

**BUSINESS SUPPORT
OVERVIEW AND SCRUTINY COMMITTEE
6 JULY 2017
VARIOUS LAND DISPOSALS**

Report from: Perry Holmes, Chief Legal Officer

Summary

This report updates Business Support Overview & Scrutiny members on the progress made regarding seven land disposals that were last considered by Business Support Overview & Scrutiny Committee in July 2016.

1. Budget and Policy Framework

- 1.1 Closure and disposal of Council owned properties is a matter for Cabinet, where the likely value of the asset is over £100,000.

2. Background

- 2.1 The Cabinet considered proposals to dispose of 7 land assets at its meeting in June 2016. The Cabinet decision to pursue those disposals was called in by Business Support Overview & Scrutiny Committee on 7 July 2016 which asked Cabinet to reconsider 2 of the 7 proposals. Cabinet chose to pursue all 7 options.
- 2.2 This report provides an update on the activity that has taken place on each of the sites.

3. Update about the sites

3.1 Whiffens Avenue Car Park Chatham

- 3.1.1 This site is shown edged black on the attached plan (area approximately 0.5 ha). Officers have worked up proposals for this site to be developed for 72 residential units, which will now form the basis of a planning application. Initial appraisals suggest that development of the site is likely to be viable. Options for the delivery of the development of the site are being considered including a straight market disposal with planning permission, a joint venture development of the site and development of the site by the Council.

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. A consultation exercise took place during the 12 week period between 7 November 2016 and 5 February 2017 and the analysis of the responses is now awaited before any further progress is made.

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.). A consultation with centre users took place in October 2016. Since that point, officers have been working on options to explore how this site could be developed including housing, the re-provision of community space and car parking. Once these options are developed, the proposal is to engage with the planning team about this site.

3.4 White Road Community Centre

3.4.1 This site is edged black on the attached (area approximately 0.62 ha.). A consultation process took place with centre users in October 2016. Subsequently, officers have developed a proposal which they are now discussing with a housing provider. This could see a re-provided community centre and housing on the site. Appraisals suggest that development of the site should be viable.

3.5 Land at the Esplanade Rochester

3.5.1 This non-operational piece of Council owned land as shown edged black on the attached plan has an area approximately 0.38 ha. Conversations have taken place with the Council's Tree Officer and Flood Risk Officer. These conversations suggest a small development is possible on this site, despite the local constraints. Further work is now needed to test the financial viability of this site and to consider the options for bringing forward the development.

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. A consultation process took place during the period of 12 weeks between 7 November 2016 and 5 February 2017. The results of that consultation have recently been analysed and Officers are now considering how they might amend the proposals to take account of the consultation. A representation has also been received by the Council as part of the Local Plan process by Arches Local (a charitable organisation representing the locality including the car park) proposing a market on the site.

3.7 Aburound House Woodlands Road Gillingham

3.7.1 This site is edged black on the attached plan and has an area of approximately 0.24 ha the site is let to a secure tenant. Since the Cabinet decision; negotiations have taken place with the tenant. It has now been

agreed that the tenant will surrender its lease. Once this surrender is completed, the Council will have the ability to dispose of the site with vacant possession or develop the site itself.

4. Risk Management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Objections from users of the operational facilities.	Consultation responses object to development.	Consider options to accommodate consultation responses.	B2
Some sites are not financially viable for development.	Financial viability does not stack up.	Work with partners to consider options. Combine sites to mitigate the financial risk. Consider the formation of a housing company to maximise viability and manage risk on these and other sites	C2

5. Consultation

5.1 Consultation has taken place on some of the sites where the proposals are controversial or where they directly impact on customers or current service users. Officers will work to accommodate the concerns and views expressed in the various consultation processes.

6. Financial and legal implications

6.1 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.

6.2 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.

6.3 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 income from the disposal of Whiffens Avenue Car Park will be around £14,727 pa.

7. Recommendation

7.1 The Committee is asked to note the progress made on the various land assets detailed in the report.

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Appendices

Appendix 1 - Site plans

Background papers

None