

CABINET

7 JUNE 2016

VARIOUS LAND DISPOSALS

Portfolio Holders: Councillor Adrian Gulvin, Resources
Councillor Rupert Turpin, Business Management

Report from: Perry Holmes, Chief Legal Officer

Author: Noel Filmer, Head of Valuation and Asset Management

Summary

This report requests that delegated authority is granted to the Chief Legal Officer in consultation with the Portfolio Holder for Resources and the Leader:

To close, appropriate, declare surplus and dispose of various council owned properties, applying for planning permission and entering into any necessary agreements in relation to the re-provision of services and undertaking the procurement of development/alternative facilities where appropriate.

1. Budget and Policy Framework

- 1.1 Closure and disposal of the properties is a matter for Cabinet, as the properties are likely to have a value of over £100,000.
- 1.2 Appropriations are a matter for Cabinet.

2. Background

- 2.1 The Leader and the Portfolio Holder have asked for a review of sites including car parks that could be suitable for development. Together with the Portfolio Holder, Officers have evaluated a number of sites. Cabinet has already agreed to procure a development of the Queen Street car park in Chatham. A tender is currently out to the market seeking a developer who is prepared to develop the site with retention of the current car park provision and also a profit share/land receipt element for the council.
- 2.2 It is recommended that the following sites as set out below are taken forward for development/disposal.

3. The sites

3.1 Whiffens Avenue Car Park Chatham

3.1.1 This pay and display car park, as shown edged black on the attached plan (area approximately 0.5 ha) has 151 spaces and officers have established that it is underused, as it has only made a net income of £14,727 pa (£50.33/space) over the last 3 financial years. It is an attractive site for residential development, close to the town centre with good transport links. It is proposed, that officers in consultation with the Portfolio for Resources and the Leader investigate the feasibility and viability of various development options for the site, which could include the council developing the site itself and either renting or disposing of the completed residential units and in the meantime that delegated authority is granted to close it, declare it surplus and dispose of it, with officers seeking to obtain a resolution to grant outline planning permission for residential development, before the site is offered for sale on the open market, meaning that the site could be offered on the open market in spring 2017.

3.2 The King's Head Disabled Car Park, High Street, Rochester

3.2.1 This car park as shown edged black on the attached plan (area approximately 0.06 ha) has 6 disabled spaces and the intention is that the following alternatives are made available: 24 spaces at the new Rochester Riverside MSCP, 2 at the Cathedral Garage Car Park, 2 at Blue Boar lane and 2 at King Street. This re-provision will enable the Council to close this car park and dispose of it. Any purchaser is likely to develop the site with retail on the ground floor and residential above. It is proposed that officers in consultation with the Portfolio for Resources and the Leader investigate the feasibility and viability of various development options for the site, which could include the council developing the site itself and either renting or disposing of the completed units and that in the meantime delegated authority is granted to close it, declare it surplus and dispose of it with officers preparing a design brief for the site before it is offered for sale on the open market hopefully by the end of 2016/17.

3.3 Hook Meadow Community Centre, Library and Changing Rooms

3.3.1 This site is edged black on the attached plan (area approximately 0.3 ha.) Officers have developed a proposal to re-provide community meeting facilities including a library and sports changing rooms thus allowing the current site to be re-developed. It is proposed, that delegated authority is granted:

- To close it, declare it surplus and dispose of it with officers preparing a design brief before the site is offered for sale on the open market.
- Enter into any necessary agreements concerning the re-provision of community and library facilities.

3.3.2 Depending on negotiations it is hoped that the Council could bring this opportunity to the market before the end of 2016/17.

3.4 White Road Community Centre

3.4.1 This site is edged black on the attached (area approximately 0.62 ha.) Officers have developed a proposal that would see the community centre footprint and the open land behind it which is designated as open space in the Local Plan but is not used as open space re-developed for housing. The proposal includes the re-provision of a new community centre on site. It is proposed, that delegated authority is granted:

- To close it, declare it surplus and dispose of it with officers preparing a design brief before the opportunity is offered on the open market.
- Enter into any necessary agreements concerning the re-provision of community facilities.

3.4.2 It is hoped that the council could bring this opportunity to the market before the end of 2016/17.

3.5 Land at the Esplanade Rochester

3.5.1 This non-operational piece of Council owned land as edged black on the attached plan has an area approximately 0.38 ha. This area has been used as an unofficial car park. The land is zoned as protected open space in the Local Plan and is also at risk of flooding, so development of the land could be problematic. However the land is not required by the Council and on that basis, it is proposed that delegated authority is granted to declare it surplus and dispose of it with officers preparing a design brief before the site is offered for sale on the open market. It is hoped that the council could bring this opportunity to the market before the end of 2016/17.

3.6 Luton Road Shoppers Car Park, Magpie Hall Road

3.6.1 This free car park as edged black on the attached plan has an area of approximately 0.14 ha. The car park has 56 spaces and officers will endeavour to secure alternative parking as part of any development. It is proposed, that delegated authority is granted:

- To close it, declare it surplus and dispose of it with officers preparing a design brief before the opportunity is offered on the open market
- Enter into any necessary agreements concerning the development of the site including the provision of replacement parking.

3.6.2 It is hoped that the council could bring this opportunity to the market before the end of 2016/17.

3.7 Aburound House Woodlands Road Gillingham

- 3.7.1 This non-operational site as edged black on the attached (area approximately 0.24 ha) is let to a charity on a ground lease at a rent of £1,750pa until September 2018. It is proposed, that delegated authority is granted declare it surplus and dispose of it.

4. Options

- 4.1 The Council can either retain the sites or dispose of them as set out above.
- 4.2 From a regeneration and housing perspective the releasing of Council land for the development of high quality housing would be a positive step forward and a potential catalyst for further development on third party owned land. This could in turn raise values and provide much needed homes for an increasingly vibrant and desirable Borough.

5. Advice and analysis

5.1 Whiffens Avenue Car Park

- 5.1.1 From the review of parking which Regeneration, Culture, Environment and Transformation (RCE&T) directorate has carried out, it is clear that there will still be adequate parking provision in Chatham once this site has been sold.

5.2 The King's Head Disabled Car Park, Rochester

- 5.2.1 As alternative disabled car parking spaces can be made available; it is proposed that this site is disposed of.

5.3 Hook Meadow Community Centre

- 5.3.1 Officers have discussed the re-provision of both community and library services on adjacent land. The re-provision of the community space and library provision could be in the form of a "neighbourhood community hub" with longer library opening hours. The changing room facilities currently integral to the Community Centre would also need to be re-provided.

5.4 White Road Community Centre

- 5.4.1 The council would need to go through a procurement process before selecting a partner to re-provide the community centre in connection with the development of the site.

5.5 Land at the Esplanade, Rochester

5.5.1 According to the council's Flood, Drainage and Special Projects Officer, the flood risk issue is not insurmountable and as this site is not needed for council use it is suggested that it be sold on the open market with the benefit of a design brief to guide development.

5.6 Luton Road Shoppers Car Park

5.6.1 As the car park is well used it is suggested that the council should undertake a procurement process to seek a developer for the site who is prepared to develop the site whilst retaining the existing levels of parking spaces.

5.7 Aburound House

5.7.1 Officers' advice is that this property should be the subject of straight forward disposal.

6. Risk Management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Objections from users of the operational facilities.	Users object to the proposals.	Consultation with users to make clear that alternative facilities will be provided.	B2
Lack of developer interest in the opportunities.	Some of the opportunities do not attract any developer interest.	Work with planning officers and service departments to develop viable proposals for the sites which may mean that there is less than 25% affordable housing and that the operational facilities are not replaced on a like for like basis.	C2

7. Consultation

7.1 Consultation has taken place with the relevant service departments (including planning) and also with a variety of stakeholders and potential development partners. There have been no objections to these proposals, which in total could bring forward in excess of 100 housing units.

8. Financial and legal implications

8.1 The Council is under a duty to obtain Best Consideration when it disposes of interests in property, unless consent is obtained from the Secretary of State or one of the general consents applies. Before the council can dispose of the

sites it will need to obtain reports on title and carry out checks for any statutory undertaker's plant on the land.

- 8.2 Part of the land at Hook Meadow is used for open space, the council will need to advertise and consider any objections before it can dispose of this land.
- 8.3 The cost of creating the new disabled car parking spaces to replace those from the King's Head car park is nominal. However the loss in income from the Blue Boar Lane, Kings Street and Cathedral garage car park is likely to be in the region of £15,250 per annum. The loss of rent from the sale of Aburound house will be £1,750 per annum. The loss of income from the disposal of Whiffens Avenue Car Park will be around £14,727 pa.

9. Recommendations

- 9.1 That Cabinet delegates authority to the Chief Legal Officer in consultation with the Portfolio Holder for Resources and the Leader:
 - 9.1.1 To close, declare surplus, appropriate and dispose of the Whiffens Avenue Car Park, Chatham, on the best terms reasonably obtainable. However, no action is to be taken to dispose of the property until the piece of work referred to in paragraph 3.1 above is completed.
 - 9.1.2 To close, declare surplus and dispose of the Kings Head Disabled Car Park, Rochester, on the best terms reasonably obtainable. However, no action is to be taken to dispose of the property until the piece of work referred to in paragraph 3.2 above is completed.
 - 9.1.3 To close the Hook Meadow Community Centre, Library and Changing Rooms, Chatham, and declare them surplus, appropriate them and dispose of them on the best terms reasonably obtainable and to enter into any necessary agreements concerning the re-provision of the community facilities at Hook Meadow as set out in paragraph 3.3 above.
 - 9.1.4 To close the White Road Community Centre, Chatham, declare it surplus, appropriate it and dispose of it on the best terms reasonably obtainable and to enter into any necessary agreements concerning the re-provision of the community facilities at White Road Community Centre, as set out in paragraph 3.4 above.
 - 9.1.5 To declare surplus and dispose of the land at the Esplanade, Rochester on the best terms reasonably obtainable, as set out in paragraph 3.5 above.
 - 9.1.6 To close, declare surplus, appropriate and dispose of the Luton Shoppers Car Park, Magpie Hall Road, Chatham on the best terms reasonably obtainable and to enter into any necessary agreements concerning the development of the Luton Shoppers Car Park site including the provision of replacement parking, as set out in paragraph 3.6 above.
 - 9.1.7 To declare surplus and dispose of the site of Aburound House, Gillingham, on the best terms reasonably obtainable, as set out in paragraph 3.7 above.

10. Suggested reasons for decisions

10.1 To reduce revenue costs, obtain capital receipts and to bring forward land for much needed housing development.

Lead officer contact:

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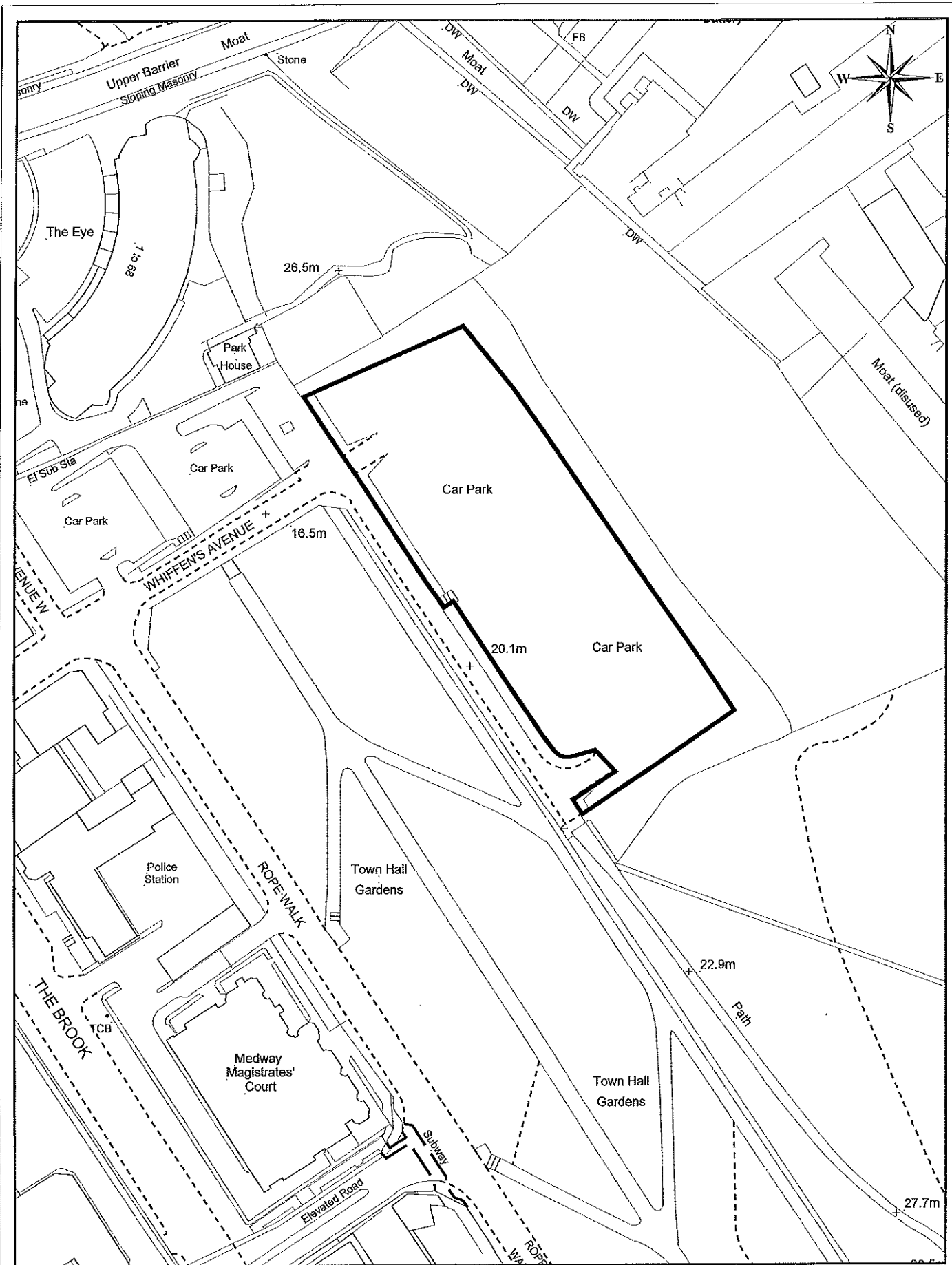
Email: noel.filmer@medway.gov.uk

Appendices

Site plans

Background papers

None

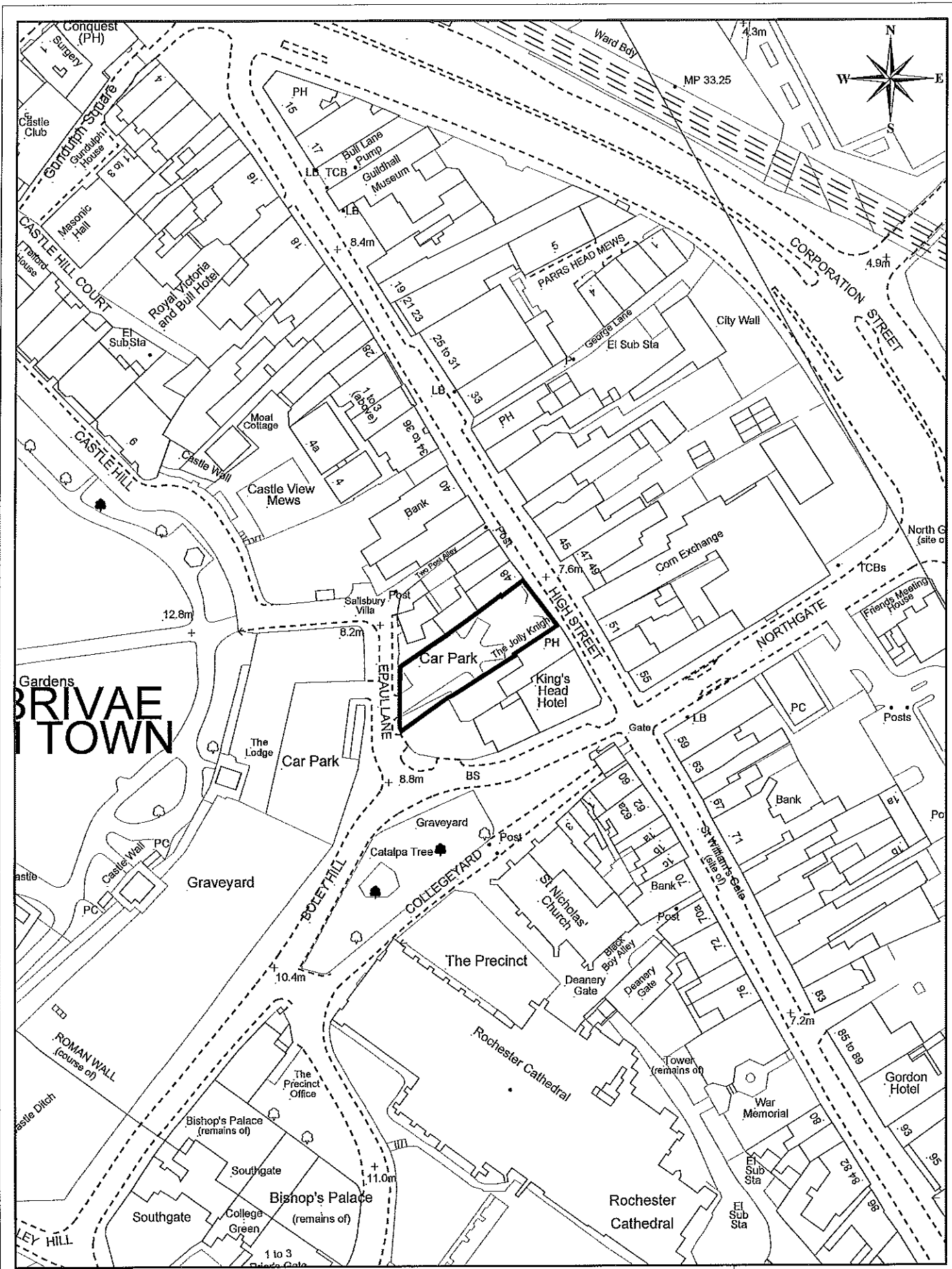


Whiffens Avenue Car Park
Chatham
Area = 4,998 m²



Serving You
 Scale: 1:1250 15/04/16
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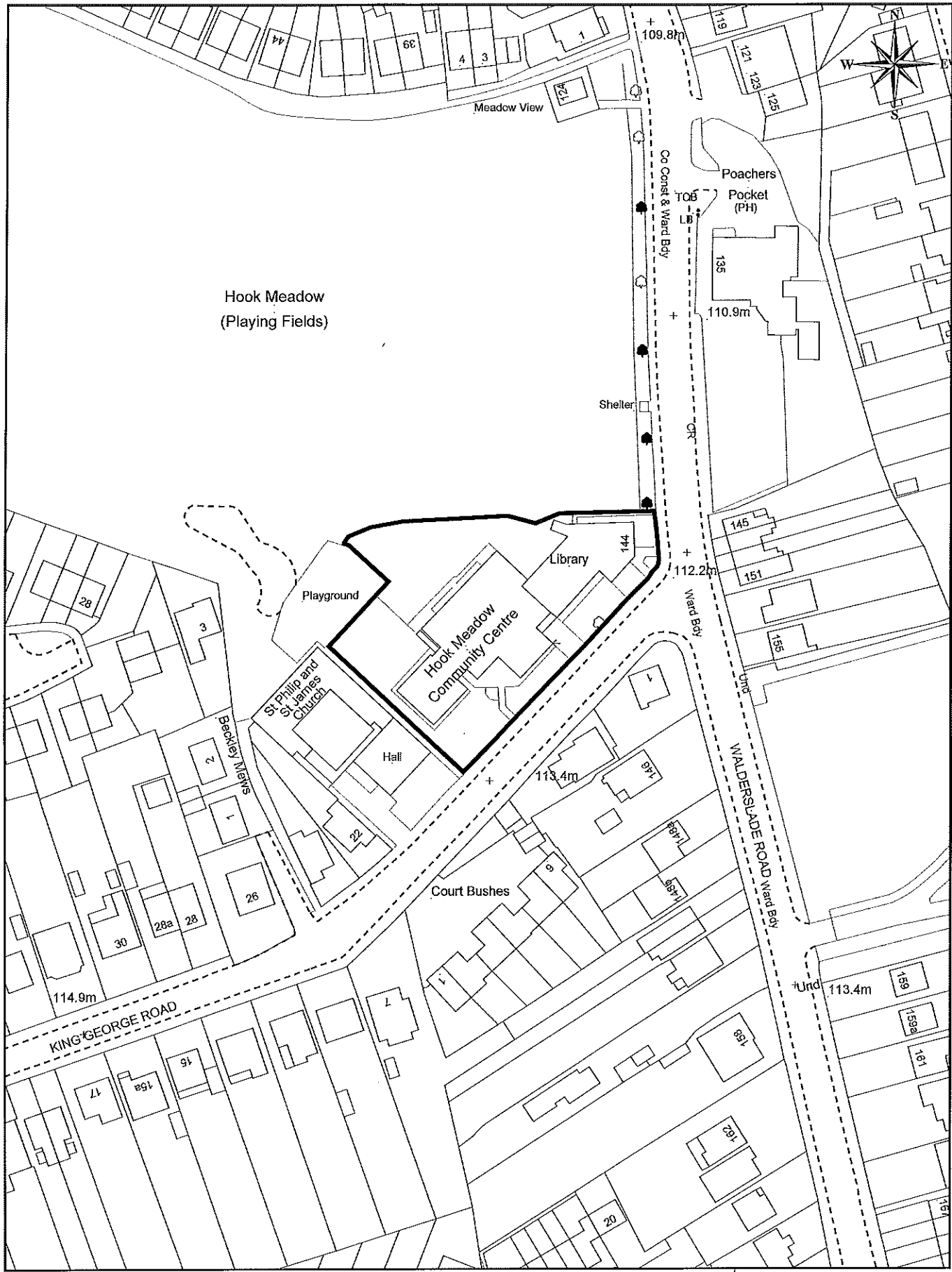
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**Disabled Car Park
Rochester
Area = 584 m²**



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Hook Meadow
(Playing Fields)

Hook Meadow Community Centre / Library

Area = 2,967 m²

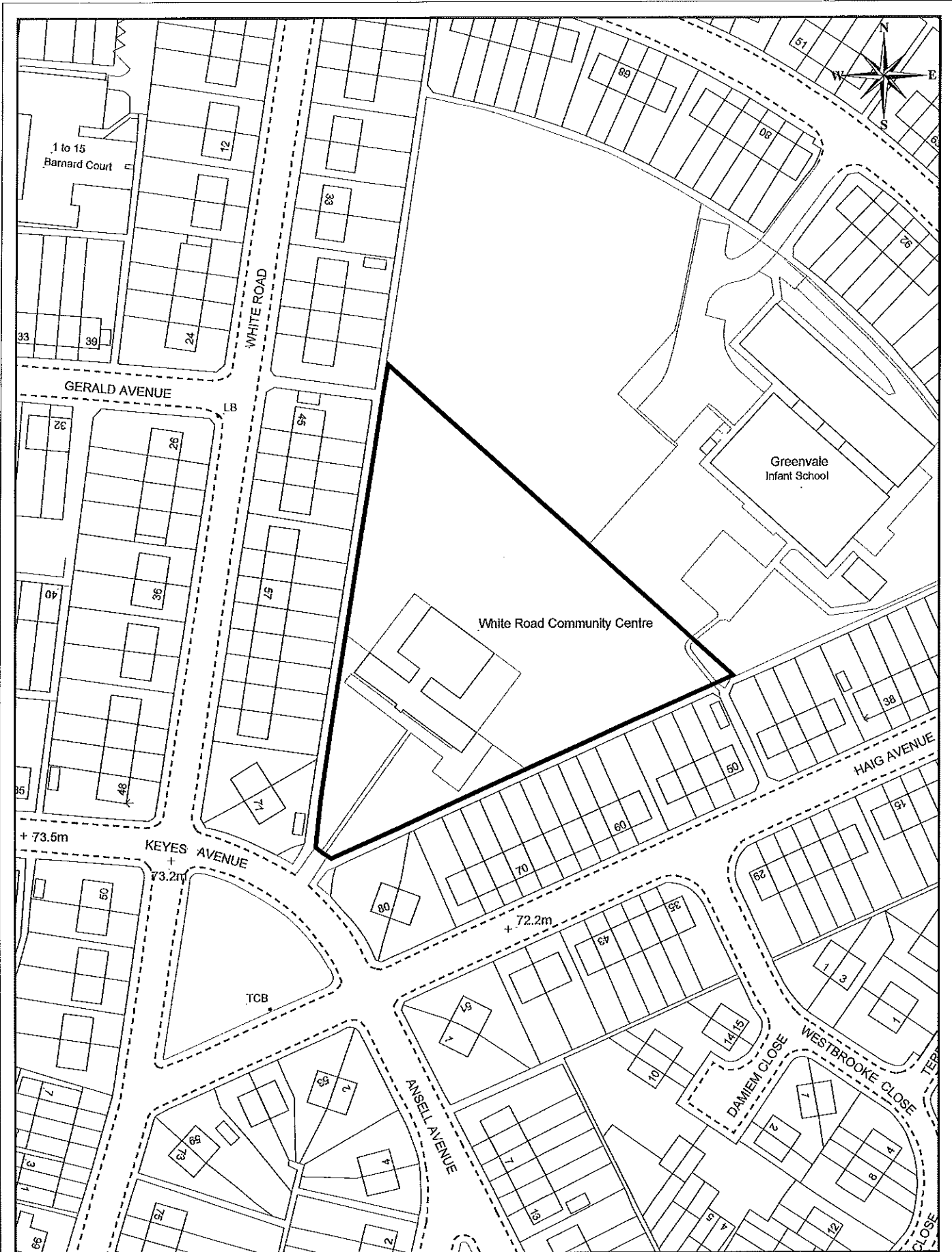


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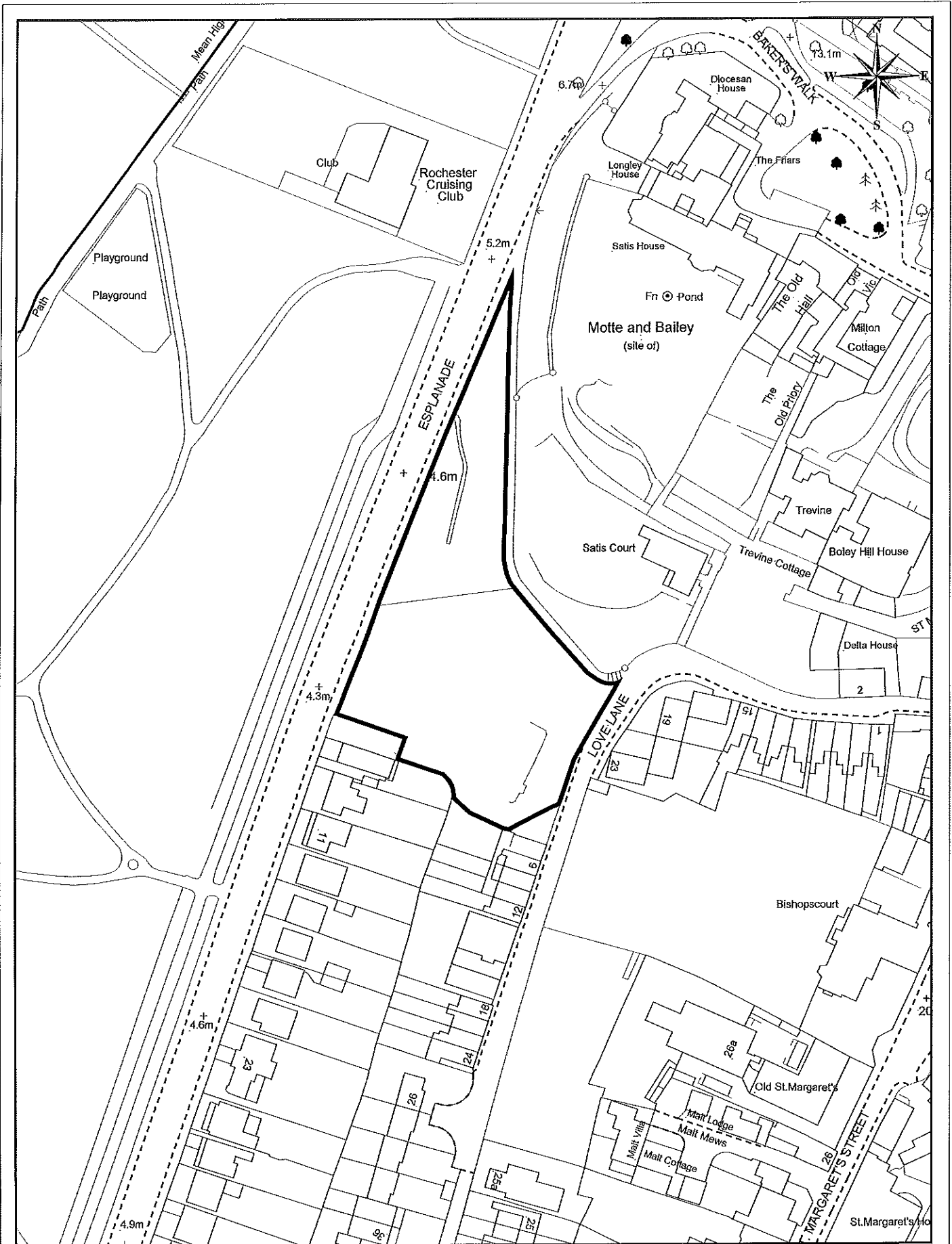
White Road Community Centre
Area = 5,948 m²



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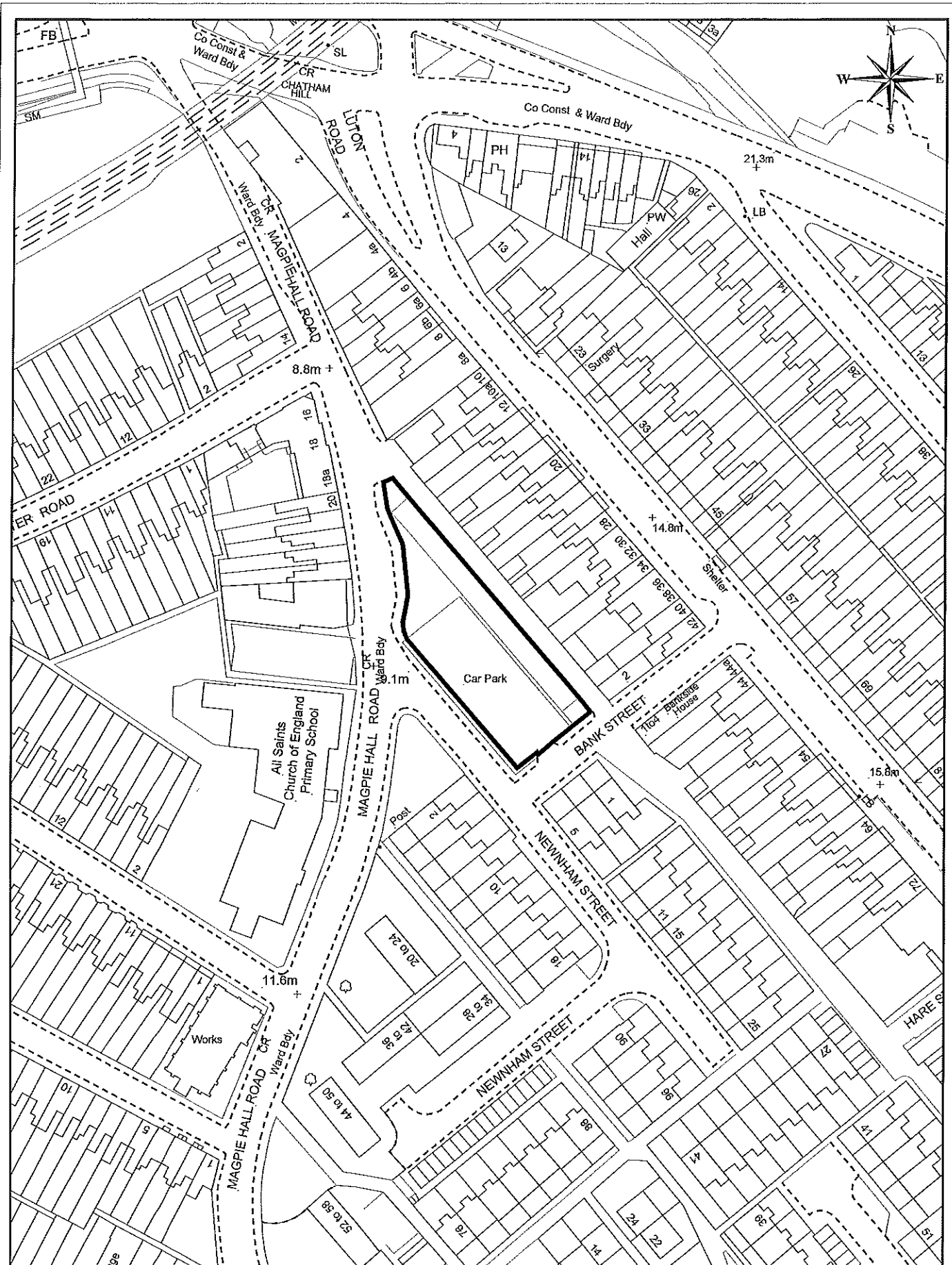
Land east of Esplanade "impromptu car park"
Rochester
Area = 3,764 m²



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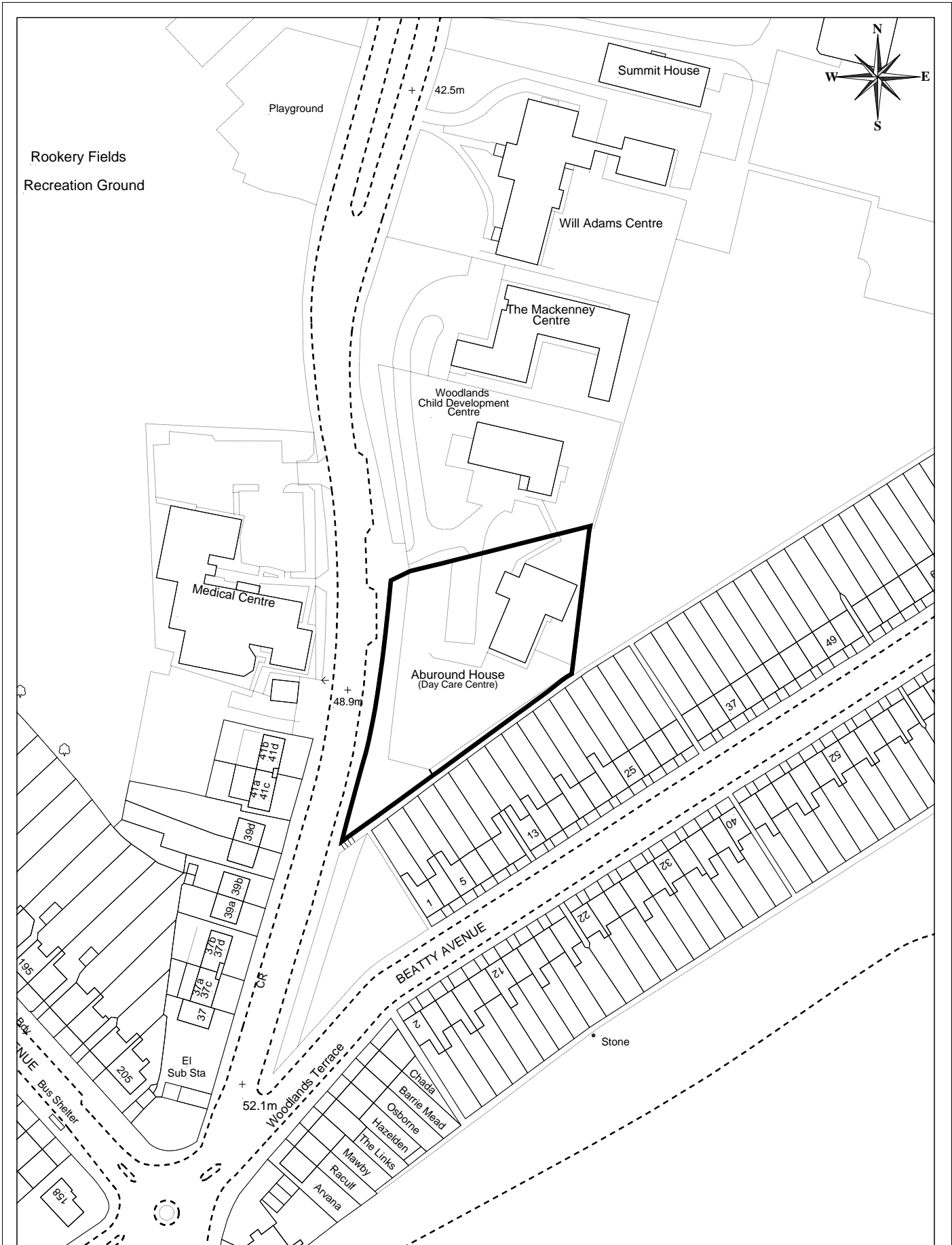
Henry Street Car Park (Magpie Hall Road)
Area = 1,357 m²



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Aburound House
Woodlands Road, Gillingham



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