

Title of meeting: Cabinet Member for Planning, Regeneration and Economic Development
Date of meeting: 8 March 2016
Subject: Land at East Lodge Park
Report by: Director of Property
Wards affected: Drayton, Farlington and Cosham
Key decision: yes
Full Council decision: No

1. Purpose of report

- 1.1 To update Members on the future of the Land at East Lodge Park, and to seek authority subject to a detailed options appraisal to dispose of the site in the event that this option delivers the best return to the Council.

2. Recommendations

- 2.1 **That a detailed options appraisal be undertaken by officers for the site at East Lodge Park to determine the best use of the asset for the Council. This appraisal will include (but will not be limited to) options for care provision and disposal for housing.**
- 2.2 **That the approval of the options appraisal be delegated to the Corporate Asset Development Board in consultation with the Director of Finance.**
- 2.3 **That following the options appraisal if disposal of the site is the best option that following the marketing of the site the Corporate Asset Development Board in consultation with the Director of Finance, be empowered to select an offer including the method of disposal for development, (including any expenditure required to facilitate the disposal), which could include but not be limited to;**
- **Freehold or leasehold sale**
 - **Entering a Joint venture arrangement with a third party**
- 2.4 **The Director of Property, the Director of Finance & Section 151 Officer, and the City Solicitor, be given authority to complete all necessary documentation required to complete the transaction as per 2.3 above.**

3. Background

- 3.1 The Council owns 11.2 acres of land at East Lodge that is currently used for recreational and agricultural purposes. The 1.75 acres of land shown A on the plan in Appendix 1, which is subject to a grazing licence with one months' notice to terminate is suitable for future development and could release a capital receipt.
- 3.2 On 13th November 2012 The Cabinet agreed (appendix 2 - Decision) the recommendation of a report dated 5th November 2012 that the site would be allocated for a new Adult Social Care (ASC) facility, in the event that Members decided the ASC facilities should not be provided at this site, then the site would be declared surplus.
- 3.3 Investigations into the development potential of the land shown A has revealed that Planning would in principle support an application for either dwelling houses, a residential care home or a combined scheme incorporating both.
- 3.4 Planning Consent was granted on 5 December 2013 for the construction of a two storey 72 bed residential care home with parking and a condition that an open space is provided on the southern side of the site (appendix 1 site B).
- 3.5 Feasibility studies undertaken to ascertain the development potential of the land shown A indicate a scheme of circa 28 dwellings could physically be accommodated. Alternatively, planning permission has been granted for a 72 bedroom care home.
- 3.6 The ASC residential care home project was put out to tender but only one tender was returned, over budget and therefore unsuccessful.

4. Reasons for recommendations

- 4.1 In order to ensure that the Council is able to act promptly it is recommended that delegated authority be given to the Corporate Asset Development Board, in consultation with the Director of Finance, to approve and progress the best method of disposal for development or enter into a joint venture.

5. Equality impact assessment (EIA)

- 5.1 An Equality Impact Assessment for the disposal of assets is available on the website.

6. Legal Implications

- 6.1 Under s123 of the Local Government Act 1972 the Council may dispose of any land in any manner they wish provided that it must be for the best consideration that can reasonably be obtained. If the disposal is not for the best consideration then the consent of the Secretary of State will be required.
- 6.2 However, Secretary of State consent to the disposal is not required where the Local Authority considered that the purpose for which the land is to be disposed is likely to contribute to the achievement of any one or more of the following objects in respect

of the whole or any part of its area, or of all or any person resident or present in its area

- (i) the promotion or improvement of economic well being
- (ii) the promotion or improvement of social well being
- (iii) the promotion or improvement of environmental well being

6.3 In accordance with the Council's constitution this matter requires the approval of both the Cabinet and full Council as this is a key decision as the value of the property exceeds £250,000.

7. Finance Comments

7.1 This report seeks to market the site for development, either through freehold or leasehold sale, or through a joint venture working with a third party, following the completion of a robust and detailed financial appraisal, approved by the Director of Finance, to identify the option that delivers the best return to the Council.

7.3 It should be noted that any capital receipt generated through a sale of the site will be deemed a corporate resource and therefore be available to fund other capital schemes.

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Signed by:

Appendices:

Appendix 1 - East Lodge Park site plan

Appendix 2 - Cabinet Decision on 5 November 2012

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Report to Cabinet on 5 th November 2012	Council website
Portsmouth Plan, January 2012	Copies available from the City Development Team or at www.portsmouth.gov.uk

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by:

APPENDIX 2

CABINET

RECORD OF DECISIONS of the meeting of the Cabinet held on Monday 5 November 2012 at 12 noon in the Guildhall, Portsmouth.

Present

Councillor Gerald Vernon-Jackson (Chair)
Councillors Jason Fazackarley
Mike Hancock CBE MP
Lee Hunt
Leo Madden
Hugh Mason
Eleanor Scott
Rob Wood
Steven Wylie

Apologies – Councillor Aiden Gray

101 East Lodge Farm Proposal/Adult Social Care (AI 10)

(TAKE IN REPORT BY HEAD OF ASSET MANAGEMENT AND
HEAD OF ADULT SOCIAL CARE)

DECISIONS:

- (1) That the Council work with the Primary Care Trust (PCT) to deliver the re- provision of Cosham Health Centre on the site of the existing Vanguard Centre, by disposing of its interest in the Vanguard site on terms to be negotiated.
- (2) The Property at East Lodge is allocated for the new Adult Social Care (ASC) facilities approved in principle by the Cabinet Member for Health and Social Care at his decision meeting on 13th March 2012.
- (3) If the PCT are unable to purchase the Council's interest at the Vanguard Centre, then that site be declared surplus.
- (4) If Members decide that the ASC facilities should not be provided at East Lodge then the land shown B on the plan be declared surplus.
- (5) That the Council disposes of the land shown D to the existing tenant subject to a restrictive covenant that will limit his use of the land for agricultural and equestrian purposes and the siting of a caravan/construction of a single dwelling.
- (6) The existing tenant be granted a Farm Business Tenancy of the land shown E and F on the plan, and a temporary grazing licence of land B
- (7) That the Head of Asset Management and the City Solicitor be authorised to enter into all necessary documentation to give effect to these recommendations.