

LONDON BOROUGH OF CAMDEN	WARDS: Swiss Cottage
REPORT TITLE Disposal of Former Day Centre and learning disability supported living accommodation, 194/194a Goldhurst Terrace, NW6 3HN (SC/2021/16)	
REPORT OF Cabinet Member for Finance and Transformation	
FOR SUBMISSION TO Cabinet	DATE 2 September 2021
STRATEGIC CONTEXT <p>The Council has completed the refurbishment of the Mayford Day centre, Oakley Square, NW1, which provides modern, fit for purpose disability supported living accommodation.</p> <p>This has enabled the residents of 194/194a Goldhurst Terrace to move into the new Day Centre where they will have en-suite facilities, private terraces, communal living and gardens. The new accommodation is located at a ground floor level and is fully wheelchair accessible.</p> <p>The report sets out why Goldhurst Terrace is not fit for purpose and how, in line with Camden 2025 and our communities' vision for Camden, the Council will use its property assets to deliver appropriate services and council priorities for residents; it will dispose of properties that are no longer suitable or required for operational needs.</p> <p>The relocation of the residents to the refurbished facility contribute to the following aspirations: -</p> <p>Homes and Housing - Homes should be accessible and flexible to meet people's needs whether that is someone growing older or a growing family.</p> <p>Healthy and Independent Lives - Everyone should know how to take charge of their own health and wellbeing and be encouraged and supported to keep active, eat well and stay healthy. Everyone should be able to access the services they need to keep themselves well. No one should be lonely or isolated – everyone should feel connected to their community and able to ask for help and support when they need it. Older and disabled people should be able to live independently for as long as possible.</p> <p>Our Camden Plan is the Council's response to the Camden 2025 vision. In order to achieve the ambitions for Camden in 2025 we will need to respond to a challenging financial outlook, where there will be less money, by investing our resources where they will make the biggest difference.</p>	

The capital receipt from the disposal of 194/194a Goldhurst Terrace will help fund new homes, schools and community facilities as part of the Capital Programme.

SUMMARY OF REPORT

This report considers the options available to the Council in respect of the property at 194/194a Goldhurst Terrace NW6 3HN which is held in the Housing Revenue Account and currently consists of a vacant day centre and disability supported living accommodation. The entire property became vacant on 19 July 2021 when the residents were moved to the newly refurbished accommodation at Mayford, Oakley Square, NW1. The report seeks authority to declare the property surplus to requirements and dispose of the Council's freehold interest for a capital receipt.

The report is coming to the Cabinet because the Council's Constitution reserves to the Cabinet any decision to declare property surplus to requirements and to dispose of the same at open market value, where the value is £2.5 million or above

Local Government Act 1972 – Access to Information

No documents that require listing were used in the preparation of this report

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RECOMMENDATIONS

Cabinet is asked to: -

1. Declare the property at 194/194a Goldhurst Terrace NW6 3HN surplus to requirements and agree to dispose of the Council's freehold interest at open market value.
2. Delegate authority to the Executive Director Supporting Communities in consultation with the Executive Director Corporate Services, Cabinet Member for Finance and Transformation and the Borough Solicitor to implement and complete the disposal of the property at open market value.

A handwritten signature in black ink, appearing to be 'G. Marston', written over a faint circular stamp.

Signed :

Gillian Marston, Executive Director of Supporting Communities

Date: 23rd of August 2021

1. CONTEXT AND BACKGROUND

- 1.1.** This report seeks approval to declare the subject property surplus to the Council's operational requirements and grant delegated authority to dispose of the Council's freehold interest at open market value, once vacant possession has been obtained. The property is held in the Housing Revenue Account and was used to provide a 24-hour supported living service to adults with learning disabilities. Change of use of part of the ground floor to a day project for people with learning disabilities was granted in 1989 but this part of the property (194a) has been vacant for over 10 years. The whole of the property is now surplus to operational requirements as the residents have moved to a newly refurbished disability supported living facility at the former Mayford Day Centre, Oakley Square, NW1; the property became vacant on the 19th of July 2021.
- 1.2.** The subject property comprises a large ornate three storey detached residential building with substantial single storey side extension, built c.1880-1885 on a prominent triangular corner plot of c. 0.2 acres. The property has a large front garden and courtyard to the rear and a detached single garage with separate access from Goldhurst Terrace via a tarmac driveway. It is situated in a predominantly residential area in the South Hampstead Conservation Area, and whilst not listed, the building is noted as a positive contributor. The property is well served by excellent transport links (Jubilee and Metropolitan Underground lines and London Overground).
- 1.3.** The report is coming to the Cabinet because the Council's Constitution reserves to the Cabinet any decision to declare property surplus to requirements and to dispose of the same at open market value, where the value is £2.5 million or above

2. PROPOSAL AND REASONS

- 2.1.** Whilst the property has provided a suitable environment for residents over the years, it is not fit for purpose in its current form for the following reasons: -
 - the stairs present problems due to the declining mobility of the residents
 - the building does not make it easy to keep residents in line of sight
 - there are no en-suite facilities
 - there are two long term voids due to its unsuitability
 - very poor thermal insulation
- 2.2.** Approval for the refurbishment of the former Mayford Day Centre, Oakley Square, NW1 into a supported living scheme was given in 2019 and the building works were completed in July 2021. The new facility consists of en suite bedrooms with private terraces, and communal living spaces and gardens. It is situated on the ground floor and is fully wheelchair accessible. All the residents in the subject property have been moved to the new facility.
- 2.3.** The property has therefore become vacant and will require substantial investment if it is to be redeveloped for an alternative use, so it is recommended that it is declared surplus to the Council's requirements and

sold. The capital receipt will make a significant addition to the capital programme for new homes.

3. OPTIONS APPRAISAL

- 3.1. **Do Nothing** The entire property has become vacant and the Council will incur costs to both manage and secure the property.
- 3.2. **Disposal of the freehold of the premises** This will result in a capital receipt which will form part of the Capital Programme 2021/22 and be used to make future investment in the Council's priority areas.
- 3.3. **Retain for operational use** There is currently no operational requirement for the property as the service has been relocated to a newly refurbished bespoke building in the former Mayford Day Centre, Oakley Square, NW1. The refurbishment works were carried out at considerable expense.
- 3.4. **Retain for redevelopment** The Council has a considerable pipeline of approved/funded and unfunded redevelopment schemes.

Conversion to social housing homes was also considered but it would be very costly because of the age of the property; it will be very difficult to achieve fire compartmentation requirements and to bring the building up to modern space standards. The disposal of the property will be a significant addition to the funding of the Council's Capital Programme which includes provision of new homes.

- 3.5. A financial summary of option 3.2 is included in a Part II appendix in Appendix 1.

4. WHAT ARE THE KEY IMPACTS / RISKS? HOW WILL THEY BE ADDRESSED?

- 4.1. Failure to generate the estimated level of capital receipt through the disposal of the property will result in less support to deliver the Council's key objectives.
- 4.2. The property is an extremely attractive and valuable location and offers opportunities for both owner-occupation and redevelopment. Whilst market conditions have been uncertain during the pandemic, the residential market, supported by fiscal intervention, has proven resilient.

5. CONSULTATION/ENGAGEMENT

- 5.1. Ward members have been consulted.

6. LEGAL IMPLICATIONS

- 6.1.** This report asks the Cabinet to declare 194 / 194a Goldhurst Terrace London NW6 3HN surplus to requirements and to agree to dispose of the Council's freehold interest in that property on terms that represent open market value, and to delegate authority (as stated in Recommendation 2) to implement and complete the disposal.
- 6.2.** The Report states that the property is held by the Council in the Housing Revenue Account. Accordingly, the Council has power to dispose of the property under Section 32 of the Housing Act 1985. That section provides that the Council can dispose in any manner, but such disposal shall not be made without the consent of the Secretary of State at the Ministry of Housing, Communities and Local Government. Such consent will be granted either by one of the general consents which have been issued by the Secretary of State or, in the event that the circumstances of the disposal do not fall within any of such general consents, by means of a specific consent obtained from the Secretary of State.
- 6.3.** There is a general consent that states that a local authority may dispose of land for a consideration equal to its market value. The report recommends that the property be sold at open market value at best consideration reasonably obtainable, so provided the disposal proceeds upon the basis of the terms set out in this report, then it will be authorised by this general consent.
- 6.4** The Cabinet is reminded that when considering transactions relating to land, they must always act reasonably and should bear in mind the Council's fiduciary duty to Council Tax and ratepayers of the borough to protect public funds. The Cabinet should consider whether a sale of the property would be conducive to the effective, economic and efficient discharge of the Council's functions.
- 6.5** In considering the recommendations the Cabinet must have due regard to the impact those decisions will have upon the Council's statutory duty with regard to equalities as set out in Section 149 of the Equality Act 2010.
- 6.6** In summary these legal obligations require the Council and Cabinet, when exercising its functions, to have 'due regard' to the need to 1) Eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act; 2) to advance equality of opportunity between people who share a relevant protected characteristic and those who don't; 3) Foster good relations between people who share a relevant protected characteristic and those who don't (which involves tackling prejudice and promoting understanding). Under the Duty the relevant protected characteristics are: Age, Disability, Gender reassignment, Pregnancy and maternity, Race, Religion, Sex, Sexual orientation. In respect of the first aim only - i.e. reducing discrimination, etc. - the protected characteristic of marriage and civil partnership is also relevant.

7. RESOURCE IMPLICATIONS

7.1. Finance comments have been included in the body of this report.

8. TIMETABLE FOR IMPLEMENTATION

8.1. The Council became vacant on 19 July 2021.

8.2. The property will be marketed for disposal in 2021

8.3. Terms of disposal will be agreed subject to delegated authority

8.4. The sale will be completed by the end of March 2022.

9. APPENDICES

Appendix 1: Part II not for publication

REPORT ENDS