The date of this publication is November 2002.