

## CABINET MEMBER DECISION RECORD

This form should be used to record Executive decisions taken by Cabinet Members

**Decision Ref. No:**

**Responsible Officer:**

Gary Platt, Head of Property

**Subject: Coroner's Court, Stafford Road**

### Decision taken:

To sell the Council's 999-year leasehold interest in the Coroner's Court, Stafford Road, Bournemouth to the Department for Communities and Local Government for the sum of £354,117 (three hundred and fifty-four thousand, one hundred and seventeen pounds). The sale is conditional upon the purchaser securing planning consent for a new 1,500 place school on the Police Station/Magistrates Courts site on the corner of Madeira Road and Stafford Road.

### Reasons for the decision:

The decision responds to the following Corporate priorities identified in the Corporate Plan:

*EC4 Making the best use of our assets* – since the asset is surplus to requirements it is to be sold to generate a capital receipt.

*AC1 Helping children and young people to achieve their potential* – the Department for Communities and Local Government is purchasing this leasehold interest as part of larger land assembly for the construction of a new free school on the former Police Station/ Law Courts site. When completed, this will assist the Council in meeting its statutory obligation to provide primary and secondary school places in the Town Centre.

**Call-in and Urgency:** The decision is subject to the Council's call in procedure

### Background:

The Coroner's Service previously occupied premises within the Magistrates Courts building in Stafford Road. Following the decision of the Ministry of Justice to close the Magistrates Courts and to transfer its functions to Poole, the Council has taken the opportunity to relocate the Coroner's Service to the Town Hall. This has generated budget savings. Therefore, the Coroner's Court in Stafford Road is currently vacant and surplus to Council requirements.

The Police Station in Madeira Road closed some time ago and with the closure of the Magistrates Courts later this year, the combined site is of sufficient size for the construction of a new free school. The Education Funding Agency has agreed terms for the purchase of this land with the Ministry of Justice and Dorset Police and is progressing plans for a 1,500 place school. The acquisition of the Council's long-leasehold interest is essential for these plans to progress.

The Council is anxious to support this proposal as it has a shortage of school places in the Town Centre. This position will be exacerbated when new residential flat developments, currently with planning consent or under construction, are completed and occupied.

**Options - and reasons for rejection:** None

**Consultations undertaken:**

The Resources and Education & Children's Services Portfolio Holders and the Service Director, Community Learning & Commissioning have been consulted. All fully support this decision.

**Finance and Resourcing Implications:**

The Valuation Office Agency has confirmed that the purchase price represents Best Value and therefore the sale fully meets the requirements of S123, Local Government Act 1972.

The construction of the new free school is fully funded by the Education Funding Agency and has no direct financial implications for the Council. However, it is worth noting that if this scheme does not proceed, then the Council has no identified the funding for alternative provision to meet its statutory obligations to provide sufficient school places for the growing school-age population.

**Name:** ADAM RICHENS

**Signature:** (of Chief Finance Officer)

**Date:** 18/2/17

**Legal implications:**

The Council has the necessary legal powers to undertake this sale. It should be noted that the transaction may be progressed as a surrender of the lease rather than a leasehold transfer. However, this will not affect the level of consideration receivable by the Council.

**Name:**

TANYA COLTER

**Signature:** (of Monitoring Officer)

**Date:**

9th FEBRUARY 2017

**Risk assessment:**

An initial risk assessment has been completed and this shows this to be a medium risk transaction. Since the sale is dependent on the purchaser securing planning consent for a new school, there is a risk that the transaction will not proceed.

**Name:** Gary Platt

**Signature:** (of Head of Property)

**Date:** 21 FEBRUARY 2017

**Impact Assessments:**

An Equality Impact Needs Screening Tool has been completed. Since the assessment is limited to the decision to sell the Council's leasehold interest in a redundant building, there is no impact in terms of equalities. It does not consider the relocation of the service, which has already happened. Nor does it consider the impact of the construction of the new school as this is a separate project being advanced by the Education Funding Agency.

An Environmental Impact Assessment recognises that the premises are currently empty and do not contribute to a safe and supportive environment. The sale will allow a new use to come forward that is likely to be a positive contributor. In all other aspects, the re-use of these premises, which may have an effect on the environment, is not part of this decision.

**Information for/not for publication:**

- The decision will be published.

**Background papers:**

- Equality Impact Needs Assessment Screening
- Environmental Impact Assessment
- Initial Risk Assessment

| Any conflict of interest declared by a Cabinet Member who is consulted by the Member taking the decision | Name of Cabinet Member | Nature of interest | Details of any dispensation granted by the Monitoring Officer |
|--|------------------------|--------------------|---|
| No   | N/A                    | N/A                | N/A   |

**Decision taken by:**

Councillor John Beesley

Cabinet Portfolio: Resources

**Signed:**



**Date of decision:** 21<sup>st</sup> February 2017.

**Date of publication of record of decision: 24/02/17**

**Date decision effective** – that is 5 working days after the date of publication of the record of decision unless the decision is called-in for consideration by the relevant Overview and Scrutiny Panel: **03/03/17**

