

REPORT OF THE LEADER OF THE COUNTY COUNCIL

WHITE HILLS PARK FEDERATION TRUST – TRANSFER OF LAND

Purpose of the Report

1. To seek approval to the disposal of freehold land to White Hills Park Federation Trust; the acceptance of land for the future expansion of Bramcote Primary School and entering into an agreement for a joint planning application on developable land.

Information and Advice

2. Some information relating to this report is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972. Having regard to the circumstances, on balance the public interest in disclosing the information does not outweigh the reason for exemption because divulging the information would significantly damage the Council's commercial position. The exempt information is set out in the exempt appendix.
3. White Hills Park Federation Trust (WHPFT) has a long lease of 125 years (from 2012) of approximately 24 hectares of land from NCC referenced as Plot 1 and 2 on the attached plan, subject to a strict user clause that plot 1 is for playing field use only. The land is used for the siting of a secondary school and college.
4. NCC has 8 hectares of freehold land adjacent to the WHPFT leased land referenced as plots 3, 4 on the attached plan, along with the adjacent Bramcote Primary School.
5. The WHPFT has engaged consultants (Cornerstone) to explore opportunities for merging land interests that potentially could release capital value through redevelopment and change of use. However this is predicated on whether residential development would be possible on some of the sites. Whether planning permission is granted for alternative use is a matter for the local planning authority, Broxtowe Borough Council and not the County Council.
6. In January this year, all of the vacant land mentioned above was provisionally removed from the greenbelt by Broxtowe Borough Council (BBC) and can benefit from being allocated for residential development.
7. The buildings forming Bramcote College are no longer in satisfactory condition. The Trust wish to provide a new secondary school with a capacity of 755 pupils and a 6th form college with a capacity of 250 students, essentially as per current capacity. In order to undertake this project the Trust are seeking to achieve a significant capital receipt predominantly through the re-development of plots 1, 2 & 4 for housing to contribute to the rebuild costs estimated in the region of £20 million.

8. Both NCC/WHPFT need to co-operate if the full redevelopment value of all the land is to be released. NCC has a long term residual interest in plots 1 & 2 which has minimal value, similarly the Trust is unlikely to attract a developer on the basis of the current leasehold interest.
9. The Council does have the option of developing plot 4 in isolation although there would be increased planning and development risk in doing so independently which is more fully described in the exempt section of this report.
10. The proposal that has been put forward by Cornerstone on behalf of the Trust and which has been subject to protracted negotiations involves:-
 - NCC transferring the freehold of Plots 1 & 2b to WHPFT
 - Reserving full rights of access in favour of NCC over plots 1 and 2A for the benefit of plots 3 & 4
 - WHPFT to surrender leasehold land of approximately 1 acre to the west of Bramcote Primary School with corresponding access rights to allow for future expansion (if needed)
11. This arrangement would also include a development agreement that will link both parties in working together to progress redevelopment proposals for plots 1 & 4 but with the sites being developed independently on different time lines.

Other Options Considered

12. The Council could refuse the request to transfer the Freehold of plots 1 & 2. This is likely to prevent the land being used for housing and the generation of a capital receipt. WHPFT rebuilding plans may be halted and the school and college close.
13. All the Council's land interests in plots 1, 2b & 4 could be transferred to WHPFT and a sharing arrangement on proceeds agreed. This has been the subject of detailed negotiations with both parties being unable to agree on a suitable share.

Reason/s for Recommendation/s

14. To proceed with the transfer of the freehold of plot no.1 and 2b to WHPFT at existing use value will enable the Trust to develop the land area for residential development. The agreement that land is surrendered by WHPFT at plot 2b will secure future expansion land (if needed) for Bramcote Primary. A joint planning application for plot 1 and 4 will enable the Council to positively contribute to the application and the proposed development layout.

Statutory and Policy Implications

15. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

That approval is given to:

- 1) The sale of the Council's freehold of Plot 1 & 2b as outlined within the report;
- 2) The acceptance of land west of plot 2b as a future expansion site for Bramcote Primary School;
- 3) The entering into of a development agreement with WHPFT and Cornerstone to facilitate a joint planning application for plots 1 & 4 as outlined within the report;
- 4) A further report is submitted to the committee outlining in detail the proposed design layout of the development and implications for future funding to implement the approved planning permission.

Councillor Mrs Kay Cutts MBE
Leader of the Council

For any enquiries about this report please contact: Andrew Stevens 0115 9772085

Constitutional Comments (CEH 21.09.17)

16. The recommendations fall within the remit of Policy Committee under its terms of reference. When selling land the effect on the value and use of the Council's retained land must be considered and appropriate value must be obtained. Where the Council is considering entering into a collaborative partnership which may ultimately result in the disposal of land, advice must be sought from the Group Manager for Legal Services and the s151 Officer prior to entering into detailed negotiations.

Financial Comments (GB 20/9/2017)

17. The financial implications are set out in the report.

Background Papers and Published Documents

18. None.

Electoral Division(s) and Member(s) Affected

19. Ward(s): Bramcote & Beeston North
Member(s): Councillor Steve Carr

File ref.: /SB/SB/-
SP: 3283
Properties affected: 01747 - Alderman White (Bramcote Hills site)