

Cabinet – 19 November 2008

Older People's Services re-provision – proposed land exchange in Brownhills

Portfolio: Councillor Adrian Andrew, Deputy Leader & Regeneration

Service: Property Services

Wards: Brownhills

Key decision: Yes

Forward plan: No

1. Summary of report

- 1.1 At its meeting on 24 October 2007 Cabinet approved an exchange of land in Brownhills as part of the Older People's Re-provision Project. The proposal was to exchange land in Lindon Drive for land in the High Street owned by the Walsall Housing Group (whg)
- 1.2 Following site investigations carried out by whg contamination issues have been identified in relation to the area of Council land in Linden Drive. As a result, the exchange has had to be renegotiated, and this report is seeking Cabinet approval for the new proposal.

2. Recommendations

- 2.1 Cabinet is recommended to;
 - i) approve the acquisition from the Walsall Housing Group (whg) of 5,842 square metres or thereabouts of land in High Street, Brownhills, as shown edged red on plan EPMS 3001/3 in exchange for the Council's freehold interest in 2,674 square metres or thereabouts of land in Linden Drive, Brownhills, as shown edged red on plan EPMS 3017/2, and 3,904 square metres or thereabouts of land in Church Road, Brownhills, as shown edged red on plan EPMS 2037/2.
 - ii) note that, once acquired, the site in High Street, Brownhills shall be let to Housing 21, the appointed Older People's Re-provision provider, at a peppercorn rental as part of the Re-provision of Residential and Day Care Services for Older People Programme.
 - iii) delegate to the Director of Regeneration & Performance, in consultation with the Portfolio Holder, the authority to approve an exchange of an alternative area, or areas, of land of equal value to the whg land in High Street, Brownhills, in the event that further issues arise.

3. Background information

3.1 At its meeting on 24 October 2007 Cabinet resolved:

- (1) That approval be given to the acquisition from whg of 6,466 sq. m or thereabouts of land in High Street, Brownhills, as shown edged red on plan EPMS 3001 and the disposal to whg of 6,435 sq. m. or thereabouts of land in Lindon Drive, Brownhills, as shown edged red on plan EPMS 3017.
- (2) That it be noted that, once acquired, the site in High Street, Brownhills shall be let to the appointed Older People's Re-provision provider at a peppercorn rental as part of the Reprovision of Residential and Day Care Services for Older People programme

3.2 Site investigations carried out by whg on the Council land in Linden Drive identified contamination issues which reduced the value of the land and whg's interest in the site.

3.3 Estates & Asset Management have been renegotiating the exchange and having identified alternative sites, agreement has provisionally been reached with whg, subject to their Board approval, for the exchange of a smaller area of land in Linden Drive, as shown edged red on plan EPMS 3017/2 and amounting to 2,674 square metres or thereabouts and 3,904 square metres of land in Church Road, Brownhills, as shown edged red on plan EPMS 2037/2. It is agreed that this represents equality of exchange.

3.4 The land in Church Road is the site of the current St James's Older Peoples Home. This home will not close until the new accommodation being built on the High Street site, currently owned by whg, is completed.

3.5 Once the freehold transfer is completed whg have agreed to a leaseback to the Council of the building on the St James site until such time as the new lease is agreed and all residents are moved to the new accommodation.

3.6 The area of land to be transferred to the Council has also slightly reduced from that reported to Cabinet in 2007 as further title investigations revealed that a strip of land along the High Street frontage was not included with whg's registered title; it was retained by the Council as adopted highway.

4. Resource considerations

4.1 Financial:

The Council will purchase an area of land of equal value to that being sold. This land acquired will then be let to Housing 21, the agreed Older People's Re-provision provider, at a peppercorn rent. This is reflected in the Council's overall viability model for the project.

4.2 Legal:

The acquisition and disposal will be in accordance with the best consideration principles of Section 123 Local Government Act 1972.

The Council is being represented in this matter by Eversheds, the solicitors retained to advise on the Older People's Project.

4.3 Staffing:

There are no direct staffing implications arising from this report. The management of St James's Home transferred to Housing 21 following the completion of the Older People's Re-provision Project Agreement, which included the transfer of staff.

5. Citizen impact

The land being acquired in High Street will be redeveloped as a high quality development for Older People, for which planning permission has been obtained, thus improving the range, quality and choice of services for Older People.

6. Community safety

6.1 The development of the land in High Street has been considered through the planning process, and the creation of a safe and attractive development should be considered as part of this process.

6.2 The future developments of the land being transferred to whg will be subject to the same planning considerations as part of their redevelopment proposals and their Brownhills Housing Master Plan.

7. Environmental impact

The acquisition of the land will result in the development of high quality residential and associated accommodation for the elderly.

8. Performance and risk management issues

8.1 Risk:

Failure to provide an appropriate site for redevelopment by Housing 21 will lead to the Council being unable to fulfil its obligations under the Older Persons Re-provision Project Agreement, leading to compensation being payable to Housing 21.

There is also the risk that whg's Board will not approve the new terms for the exchange. Their Board is meeting on 18 November 2008 and the outcome shall be reported verbally to Cabinet.

8.2 Performance Management:

The re-provision of the Older People's Services is a key element in the drive to improve the performance rating of adult Social Care in Walsall.

9. Equality implications

The exchange will ensure the appropriate services for older people are available within the Brownhills Ward.

10. Consultation

10.1 Consultation has been undertaken through the Older People's Services as part of the Older People's Re-provision of Residential & Day Care Services Project.

10.2 Planning have been consulted through the Planning Application process.

Background papers

Plans EPMS 3001/3, EPMS 2037/2 and 3017/2.

Author

Ann Llewellyn
Principal Estates Surveyor
☎ 01922 652092
✉ llewellyna@walsall.gov.uk

A blue ink signature of Tim Johnson, consisting of a stylized 'T' followed by a series of loops and a final dot.

Tim Johnson
Executive Director
Regeneration & Performance
October 31 2008

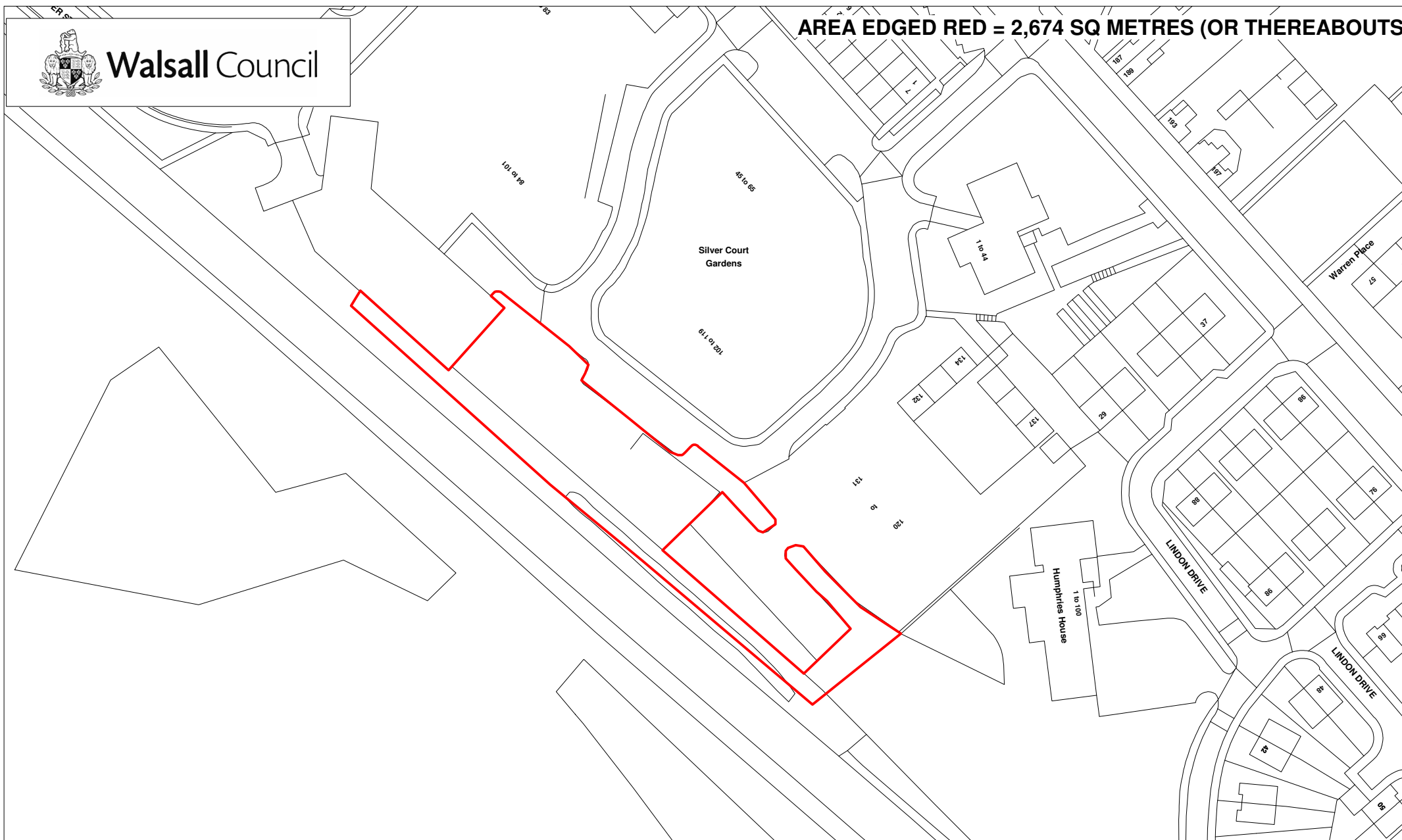
A blue ink signature of Councillor Adrian Andrew, featuring a large, bold 'A' followed by several loops and a final flourish.

Councillor Adrian Andrew
Deputy Leader
Portfolio Holder Regeneration
19 November 2008



Walsall Council

AREA EDGED RED = 2,674 SQ METRES (OR THEREABOUTS)



ESTATES AND ASSET
MANAGEMENT
Civic Centre
Walsall
WS1 1TP
Tele: 01922 652094,
Fax: 01922 636150

SITE ADDRESS:
LINDON DRIVE
BROWNHILLS

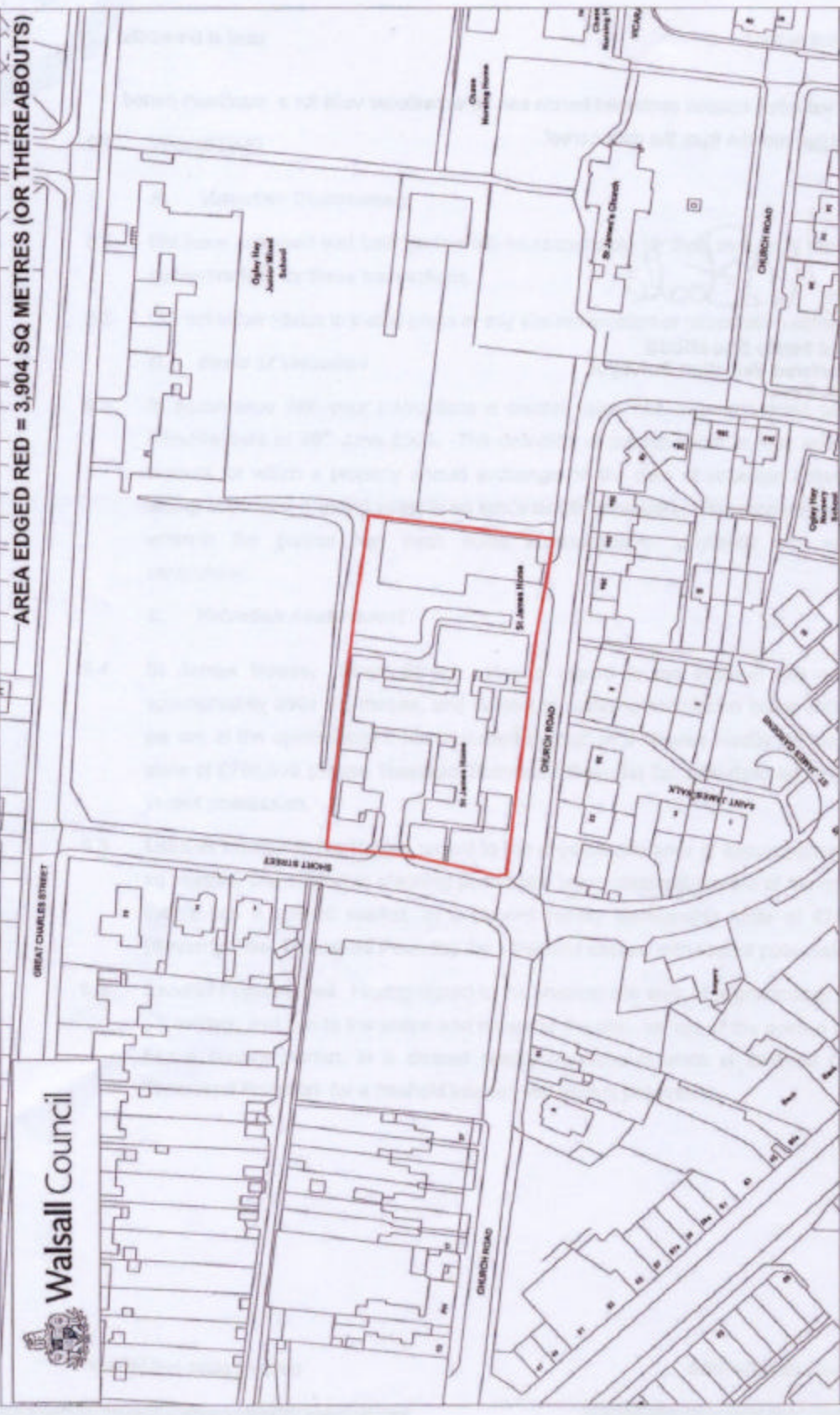
DRAWING NO : EPMS 3017/2
DATE : 08/08/2008
DRAWN BY : SSP



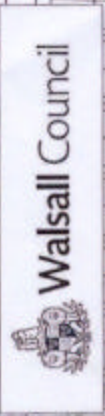
SCALE 1:1250

NO FURTHER COPIES MAY BE MADE
LICENCE NO. 100019529 AUGUST 2008

Reproduced from the Ordnance Survey Mapping with the permission
of the Controller of Her Majesty's Stationery Office Crown Copyright.
Unauthorised reproduction infringes Crown Copyright and may lead
to prosecution or civil proceedings.



AREA EDGED RED = 3,904 SQ METRES (OR THEREABOUTS)



ESTATE MANAGEMENT Civic Centre Walsall WS1 1TP Tele: 01922 652094, Fax: 01922 636150	SITE ADDRESS: ST JAMES HOUSE SHORT STREET, BROWNHILLS DRAWING NO : EPMS 2037/2 DATE : 15/05/2008 DRAWN BY : KCL	 SCALE 1:1250	NO FURTHER COPIES MAY BE MADE LICENCE NO. 100019529 MAY 2008 Reproduced from the Ordnance Survey Mapping with the permission of the Controller of Her Majesty's Stationary Office Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.
--	--	---	--