

23 March 2015

Agenda Item: 9a

## **REPORT OF SERVICE DIRECTOR TRANSPORT, PROPERTY & ENVIRONMENT**

### **SALE OF LAND AT MAUN VIEW, MANSFIELD FOR SUPPORTED LIVING HOUSING**

#### **Purpose of the Report**

1. To seek approval to sell remaining land at Maun View Mansfield for Supported Living housing within the parameters detailed in the report.

#### **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 Some information relating to this report is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972.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 exempt appendix.
3. The site adjacent to the former Maun View Residential Care Home in Mansfield was retained when the care home was sold as an going concern in 2012. Since that time the remaining land has been held as surplus to requirements awaiting sale or having a new service use identified. It is shown by black hatching on the attached plan.
4. The Council has an aspiration to move 120 people in high cost residential care to lower cost and more independent Supported Living. This work is part of the savings and efficiency project which seeks to reduce the number of younger Adults in long term residential care placements and to move everyone inappropriately placed in hospital to community based support as quickly as possible. This is a duty placed on the NHS and local authorities social care commissioners following the Department of Health Review into the failings of the Winterbourne View private hospital.
5. This proposal meets the aspiration of moving people into Supported Living and provides a capital receipt from the sale of the land.
6. The Council has been through a tendering process to select a range of Approved Housing Providers who will deliver the Supported Living accommodation across the county.
7. All eight of the Approved Housing Providers were invited to take on the building of the Supported Housing and to act as landlords for the completed development for the Maun View site. A number of providers expressed initial interest but only BeST

Housing Association came forward with an offer. A contract will be put in place to regulate the County Council's nomination rights over all twelve of the proposed housing units.

8. The terms of the proposed sale are contained in the Exempt Appendix.
9. The transfer potentially represents a sale at less than best value, as defined by s123 Local Government Act 1972. Paragraph 20.3.6.1 of the Council's Financial Regulations provide that, where only one party is interested or is to be invited to submit a signed contract, the Service Director, Transport, Property and Environment, in consultation with the Chairman of Finance and Property Committee shall take a decision after discussing the circumstances with the Group Manager for Legal Services and the Section 151 Officer.
10. The circumstances which permit the Authority to depart from the requirement to achieve best value are contained in the General Consent Order [The Local Government Act 1972: General Disposal Consent (England 2003)]. The Order lays down no specific process, but simply requires that the following matters are considered:-
  - i. The local authority considers that the purpose for which the land is to be disposed is likely to contribute to the achievement of any one or more of the following objects in respect of the whole or any part of its area, or of all or any persons resident or present in its area;
    - The promotion or improvement of economic well-being;
    - The promotion or improvement of social well-being;
    - The promotion or improvement of environmental well-being; and
  - ii. The difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2,000,000 (two million pounds).
11. This proposal satisfies the requirement for the promotion or improvement of social well-being and does not exceed £2,000,000.

### **Other Options Considered**

12. Other options considered include selling the site on the open market. This option would fail to deliver the service benefits associated with Supported Living accommodation.

### **Reason/s for Recommendation/s**

13. To make best use of surplus land by both delivering a capital receipt whilst also meeting pressing service need and discharges the Council's duty to commission Supported Living accommodation.

### **Statutory and Policy Implications**

14. 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**

- 1) That negotiations are concluded for sale of the surplus land within the parameters set out in the report and the Exempt Appendix.

**Jas Hundal**

**Service Director – Transport, Property & Environment**

**For any enquiries about this report please contact: Gerry McKeown 0115 9773617**

### **Constitutional Comments (SOM 23.02.2015)**

15. Provided that the Group Manager for Legal and Democratic Services and the S151 Officer approve this transaction in accordance with the Council's Financial Regulations the recommendation falls within the remit of the Finance and Property Committee by virtue of its terms of reference.

### **Financial Comments (GB 11.03.2015)**

16. As well as contributing to on-going savings and efficiency targets, any proposed capital receipt will be used to fund the capital programme.

### **Background Papers and Published Documents**

17. None.

### **Electoral Division(s) and Member(s) Affected**

18. Ward(s): Mansfield West  
Member(s): Councillor Darren Langton, Councillor Diana Meale

File ref.: /GM/SB/50047

SP: 2805

Properties affected: 50047 - Remaining land at former Maun View site