

AGENDA ITEM: 7

Page nos. 59 - 64

Meeting	Cabinet Resources Committee
Date	21 July 2005
Subject	Totteridge Library
Report of	Cabinet Member for Resources Cabinet Member for Policy and Performance
Summary	To report the outcome of direct negotiations with a single local developer and to seek authority to re-market the site for freehold disposal without the re-provision of a library facility as a condition of sale.

Officer Contributors	Rob Colville, Senior Valuer
Status (public or exempt)	Public – with a separate exempt report
Wards affected	Totteridge
Enclosures	Appendix A – Latest Developer Submissions Appendix B - Options
For decision by	The Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	N/A

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1. RECOMMENDATIONS

1.1 That the Committee notes the action taken to date to market the property and that the appropriate Chief Officers be instructed to:

i. Offer the former Totteridge Library premises for freehold sale on the open market;

ii. appoint external agents to act for the Council in the marketing and sale of the property;

iii. investigate any unexplored options and costs for a replacement library facility;

1.2 That the outcomes of the above be reported to a future meeting of the committee for further consideration.

2. RELEVANT PREVIOUS DECISIONS

2.1 Cabinet, 19th February 2004 and Council 2nd March 2004 resolved to close Totteridge Library but subject to possible purchasers/developers being invited to submit proposals for a re-provision of library facilities as part of a refurbishment or redevelopment of the site.

2.2 Cabinet Resources Committee 18th March 2004 – resolved that the former Totteridge Library be offered for freehold sale by non-binding tender with potential purchasers being invited to put forward proposals for the re-provision of a library facility.

2.3 Cabinet Resources Committee 17th March 2005 – considered the outcome of the initial tender process and, in the absence of viable proposals, resolved to allow a single local developer to commence direct negotiations with the Council.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

3.1 The Corporate Plan commits the Council to plan and manage land use and development in Barnet to enhance the quality of life and provide tangible benefits for the community. The purpose of the tendering process was to achieve offers to include a new library facility. The suggested discussions with a single developer were directed towards the same achievement.

3.2 The Corporate Plan commits the Council to “modernise and reposition libraries in the heart of the community”. The replacement of Totteridge Library facility will contribute towards this target being achieved.

3.3 The Library Service contributes towards the Council’s key priorities of delivering a first class education service and supporting the vulnerable in our community.

4. RISK MANAGEMENT ISSUES

4.1 The tender process and direct negotiations have both failed to produce any proposals which meet the Council’s criteria. The property remains vacant and is vulnerable to acts of vandalism and burglary. The Council has also received an insurance claim from the neighbouring occupier as a result of the encroachment of vegetation over and around the

rear boundary. As a result the site has become a financial liability to the Council, and will continue to be so until such time as the site is disposed of.

4.2 Current evidence exists which shows uncertainty in the housing market, and stagnancy brought about by national factors. The further delay of the disposal of the site may result in less interest being received from the market and a lower capital value being achieved by the Council from the disposal of this property.

4.3 Should the library site be sold without the option of a replacement library facility there may well be public opposition as was the case in 2004.

5. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

5.1 The financial aspects of the latest proposal are set out in the exempt report. Failure to maximise the value of surplus assets will increase the risk of increased borrowing in future years to fund the capital programme.

5.2 There are no staffing or ICT issues at this stage. The property issues are set out below.

6. LEGAL ISSUES

6.1 As detailed in the exempt report.

7. CONSTITUTIONAL POWERS

7.1 Constitution – Part 3 – Responsibility for Functions – Section 3.6. Functions delegated to the Cabinet Resources Committee – All matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.

8. BACKGROUND INFORMATION

8.1 The property was initially marketed for sale and the outcome considered by this Committee as referred to in paragraphs 2.2 and 2.3 of this report. Subsequently, and in accordance with the decision of this committee, a single local developer was invited to prepare and submit a scheme proposal, together with a financial offer for the site. The developer was given the same project brief as was produced when the property was taken to the market in 2004.

8.2 As agreed by this committee, the developer was allowed a period of up to 10 weeks to submit his proposal. During this time the developer met with all relevant Council Departments including Planning, Cultural Services and Highways & Design. The developer subsequently submitted a written offer for the site and was invited to discuss his proposals with the Chief Valuer and Development Manager. The details of the submission and comments thereon are set out in Appendix A and in the exempt report.

8.3 The scheme submitted is of a similar nature to many of the proposals put forward during the initial tender process in that it attempts to accommodate both a replacement library facility and a private dwelling on the site. The developer seems however to have overcome the previous concerns of the Planning Department with regard to development density by reducing both the size of the library facility and of the residential element. The planners have given informal advice to the effect that such a scheme may be granted planning permission subject to the proposal meeting the necessary guidelines with regard to amenity space, distance between overlooking windows and the criteria set by

Highways & Design governing parking provision. The Library Service accepts the reduction in the size of the premises in-principle.

- 8.4 Clearly, from the information in Appendix A and in the exempt report, this latest offer lacks financial sense from the Council's viewpoint and therefore cannot be recommended for acceptance nor, because it is so far from the initial aspirations (a new library facility and a capital receipt), for further discussion.
- 8.5 Appendix B sets out the Council's options. It is considered that Option 4 (to market the property for freehold sale at the same time as considering the library alternatives) offers the best course of action. It would be important to engage with local people at an early stage.

9. LIST OF BACKGROUND PAPERS

- 9.1 None.

MO: RAB
BT: MG

LATEST DEVELOPER SUBMISSION

PROPOSAL	LIBRARY FACILITY	PLANNING COMMENT	OTHER COMMENT
<p>Basic site plan submitted. A new library facility building is shown in the rear garden of the existing premises. The existing residence would be demolished and replaced with a single three-storey replacement dwelling occupying a smaller footprint. Amenity space would be less than that found for surrounding properties, but would still meet the planning requirement.</p>	<p>Erected in approximately the same position as the existing Dollisfield Hut and providing a total of 330 sqm of library space over two storeys. The library would be fitted with a lift so as to overcome the regulations imposed by the Disability Discrimination Act 1995. The library would be built to a shell finish only with the Council having to pay for the internal fit out. The developer would retain the freehold interest in the entire site, and would grant the Council a lease of 21 or 25 years at an annual rent as detailed in the exempt report.</p>	<p>Planners have some concerns about the location of the library in the existing rear garden, and upon the impact this will have upon adjoining occupiers. Some minor amendments may be necessary. However, in-principle advice suggests that the scheme would receive planning consent provided that it met the necessary standards for distance between overlooking windows and amenity space. The residential dwelling appears to have sufficient allowance for off-street parking, although an extension of the shrubbery area may be required. No off-street parking has been provided for the library, but this does not differ from the present situation. An application may need to be made to Highways & Design at a later date should disabled bays need to be marked on Hill Crescent outside the new library facility.</p>	<p>The library to be provided to a shell finish only within approximately one year.</p>

OPTIONS

OPTION	PROS	CONS
1. Do nothing	None.	Local people will be concerned about a lack of action. The property will continue to deteriorate and lose value. The Council will still have to meet revenue outgoings for which there is not budgetary provision.
2. Sell the property now and consider the options for a new library facility later	The property can be brought to the market early in the autumn before it deteriorates further. An early sale will relieve the Council of revenue expenditure. A capital receipt will be achieved.	There is a chance that local people will want to challenge the decision. It may not be possible to find an alternative solution for the library facility.
3. Sell the property without a replacement library facility	The property can be brought to the market early in the autumn before it deteriorates further. An early sale will relieve the Council of revenue expenditure. A capital receipt will be achieved.	If there is a public challenge to this decision there could be delay in the sale of the property .
4. Agree to a sale of the property subject to solutions on a replacement library facility being investigated simultaneously.	The property can be brought to the market early in the autumn before it deteriorates further. An early sale will relieve the Council of revenue expenditure. A capital receipt will be achieved. The knowledge of the potential capital receipt will assist in determining the actions to be taken on the library facility.	It may not be possible to find an alternative solution for the library facility within the same time frame as the marketing.