

REPORT TO: CABINET

DATE: 12 SEPTEMBER 2019

TITLE: DISPOSAL OF LAND ADJACENT TO THE OLD HARLOW MEDICAL CENTRE

PORTFOLIO HOLDER: COUNCILLOR JOHN STRACHAN, PORTFOLIO HOLDER FOR REGENERATION

LEAD OFFICER: SIMON FREEMAN, HEAD OF FINANCE AND DEPUTY TO THE CHIEF EXECUTIVE (01279) 446228

CONTRIBUTING OFFICER: WILL HALES, PROPERTY AND FACILITIES MANAGER (01279) 446852

This is a Key Decision
It is on the Forward Plan as Decision Number I010619
Call-in Procedures may apply
This decision will affect Old Harlow Ward.

RECOMMENDED that Cabinet:

- A** Declares the land adjacent to the Old Harlow Medical Centre as surplus to requirements.
- B** Approves plans to dispose of the freehold interest in the subject land for use as part of the existing Medical Centre.
- C** Delegates to the Head of Finance and Deputy to the Chief Executive, in consultation with the Portfolio Holder for Regeneration the authority to negotiate and finalise the terms of the disposal and (subject to being satisfied that it would be for the best consideration reasonably obtainable) thereafter procure the legal completion of the sale documentation.

REASON FOR DECISION

- A** To facilitate an extension to the existing Medical Centre in order to meet local healthcare needs.
- B** To generate a capital receipt to help fund the Council's Capital Programme.

BACKGROUND

1. The Practice Manager of the Old Harlow Medical Centre, with the support of the West Essex Clinical Commissioning Group, has expressed a firm interest in acquiring land adjacent to the existing medical centre. The intention being that the land is used to facilitate an extension to the existing building.
2. It is understood that the proposed extension is required to increase the capacity of the Medical Centre in response to housing growth in and around the Old Harlow
3. The subject land, the extent of which can be seen edged red, as set out in Appendix A to the report, measures approximately 0.124 acres.
4. The site is currently laid out as parking for which the Council sell permits to staff of the Medical Centre. Concerns in relation to the loss of these parking spaces are mitigated by the existence of an adjacent Council owned car park at Garden Terrace Road.
5. The proposed land disposal presents the Council with an opportunity to generate a capital receipt, whilst at the same time facilitating increased service capacity at the existing site.
6. It is recommended that the Council dispose of the freehold interest in the site via private treaty. The estimated period for completion of the transaction is eight months.

ISSUES/PROPOSALS

7. Should Cabinet approve the recommendation set out within this report, it will be necessary to commission an independent valuation to evidence that best value has been obtained for the purpose of compliance with Section 123 of the Local Government Act.
8. Sale of the site by private treaty in the absence of a full marketing campaign is consistent with the Council's Contract Standing Orders due to the special purchaser status of the proposed buyer.

IMPLICATIONS

Environment and Planning (Includes Sustainability)

The need for additional healthcare services is identified in Harlow's emerging Local Plan, to cater for an expanded population in the east of the town. This proposal will help to deliver on that requirement. It should be noted however, that any expansion of the health centre in Old Harlow will be subject to the usual requirements for securing the appropriate planning and building regulations permissions.

Author: Andrew Bramidge, Head of Environment and Planning

Finance (Includes ICT, Properties and Facilities)

Any capital receipt generated from the proposals set out within the report will be applied to the Non Housing Capital Programme to reduce the councils underlying need to borrow. The report is presented to Cabinet in accordance with Contract Standing Orders.

Author: Simon Freeman, Head of Finance and Deputy to the Chief Executive

Housing

As outlined within the report.

Author: Andrew Murray, Head of Housing

Community Wellbeing (Includes Equalities and Social Inclusion)

None specific.

Author: Jane Greer, Head of Community Wellbeing

Governance (Includes HR)

The Council has the power to dispose of the land under Section 123 of the Local Government Act 1972. Members are advised that 'best price' for the purpose of Section 123 is confined to those elements of a transaction which are of a commercial or monetary value to the Council as opposed to social value.

Member participation on this item of Cabinet business should be conducted on the basis that, following any planning application relating to this land, consideration of that application at Development Management Committee should be given with an open mind, with the matter decided upon planning considerations alone.

Under Contracts Standing Orders, the terms of land sales require, prior to finalisation, the benefit of a current valuation.

Following any resolution to dispose of the land, the Council's interests would be safeguarded as negotiations progress, ensuring that any third party rights are appropriately dealt with and ensuring, at final completion, the inclusion of provisions securing overall best value.

Author: Mark Alexander, Principal Legal Executive – Development on behalf of Simon Hill, Head of Governance

Appendices

Appendix A – Plan for Car Park Rear of Health Centre Garden Terrace Road

Glossary of terms/abbreviations used

None.