

AGENDA ITEM: 13

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Meeting	Cabinet Resources Committee
Date	30 March 2006
Subject	Harwood House, 55 Christchurch Avenue, N12
Report of	Cabinet Member for Resources Cabinet Member for Community Services
Summary	To consider a request from Notting Hill Housing Trust for the Council to take a freehold transfer of Harwood House as it is no longer required for the learning disabilities accommodation re-provision programme

Officer Contributors	Dave Stephens, Strategic Property Advisor
Status (public or exempt)	Public – with a separate exempt report.
Wards affected	Woodhouse
Enclosures	Plan of Harwood House
For decision by	The Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	N/A

Contact for further information:
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1 RECOMMENDATIONS

- 1.1 That the Committee accepts the freehold transfer of Harwood House, 55 Christchurch Avenue N12 upon the basis set out in the report and that the appropriate Chief Officers report to a future meeting of the Committee upon the future of the property.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet 22.7.02 – Accepted the tender offer from Notting Hill Housing Trust (NHHT) to take the freehold transfer of various of the Council’s Learning Disabilities care homes and day centres and other lands on the basis that NNHT would provide new care homes, day centres and supported living accommodation with part of the cost being met from the sale of the surplus sites.
- 2.2 Cabinet 31.5.05 – Agreed a revised modernisation programme for the Learning Disabilities Service consequent upon, amongst other matters, the inability of NHHT to achieve planning permission for some of its original proposals.

3 CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Corporate Plan commits the Council to providing first class care for vulnerable adults. The decision not to have Harwood House refurbished but to have the care places alternatively provided is in line with this objective.

4 RISK MANAGEMENT ISSUES

- 4.1 As this property was originally owned by the Council, it is not considered that there are any significant risks associated with this proposed transfer back to the Council.

5 FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

- 5.1 There is a revenue budget for running Harwood House and the Council was previously paying NHHT for the maintenance of the building. When the property is vacated this budget will need to feed back into the re-provisioning programme.
- 5.2 The property was originally transferred to Notting Hill Housing Trust (NHHT) at nil value. If the Council took a re-transfer of the property it would have to be at nil value. However, there would be legal fees and related costs which would have to be met. In this instance, in light of the estimated value of the property as set out in the exempt report, it would be reasonable for these to be met by the Council.
- 5.3 It may be that Stamp Duty Land Tax at 4% of the value may become payable. There is no budgetary provision for this payment.

6. LEGAL ISSUES

- 6.1 None.

7. CONSTITUTIONAL POWERS

- 7.1 Constitution – Part3 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

BACKGROUND

- 8.1 Harwood House is shown edged black on the appended plan. It is a large detached property which has been used as a residential care home for people with learning disabilities. The site has an area of approximately 0.064 hectares/0.16 acres.
- 8.2 The Council transferred the property to Notting Hill Housing Trust in March 2003 as part of the project to provide replacement living and day care accommodation for people with learning disabilities. The Trust intended to refurbish the property to provide residential care accommodation for 5 people.
- 8.3 At its meeting on 31 May 2005, the Cabinet approved a revised accommodation reprovion programme. Harwood House is no longer part of the programme and Notting Hill wishes to transfer ownership back to the Council.

OPTIONS

- 8.4 Having given the matter due consideration officers are of the opinion that the Council has three possible options:
- i. To refuse to accept a transfer of the property.
 - ii. To take a freehold transfer of the land and work with partner organisations to put the building to an alternative use which meets service delivery needs.
 - iii. To take a freehold transfer of the property and subsequently to offer it for sale on the open market.
- 8.5 Under the original agreement with NHHT, Harwood House was one of several properties transferred freehold by the Council to NHHT to facilitate the provision of new and up-graded care accommodation. Harwood House was intended to be refurbished to provide a five bed care home. Under the agreement, once these works had been carried out the property would have been transferred freehold back to the Council in exchange for the grant of a 75 year lease to NHHT at a peppercorn rent. Thus, the property was initially transferred to NHHT at nil value for a specific purpose. The property does have a monetary value and therefore, if it is no longer to contribute to the learning disabilities accommodation reprovion programme, it is appropriate that the Council should seek to secure that value.
- 8.6 In light of the foregoing, it is considered that option (i). should not be pursued. Options (ii) and (iii) will have the advantage that in either instance they will either

generate revenue savings of a capital receipt which will cover the costs referred to in Section 5 of this report.

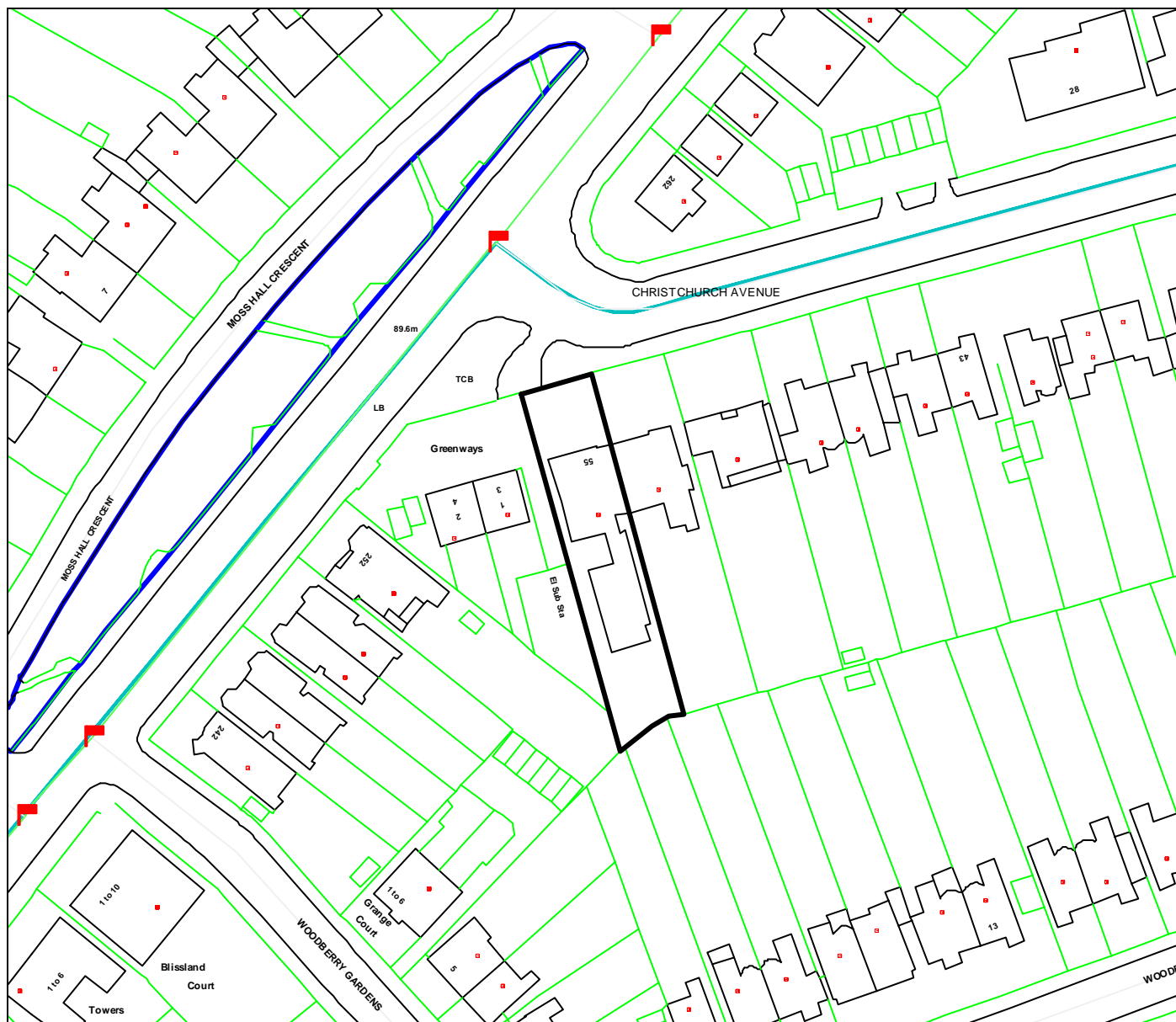
- 8.7 It is recommended therefore that a freehold transfer of Harwood House to the Council be accepted and that the appropriate Chief Officers be instructed to report to a future meeting of the committee upon the future of the property.

9. LIST OF BACKGROUND PAPERS

- 9.1 None.

Legal: PJ
CFO: HG

Plan of Harwood House, 55 Christchurch Avenue N12



Not to scale

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