

AGENDA ITEM:10	Pages no. 87 - 92
Meeting	Cabinet Resources Committee
Date	14 December 2011
Subject	Stanley Road Playing Fields and Former Herbert Wilmot Centre, East Finchley, N2
Report of	Cabinet Member for Resources and Performance
Summary	To report the scheme proposals and initial bids that have been submitted following open market testing, for the Council's freehold interest in Stanley Road Playing Field and the former Wilmot Centre site. To seek approval to proceed to a next stage of marketing.

Officer Contributors	Judith Ellis – Valuation Manager, Property Services Suzanna Ellis – Principal Valuer (Property Services)
Status (public or exempt)	Public (with separate exempt report)
Wards affected	East Finchley
Enclosures	Location Plan No. 24177
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	Not applicable
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1. RECOMMENDATIONS

- 1.1 That the Council invite the three bidders identified in section 6.4 in the Exempt report to work with the Local Community Group (SPort.ef/ Sport East Finchley (Stanley Road Playing Field) Community Trust) to try to provide a comprehensive development scheme which will be acceptable to both parties and is realistically achievable and will form the basis upon which planning permission will be sought within 6 months from committee approval being obtained. The revised bids for the freehold interest in the Stanley Road Playing field be submitted within 9 months from committee approval, which will be reported back to a future meeting of the Cabinet Resources Committee for decision.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet Resources Committee: 30 November 2010: Approved (i) the Council's freehold interest in the land be declared surplus to its requirements, (ii) that the disposal be advertised on the open market to enable submission of schemes and initial bids, (iii) that the appraisal and result of the open market testing be reported to a future Cabinet Resources Committee meeting for further consideration and in addition (iv) that a community use bid be considered for a period of six months alongside the open market testing appraisal.**
- 2.2 Scrutiny Sub Committee meeting: 16 December 2010: This report through the scrutiny process also resulted in a local community group (The Finchley Development Community Trust (submitting a proposal under SPort.ef: Sport East Finchley (Stanley Road Playing Field Community Trust), (for the purposes of reporting referred to as **The Trust**), to be given the time and opportunity to work up a scheme proposal for submission to be reviewed alongside the proposals generated through the open market testing process.**

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Corporate Plan 2010-2013 commits the Council to delivering 'Better services with less money'. A key principle of the medium term financial strategy is to continually review the use of Council assets so as to reduce the cost of accommodation year on year and to obtain best consideration for any surplus assets to maximise funds for capital investment and/or the repayment of capital debt.**
- 3.2 The sale of the Stanley Road Playing Field and former Herbert Wilmot Centre site, would provide a capital receipt which would support the Council's priorities and bring this currently unused area of land back into use, together with a new recreational facility to be negotiated as a condition of any disposal.**

4. RISK MANAGEMENT ISSUES

- 4.1 It is considered likely that the sale and redevelopment of this land will raise significant levels of public concern and involvement and will give rise to policy considerations. We expect local residents to actively have a particular focus on the future of this site. The local community has demonstrated its interest in this site and has attracted awareness through the local media channels as well as an organised local community group, the Trust, having submitted proposals demonstrating a focus in the area to provide sport and recreation facilities which have included independent approaches to Sport England.**

- 4.2 The proposed recommendation invites the prospective purchasers and The Trust, to work together to formulate a proposal that allows residential development of the site in addition to providing a recreational facility for the community.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 The recommendation has been evaluated against the principles in the Equalities Policy and Equalities scheme and there are no adverse implications for specific groups. In addition, it not considered that the proposal will compromise the Council in meeting its statutory equalities duties.
- 5.2 The receipt from the disposal of this site will feed into the Council's Capital Programme which supports the overall aim of the Council's Equalities Policy and supports the equality priorities outlined in Council's Equality Scheme.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 There are no procurement, performance and value for money, staffing, IT or sustainability implications. The property implications are set out in paragraph 10 below and the potential financial implications relating to the current bids, are set out in the attached Exempt Report.
- 6.2 Any costs incurred in the preparation of this process, will be covered by the existing commercial directorate budget.
- 6.3 For a disposal to occur the planning team need to provide appropriate in principal advice to bidders to enable them to submit final meaningful proposals.

7. LEGAL ISSUES

- 7.1 Local authorities are given powers under Section 123 of the Local Government Act 1972 (as amended) to dispose of land held by them in any manner they wish, including the sale of their freehold interest. The only constraint is that, except with the consent of the Secretary of State, a disposal must be for the best consideration reasonably obtainable. There are, however a number of General Disposal Consents covering routine matters which preclude the need to specifically approach the Secretary of State.
- 7.2 It is the view of the Valuation Manager that the disposal in accordance with the Recommendation will meet the Council's statutory duty to obtain best value referred to in 7.1 above.

8. CONSTITUTIONAL POWERS

- 8.1 The Council's constitution in Part 3, Responsibility for Functions, paragraph 3.6 - Functions delegated to the Cabinet Resources Committee including all matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.
- 8.2 Council Constitution, Part 4, Council Procedure Rules, Management of Real Estate, Property and Land, paragraph 19 – All recommendations for approval of the sale price and other terms of disposal must contain a statement from the Chief Valuer, or if appointed, from suitably qualified external agents that the Council will obtain the best price which can reasonably be obtained or that there is approval through the General

Consent or that the consent of Central Government has been obtained or will be sought to enable the disposal of the property to proceed as recommended.

9. BACKGROUND INFORMATION

THE LAND

- 9.1 The land is outlined in red on the attached plan, having an area of approximately 3.16 acres. The freehold of the land is owned by the Council and due diligence tests have previously been undertaken to check the status of the land, as set out in the previous Cabinet Resources Report.

10. SUMMARY OF MARKET TESTING AND BIDDING INFORMATION

- 10.1 This report details the outcome following the decision of the Cabinet Resources Committee on 30 November 2010, to seek expressions of interest for the council's freehold interest in this site, together with a 6 month period for the Local Community group, The Trust, to prepare and submit a proposal.
- 10.2 The Trust provided a full submission and business plan which was received in May 2011.
- 10.3 The marketing exercise with a request for Expression of Interest details was undertaken through the Council website as well as adverts placed in the local paper and the Estates Gazette over a 2 week period spanning July and August 2011 with a closing date of the 30th September 2011. Over this period some 100 sets of particulars were sent out to potential parties interested in the site.
- 10.4 It should be noted that details were sent out to parties interested in education use, including those interested in providing free school facilities.
- 10.5 The Children Service's strategy to ensure there are sufficient school places available in the Borough is to first expand existing schools. The site has been reviewed against this strategy and based on the current projection of need up to 2016/17, it is considered that there are sufficient opportunities within schools in the area to increase provision without requiring this site for the establishment of a new school.
- 10.6 Seven formal Expression of Interest submissions were received, which were wide ranging in terms of submission quality, details and proposals, details of which are set out in the Exempt Report. The schemes predominantly proposed a mixed use development with elements of residential, recreation, sport and community use provision.
- 10.7 The information has been summarised and circulated for consideration including the Planning Department's observations, who concluded that while the initial submissions proposed overdevelopment, the proposals could be adapted to provide a workable mixed use development for the site. Summarised details are provided in Appendix 1 of the Exempt Report.

11. Planning Comment

- 11.1 Due to the independent statutory duty of the Planning Department, general pre – application guidance can only be provided at this stage. More detailed discussions will need to be undertaken with the planning department for bidders to finalise proposals.

11.2 Any new development should demonstrate compliance with Unitary Development Plan policies and guidance and have regard to the emerging policy context in relation to the Local Development Framework. Development should in particular respect adjoining residential boundaries and uses and ensure adequate access arrangements in addition to securing any necessary planning obligations.

11.3 The proposals that have been submitted have been based on comments provided at the expression of interest stage and not through the statutory planning process. It is therefore likely that proposals will be subject to further negotiation.

12. **Summary**

12.1 This marketing campaign has resulted in identifying strong appetite for this site which when considered against planning criteria and the Councils objectives could potentially result in a significant capital receipt together with a new recreational/community facility in this location.

12.2 The proposal from The Trust, provides for a development which comprises: **Buildings:** Tennis Bubble -(with some 3 pitches/ Pitches 1-3), Café Kiosk, Community, Changing Facilities and Nursery. **Pitches:** Muga (Pitch 4), Multi Sport (3G Pitches 5-6) Large Pitch (3G- Pitches 7-9) and a Jogging Trail, Landscaping and Outdoor Gym. The scheme is predominantly a sport and recreation development, which was also accompanied with proposals for funding, ongoing management and maintenance of the facility, and with well supported and comprehensive documents. The details of the business plan, capital and revenue funding is summarised in the Exempt Report.

12.3 Acceptance of the proposal by The Trust, would mean the Council would relinquish the opportunity of achieving a capital receipt.

12.4 The three mixed schemes offer residential development with a community facility ranging from Open Space with a Children's Play Area and off site sport provision to a sports site covering some 1.4 acres comprising; A Muga Sports Pitch and Sports Club House: including WC's and changing rooms on ground floor, ancillary accommodation on first floor, which may be funded by the developer, which would reduce the capital receipt, or could be funded by the Trust, or a combination of both and through the Section 106 process.

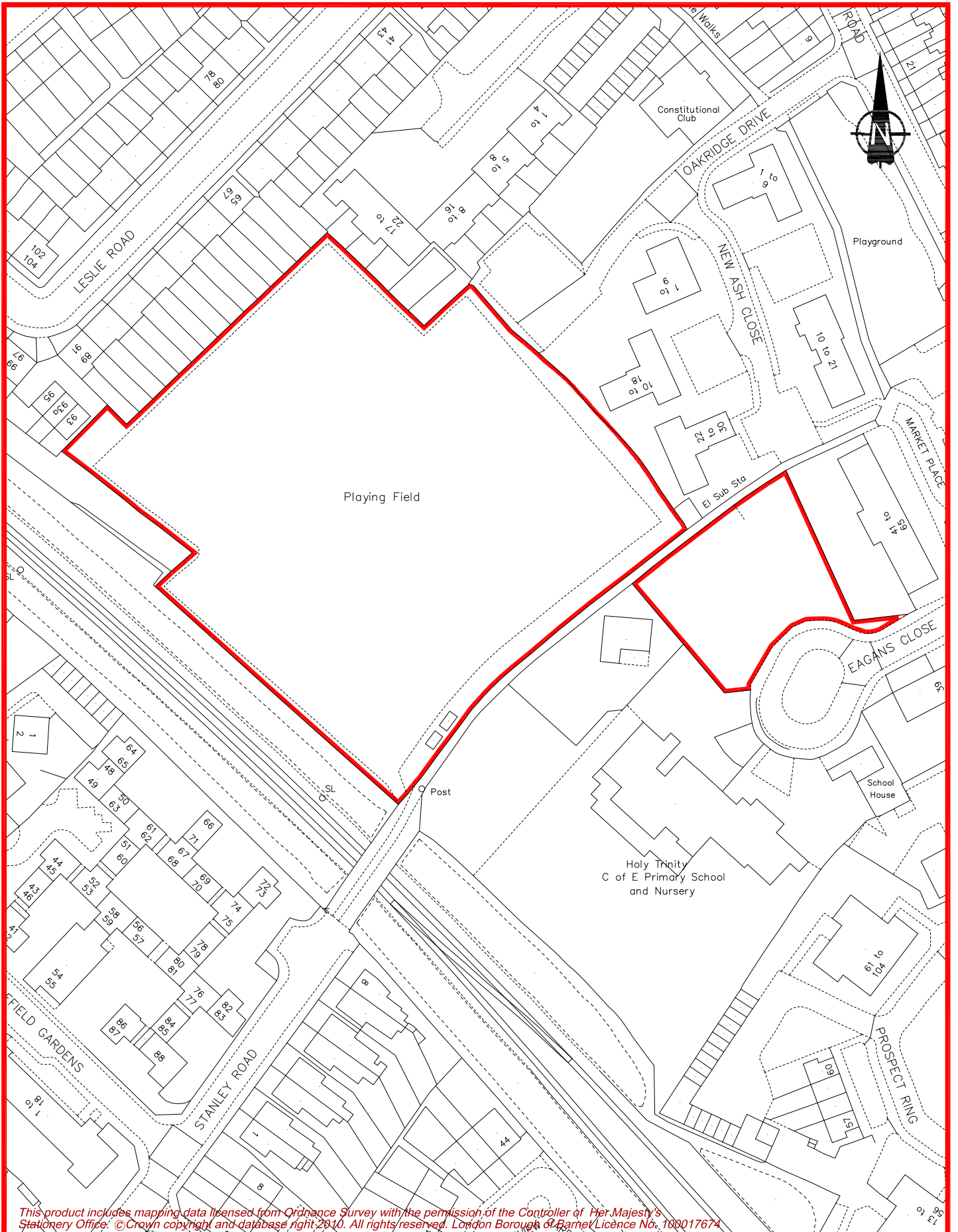
12.5 In view of the complexity of the scheme and possible funding options, it is considered that the site could achieve a capital receipt and provide a significant community facility, but that to achieve this it will be necessary for a working partnership between the potential developer and The Trust to enable a workable mixed development.

12.6 As a result it is recommended that the three bidders as identified in section 6.4 of the Exempt report are invited to work with the Trust and the Council to develop an acceptable mixed scheme, with the results and revised bids being reported to a future meeting of Cabinet Resources Committee before any decision is finalised.

13. **LIST OF BACKGROUND PAPERS**

13.1 None.

Legal – JKK
CFO – CM



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