

THE OVERVIEW AND SCRUTINY COMMITTEE

19 March 2012

EXTRACT FROM MINUTES OF CABINET HELD 14 MARCH 2012

REPORT OF HEAD OF DEMOCRATIC SERVICES

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RECENT REFERENCES:

CAB2305 – Disposal of Housing Revenue Account (HRA) Land: 110 and 112 Cromwell Road, Stanmore and land to the rear of 96 – 112 Cromwell Road, Stanmore – 14 March 2012

EXECUTIVE SUMMARY:

This report sets out an extract of the minutes of Cabinet, held 14 March 2012, with regard to an item referred to the Overview and Scrutiny Committee.

RECOMMENDATION:

That The Overview and Scrutiny Committee consider and make any necessary decisions on the matters contained in the minute extract.

THE OVERVIEW AND SCRUTINY COMMITTEE

14 March 2012

EXTRACT FROM MINUTES OF CABINET HELD 14 MARCH 2012

Report of Head of Democratic Services

1. **DISPOSAL OF HOUSING REVENUE ACCOUNT (HRA) LAND: 110 & 112 CROMWELL ROAD, STANMORE AND LAND TO THE REAR OF 96-112 CROMWELL ROAD, STANMORE (LESS EXEMPT APPENDIX)**
(Report [CAB2305](#) refers)

The Chairman reminded Cabinet that it was not responsible for considering planning matters and that it should focus on the proposals for the land disposal only. Having regard to the issues raised in the Report and the various concerns expressed by some local residents during consultation on the Report, Cabinet proposed that Cabinet's decisions upon the report be referred to full Council to enable debate by all Members.

In addition, it was proposed that Council consider the wider issues of promoting the development of new homes on Council-owned land in order to seek agreement to the strategic approach to possible future schemes. The recommendations in the report were amended accordingly.

It was also proposed that Recommendation 1(d) in the report be amended as follows (additional wording shown in italics):

“the nomination rights to seven of the homes being granted to the Council, *ensuring that applicants with a local connection to Stanmore be afforded appropriate priority*, with the remainder to be allocated through the HCA Zone Agents.”

In response to questions, the Head of Strategic Housing advised that the previous planning application had been refused at Planning Development Control Committee due to various design and layout concerns, but there had been no objection to the principle of developing the site.

During the public participation period, Reverend M Gardner addressed Cabinet and his comments are summarised below. As vicar for the Parish of St Luke, he emphasised the shortage of affordable rented housing in Stanmore and the demand for local people to remain in the Stanmore area to be close to their family ties. As Chairman of Stanmore Combined, he highlighted that existing allotment plots within Stanmore were not fully utilised and attempts to bring back a different abandoned allotment plot had not received local support. In conclusion, he supported the proposals in the Report.

The Corporate Director (Governance) advised that, following publication of the Report, correspondence had been received from a local resident in opposition to the proposals who was unable to attend the meeting. The correspondence drew attention to the petition of 160 signatures which was appended to the Report and queried why this had not been submitted for full Council debate. The correspondent underlined the importance of the allotments being retained and requested that the allotments be nominated as 'assets of community value' under the Localism Act 2011.

The Corporate Director (Governance) advised that the petition fell below the number of signatures required for full Council consideration (300 signatures for a three member ward). In addition, the relevant provisions of the Localism Act relating to assets of community value had not yet come into force.

At the invitation of the Chairman, Councillors Scott (a Ward Member for St Luke) and Tait (a Ward Member for St Michael) addressed Cabinet and their comments are summarised below.

Councillor Scott concurred with comments made by Reverend Gardner relating to the need for additional housing and the lack of use of current allotment sites. In addition, he believed that some objections had arisen due to misinformation and rumours being spread, but he thought that the community consultation undertaken had, to a large extent, assisted with addressing these concerns.

Councillor Tait acknowledged the concerns of some nearby residents of St Michael Ward, but believed that, on the whole, most local people were in favour of the proposals. He also believed that the concerns were, in part, due to misunderstandings. In conclusion, he supported the Report's recommendations and welcomed the opportunity for a full Council debate of the wider issues it raised.

Cabinet agreed to the following for the reasons set out above and outlined in the Report.

RECOMMENDED:

- 1. THAT THE DECISION OF CABINET TO DISPOSE OF 110 AND 112 CROMWELL ROAD AND LAND TO THE REAR OF 96 – 112 CROMWELL ROAD, STANMORE FOR AFFORDABLE HOUSING DEVELOPMENT PURPOSES (AS SET OUT IN THE RESOLUTIONS 3-9) BELOW BE SUPPORTED.**
- 2. THAT CONSIDERATION BE GIVEN TO A REPORT TO BE SUBMITTED TO COUNCIL AT ITS MEETING ON 18 APRIL 2012 INVITING MEMBERS TO REVIEW THE WIDER ISSUES OF PROMOTING THE DEVELOPMENT OF NEW HOMES ON COUNCIL-OWNED LAND.**

RESOLVED:

That, subject to the matter not being called in by The Overview and Scrutiny Committee and no objections being raised by Council:

3. The disposal to Radian Housing Association, for affordable housing development purposes, of 110 and 112 Cromwell Road, Stanmore and land to the rear of 96 – 112 Cromwell Road Stanmore, as outlined on the plan in Appendix 1 to the Report, be approved, subject to:

- (a) terms and conditions to be determined by the Head of Estates;
- (b) the consent of the Secretary of State (either by complying with the relevant requirements of General Consent A (Disposal of Land to Registered Providers of Social Housing) 2010 under Section 25 of the Local Government Act 1988 or a special consent if required);
- (c) planning consent being granted for the development;
- (d) nomination rights to seven of the homes being granted to the Council, ensuring that applicants with a local connection to Stanmore be afforded appropriate priority, with the remainder to be allocated through the HCA Zone Agents.

4. The Head of Landlord Services be authorised to take appropriate action to terminate the tenancies of the two dwellings affected by the scheme.

5. Approval being given for the restrictive covenants on any of the properties or other land adjacent to the development site to be removed as necessary to enable the development of the site for the purpose outlined in the report.

6. Delegated authority be granted to the Head of Landlord Services, in consultation with the Portfolio Holder for Strategic Housing and Landlord Services, to:-

- (a) agree any minor amendments to the project that may be required to ensure its viability;
- (b) agree an alternative Registered Provider to whom the disposal in 1) above can be made, should Radian be unable to proceed within a reasonable timescale.

7. That the disposal price set out in the Exempt Appendix to the report be approved.

8. That the capital receipt from the disposal be applied fully to the Housing Revenue Account – Re-investment in Stock Condition,

for affordable housing and that this sum be therefore treated as being within the Council's capital allowance under Regulation 16(1)(c) of the Local Authorities (Capital Finance and Accounting)(England) Regulations 2003 (as amended).

9. That £63,000 be reallocated within the Capital Programme from Affordable Housing/Regeneration to HRA Re-investment in Stock Condition to ensure the HRA Business Plan is properly compensated for lost income resulting from the disposal.

2. **DISPOSAL OF HOUSING REVENUE ACCOUNT (HRA) LAND: 110 & 112 CROMWELL ROAD, STANMORE AND LAND TO THE REAR OF 96-111 CROMWELL ROAD, STANMORE (EXEMPT APPENDIX)**
(Report CAB2305 refers)

Cabinet considered the exempt appendix to the above Report which considered the financial issues arising from the disposal of the site and included proposals for compensating the Council's Housing Revenue Account (HRA) for the loss of income arising from the proposal. The recommendations from the exempt appendix are as set out in Resolutions 7 to 9 above.

One Member queried whether some of the information contained within the exempt appendix could be made open to the public and this be amended when the Report was considered by Council. In particular, he drew attention to the discussion of pooling requirements.

The Corporate Director (Governance) acknowledged these points and agreed that whilst the exact amount of under-value should remain exempt, the fact the proposal was to sell land for "less than best" could be made public. Cabinet agreed that the exempt appendix to the report would be amended accordingly and re-published before its consideration by The Overview and Scrutiny Committee and Council.
