



Haringey Council

Report for:	Cabinet 10 February 2015	Item Number:	To be added by the Leader's Office
Title:	Land rear of 1-11 The Drive, N11		
Report Authorised by:	Lyn Garner - Director of Regeneration, Planning & Development		
Lead Officer:	Jon McGrath – Assistant Director Property & Capital Projects		
Ward(s) affected:	Bounds Green	Report for Key Decision:	

1. Describe the issue under consideration

- 1.1. This report provides background information on a Council site formerly leased (now expired) as garden land to the residents of no.s 1-11 The Drive N11, which is recommended for disposal following a review of the Council's land holding policy across the borough for the highest value that can be obtained. Following consideration as part of the Property Review including consultation with Services, no future Council operational or strategic requirements have been identified for the site. It is therefore recommended that the disposals should proceed directly given the need to achieve capital receipts in the current year to sustain the capital programme whilst reducing property-running costs.

2. Cabinet Member introduction

- 2.1. The land to the rear of 1-11 The Drive, N11 is a site that has long been used by the residents as extensions to their gardens. The site has been declared surplus to requirements and available for disposal. A sale to the residents will generate a capital receipt which will be used to support the Council's capital programme whilst also allowing residents the continued use of the land.

3. Recommendations

- 3.1. Authorise the Assistant Director of Property & Capital Projects to dispose of the Council's freehold interest in the land rear of 1-11 The Drive for best consideration reasonably obtainable.



- 3.2. To give the owners of No.'s 1-11 The Drive first refusal to collectively acquire the site as one lot (rather than as individual plots).
- 3.3. In the event the residents are unable to proceed with a collective acquisition, the site to be offered for sale on the open market for best consideration reasonably obtainable.
- 3.4. However, should the site not receive a satisfactory offer when offered for sale on the open market, that the subject land is retained for the Council's New Build Programme.

4. Other options considered

- 4.1. **Continue to lease individual plots on a non secure basis to the adjoining properties** – EXEMPT (This information is contained within Part B of the report).
- 4.2. **Dispose of individual plots to the adjoining properties for the market value** – the sale of individual plots is not supported as some residents may opt not to buy with the Council left with inaccessible small parcels of land.
- 4.3. **Dispose of the land as one lot (rather than in single plots) to the adjoining properties collectively restricting its use to garden land** – such a restriction would artificially suppress the value of the land thereby failing to demonstrate best consideration for the Council. This option is therefore not supported.

5. Background information

- 5.1. The land to the rear of Nos 1-11 The Drive, N11 is a Council owned site which forms part of the Housing Revenue Account (acquired using Housing powers and held for housing purposes).
- 5.2. The subject land is situated to the rear of 1-11 The Drive, N11, which in turn is a parallel slip road on the southern side of Bounds Green Rd and is located almost equidistant between Bounds Green tube station to the east and the junction with the North Circular Road to the west: please see attached Ordnance Survey extract plan no. BVES A4 2563 for identification purposes.

The subject land is located within the borough's Bounds Green Ward.

- 5.3. EXEMPT (This information is contained within Part B of the report).
- 5.4. Prior to the expiry of the leases, the residents of No.s 1-11 The Drive requested that either new leases were granted or they were given the option of acquiring the Council's freehold interest of their respective parcels of land directly to the rear of their properties.



- 5.5. The Council has recently undertaken a review of its landholding policy across the borough which is *“to hold land for immediate and future service delivery to meet Council priorities, contribute to social and economic regeneration or to meet the Council’s financial strategy (income and capital value)”* and has concluded that there is no strategic or operational reason to retain the subject land as it is not generating any meaningful rental income and the rent collection and estate management costs far exceed the current rent or the assessed market rent for the site.
- 5.6. Following consideration as part of the Property Review including consultation with other Services, no future Council operational or strategic requirements have been identified for the land rear of 1-11 The Drive, N11. Consequently, in line with the Council’s Asset Management Plan, which is *“to only hold assets that are required for immediate service delivery or contribute to the achievement of corporate objectives and priorities in the longer term,”* the site has been declared surplus to Council requirements and suitable for disposal.
- 5.7. It is therefore recommended that a disposal of the subject land to the residents should proceed directly given the need to achieve capital receipts in the current year to sustain the capital programme.
- 5.8. Accordingly, the residents of 1-11 The Drive, N11 have been given the opportunity to acquire the subject land (as opposed to a renewal of the leases which would only generate a modest revenue stream).
- 5.9. As the subject land has development potential and in order to maximise the capital receipt, consultants were instructed to carry out a planning feasibility study to determine the optimum development scheme. Establishing the planning status of the subject land provides greater certainty with development potential, eliminates risks and uncertainty, whilst optimising the potential capital receipt.
- The feasibility study concluded that a small terrace of 3 no. 4 bed houses (fronting Blake Rd, N11) as the optimum scheme for the subject land. Following client consultation, the consultants were instructed to submit a planning application for 3 no. 4 bed houses which, subsequently received planning approval (HGY/2013/2396).
- 5.10. EXEMPT (This information is contained within Part B of the report).
- 5.11. EXEMPT (This information is contained within Part B of the report).
- 5.12. This report consequently seeks authority to proceed sequentially with:-
- a. a disposal of the subject land to the residents of 1-11 The Drive, N11 collectively,
 - b. should the sale to the residents fail to complete, that the subject land is offered for sale on the open market for best consideration and



- c. should this prove un-successful, retain for the Council's New Build Programme.

6. Comments of the Section 151 Officer and financial implications

- 6.1. The proceeds of this disposal are required to support the Council's capital programme and the forecast capital receipt has been factored into the Medium Term Financial Plan.
- 6.2. The sale of the site will generate a capital receipt of £700,000 based on the development density achieved via the planning consent which should be achievable in the next financial year (15/16). Subject to funding regulations, the receipt will be 100% useable in line with the Council's Capital Strategy.
- 6.3. Securing the planning status of the site in advance of selling the site has de-risked the site making it more attractive to potential buyers.

7. Comments of the Assistant Director of Corporate Governance and legal implications

- 7.1 The Report provides that this land is held as housing land and forms part of the Housing Revenue account. As such the Council's disposal powers are contained under the Housing Act 1985.
- 7.2 Subject to investigation of title, the Secretary of State for Communities and Local Government in exercise of powers under section 32 of the Housing Act 1985 and of all other powers enabling him in that behalf gives to all local authorities under General Consent 2013 A.3.2 the power to dispose of vacant land at any price determined by the local authority
- 7.3 It is envisaged that the land will be sold as one plot either collectively to the adjoining properties at 1-11 The Drive who will be given first refusal or on the open market.
- 7.4 The sale agreement should provide for overage provisions as mentioned in paragraph 5.11 of the Report in the event of further development outside of the planning permission.

8. Comments of Deputy Director for Community Housing

- 8.1 The Deputy Director for Community Housing concurs with the recommendations contained in this report.



Haringey Council

9. Equalities and Community Cohesion Comments

- 9.1. The capital receipts generated from the disposals will support Council objectives benefiting the wider community

10. Policy Implications

- 10.1. The proposals are consistent with the Councils' Corporate Asset policy as set out in the Asset Management Plan.

11. Use of Appendices

- 11.1. Appendix 1 – Ordinance Survey Plan of Land r/o 1-11 The Drive N11.

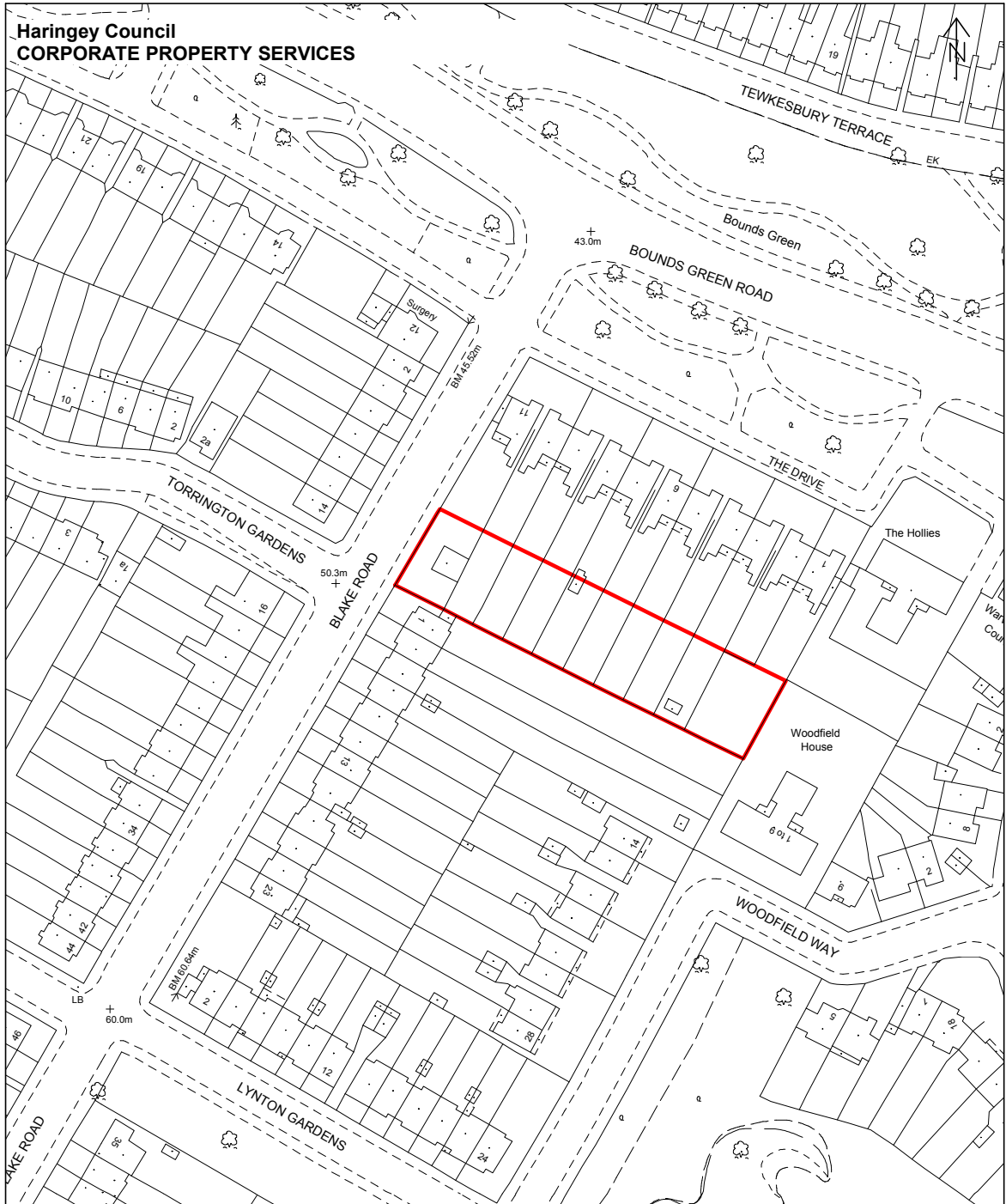
12. Reasons for Decision

- 12.1. This report confirms that following cross service consultation, the subject land is surplus to requirements and on the Council's disposal's list. The report consequently recommends that the residents of 1-11 The Drive, N11 are given first option to acquire the subject land for best consideration.

13. Local Government (Access to Information) Act 1985

13.1 Background Documents

- 13.2 The report contains exempt information. Exempt information is contained in Part B and is **not for publication**. The exempt information is under the following category (identified in amended schedule 12A of the Local Government Act 1972):-S(3) Information relating to the financial or business affairs of any particular person including the authority holding the information.



This product includes mapping data licenced from Ordnance Survey with the permission of the Controller of Her Majesty's Stationery Office Crown Copyright 2011 LBH. All rights reserved. Licence no. 100019199

**Land rear of 1-11 The Drive
Bounds Green
LONDON
N11**

FREEHOLD DISPOSAL

CPM no.
Overlay : H & SS - misc.
Plan produced by Janice Dabinett on 14/07/2011

Deed Doc. No. WGUDC 173
LR title no. : AGL201407
Site Area (in hectares) : 0.1774 ha
Scale 1:1250
Drawing No. BVES A4 2563