

DECISION-MAKER:	CABINET
SUBJECT:	DISPOSAL OF LAND AT BUTTERMERE CLOSE (FORMER WHITEHAVEN LODGE CARE HOME)
DATE OF DECISION:	21 NOVEMBER 2011
REPORT OF:	CABINET MEMBER FOR RESOURCES, LEISURE AND CULTURE

STATEMENT OF CONFIDENTIALITY

Confidential Appendix 2 to this report contains information deemed to be exempt from general publication based on Category 3 of Paragraph 10.4 of the Council's Access to Information Procedure Rules. The appendix includes a table showing the bids received for the property which, if disclosed prior to entering into a contract, could put the Council at a commercial disadvantage. The appendix also includes a summary of expenditure to date (2011/2012) for this property in relation to the demolition and subsequent disposal. In applying the public interest test it is not considered appropriate to publish this information as it could influence bids for a property which may be to the Council's financial detriment.

BRIEF SUMMARY

This report seeks authority for the sale of the Council's freehold interest of Land at Buttermere Close. The property for sale comprises a parcel of land which formerly housed Whitehaven Lodge Care Home and a domestic garage both of which are due to be demolished leaving a cleared site, the sale of which offers the opportunity to realise a capital receipt.

RECOMMENDATIONS:

- (i) To approve the principle of the sale of the Council's freehold interest and
 - (a) To delegate authority to the Head of Property and Procurement to approve the preferred tender, agree the terms of the sale and carry out all ancillary matters to dispose of the site.
 - (b) To note that the capital receipt will be used to reduce the current funding deficit in the capital programme.

REASONS FOR REPORT RECOMMENDATIONS

1. To enable the redevelopment of a cleared site thereby delivering significant environmental improvements and the promotion of the regeneration of the area.
2. To realise a significant capital receipt.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. Do nothing.
4. The subject property could be retained in Council ownership; however this would have a number of disadvantages including:
 - Would not generate a Capital Receipt
 - Once the buildings are demolished this could attract security risks if the site is left vacant for an extended period.
 - There are no Council requirements for this property.

- On-going security costs if site hoardings are vandalised.

DETAIL (Including consultation carried out)

5. The property comprises a cleared site which formerly accommodated a Care Home and domestic garage. This property has been declared surplus to Council requirements and is due to be demolished. The property sits within a residential housing estate which would benefit from an element of regeneration which redevelopment of the site would enable.
6. The site is being marketed and it is expected that it will be sold on a conditional basis subject to the purchaser obtaining planning permission. The bids received are outlined in Confidential Appendix 2 and are being evaluated as part of the due diligence process.
7. Approval is sought to delegate authority to the Head of Property and Procurement to approve the acceptance of the selected tender for the property and to negotiate and agree the terms of the land sale.

RESOURCE IMPLICATIONS

Capital/Revenue

8. There are no revenue implications arising from the sale of the property, as a cleared site it does not bring in any income, and as it is no longer required by the Council, is considered suitable for disposal.
9. The sale will realise 100% capital receipt to the General Fund.
10. The bids received are all conditional on planning consent being granted, it is expected therefore that the sale will not complete until 2012/2013 financial year.
11. If disposal of the site does not proceed or is delayed, this will result in ongoing site security costs.

Property/Other

12. Covered in report

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

13. Buttermere Close is held under the Housing Act 1957 (V), as it is being demolished the relevant power of disposal is The General Consent for the disposal of Part II Land 2005 Part E (E3.1)

Other Legal Implications:

14. N/A

POLICY FRAMEWORK IMPLICATIONS

15. The proposals set out in this report are not contrary to any policy implications. The disposal of a council property for a capital receipt supports the Councils capital programme.

AUTHOR:	Name:	Bronwyn Dunning	Tel:	023 8083 2385
	E-mail:	bron.dunning@southampton.gov.uk		

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	None
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SUPPORTING DOCUMENTATION

Non-confidential appendices are in the Members' Rooms and can be accessed on-line

Appendices

1.	Site Plan
2.	Confidential Appendix 2

Documents In Members' Rooms

1.	None
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Integrated Impact Assessment

Do the implications/subject of the report require an Integrated Impact Assessment (IIA) to be carried out.	No
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Other Background Documents

Integrated Impact Assessment and Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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