

CENTRAL SERVICES CABINET MEMBER MEETING

Agenda Item 45

Brighton & Hove City Council

Subject:	Disposal of Cedars Lodge, Cedars Gardens		
Date of Meeting:	18 January 2010		
Report of:	Director of Finance & Resources		
Contact Officer:	Name:	Angela Dymott	Tel: 29-1450
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Key Decision:	No	Forward Plan No: N/A	
Wards Affected:	Withdean		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

Cedars Lodge is a detached residential property. It was originally purchased to allow for the widening of London Road, a scheme that was not carried out. It is currently vacant and has been declared surplus by Sustainable Transport. It is proposed to dispose of it on the open market to meet our corporate objectives. (A plan identifying the property is attached to this report, Appendix 1).

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member approves the disposal of the freehold interest of Cedars Lodge.
- 2.2 That the Cabinet Member approves the retention of some of the garden land and the ring fencing of an amount from the sale receipt to pay for the cost of highways improvements to Cedars Gardens.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Cedars Lodge and adjacent land was purchased in 1961 by the Brighton Corporation under s 214 of the Highways Act 1959 for the purposes of widening the London Road. The property has remained under the control of Highways since that time, transferring to East Sussex County Council and then back to Brighton and Hove City Council in 1997.
- 3.2 The road widening scheme has not been carried out and the property has been rented out under various tenancies since its purchase. The most recent tenancy was granted in May 1996 to an employee of East Sussex County Council. In February 2009 the tenancy was terminated and the property has been vacant since that time.

- 3.3 In August 2009 Sustainable Transport declared the property as surplus. They advised that it is no longer considered appropriate to increase capacity by widening roads, particularly within cities and it was highly unlikely that a scheme to widen London Road would be funded or approved.
- 3.4 In September 2009 three local agents inspected the property and gave advice on its marketability. All agents were confident that there would be demand for the property and recommended at the time a market price of between £275,000 and £300,000.
- 3.5 In October 2009 ward councillors were consulted on the proposed sale of the property. Cllr Drake requested that land from the garden be retained to provide additional public footways and improve the safety for residents.
- 3.6 Colleagues in Highway Engineering and Projects visited the site and drew up a draft scheme to widen existing footways, provide additional footways, improve visibility for drivers, provide additional signage and introduce a one way system for entering and exiting Cedars Gardens. The draft design will be subject to a safety audit and detailed design. The works have not been tendered but it has been estimated will cost in the region of £20,000. It is proposed that the works are funded from the capital receipt achieved from the sale of the property.

4. CONSULTATION

- 4.1 Mark Prior, Assistant Director for Sustainability Transport carried out an internal consultation prior to declaring the property surplus.
- 4.2 Ward councillors have been consulted.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The freehold disposal of the property will generate a capital receipt between £275,000 and £300,000 less any fees in connection with its disposal. The cost of the works, estimated at £20,000, will be set aside from the net receipt to finance the highways improvements to Cedars Gardens. The remaining receipt will be used to support the corporate Strategic Investment Fund. There is no income currently generated from the property and revenue savings will be made from the associated cost of security and maintenance which will be incorporated into future year's revenue budgets.

Finance Officer Consulted: Rob Allen

Date: 09/12/2009

Legal Implications:

- 5.2 S123 of the Local Government Act 1972 enables the council to dispose of this property provided the best consideration reasonably obtainable is achieved. It is not considered that any individuals Human Rights Act rights are adversely affected by the recommendations in this report. The

decisions recommended at paragraph 2 in this report fall within the delegated functions of the Cabinet Member for Central Services, providing that the Leader is notified of the proposed decision in advance, and has no objection.

Lawyer Consulted: Anna MacKenzie

Date: 09/12/2009

Equalities Implications:

5.3 There are none.

Sustainability Implications:

5.4 There are none.

Crime & Disorder Implications:

5.5 The property is secured whilst vacant to prevent malicious damage and unauthorised access. The council's liability to maintain the property will cease on completion of its sale.

Risk and Opportunity Management Implications:

5.6 In the current regulatory frame work there is virtually no possibility that Sustainable Transport will require this property for road widening purposes.

Corporate / Citywide Implications:

5.7 The sale of this surplus asset supports our corporate objectives. The highways improvements will provide safer environment for pedestrians and car drivers entering and existing Cedars Gardens.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 Sustainable Transport confirmed that it was highly unlikely that over any time horizon a scheme to widen London Road would be funded or approved and concluded that it is no longer the intention to widen the London Road in this location. There is therefore no benefit to holding the property for this purpose and it has been declared surplus.

6.2 The property is estimated to be about 85 years old. The rooms are small and the bathroom is located off the kitchen on the ground floor. Improvements have been made to the heating system in recent years and repairs have been carried out to maintain the property. However it would require substantial investment to bring it up to standards appropriate to be let as a Housing property. Given the level of investment required the property would provide a poor return on investment and it is not therefore recommend that this option be pursued.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The property is vacant and has been declared surplus by Sustainable Transport as it is no longer required to widen London Road, which was the purpose of its acquisition originally.
- 7.2 Local agents have inspected the property and recommended in October 2009 that the property would sell for between £275,000 and £300,000.
- 7.3 Ward councillors have been consulted and have requested alterations to the public footway to improve safety. Highway Engineering and Projects have drawn up draft proposals and estimated these will cost about £20,000 to be funded by the capital receipt from the sale of the property.

SUPPORTING DOCUMENTATION

Appendices:

1. Plan identifying Cedars Lodge.

Documents in Members' Rooms

1. None

Background Documents

1. None