

**Contact:** Lee Dawson  
**Tel:** 020 8583 2138  
**E- mail:** lee.dawson@hounslow.gov.uk

**Cabinet – 4<sup>th</sup> December 2012**

**Proposed Disposal of Land and Assets, South of High Street, Brentford**

**Report by:** Councillor Ruth Cadbury – Lead Member for Planning & Regeneration

**1.0 Recommendation/s**

The Cabinet is recommended to:

- 1.1 Agree in principle to the disposal of land and property to Ballymore as set out in the report (see appendix A) subject to paragraph 2.3 and to their receipt of Planning consent and suitable terms being agreed.
- 1.2 To authorise the Director of Regeneration, Economic Development and Environment to negotiate the sale of those assets in consultation with the Lead Member for Planning and Regeneration.
- 1.3 To agree in principle the use of a compulsory purchase order to help facilitate the development subject to a future detailed report prior to any recommendation to full Council.

**Executive Summary**

An outline planning application has been made to develop land south of the High Street, Brentford, with details submitted for the first phase. The developer, Ballymore has requested that the Council disposes of its land interests in the area as part of the planned redevelopment. This report asks Cabinet to consider disposal in principle subject to planning consent and suitable terms being agreed.

**2.0 Background**

- 2.1 There has been long held ambition to see the area redeveloped. The Brentford Area Action Plan adopted in 2009 encourages new town centre development, which will serve existing and new communities well, offering them a variety of goods and services, maximising the advantages of its distinctive waterside setting, and providing a centre that people are proud of and enjoy visiting. The plan seeks up to achieve this by identifying the Brentford Waterside development site to

the south of the High Street as site with the potential to deliver 9,250m<sup>2</sup> (GEA) of additional retail floor space and 3,000m<sup>2</sup> (GEA) of leisure uses within a consolidated town centre that focuses new development on the existing High Street, and which maximises the benefits of its waterside location.

An outline planning application has been submitted by the developer Ballymore, with details submitted for the first phase. (see plan at appendix A).

- 2.2 The developer has now formally asked the council to dispose to it of the Council's landed interests in the site to enable the proposed development (see plan at appendix B). The Council interests include shops at County parade, eight residential flats above County Parade and the Brentford High Street car park. There is also a possibility of a sale of the Old Vicarage Hostel at 139 High Street, Brentford which currently contains 10 self-contained studio units.
- 2.3 If the Cabinet is minded to agree the disposal for a single party i.e. Ballymore, it should be satisfied that the sale would enable a regeneration scheme of which it is supportive. Support in this context would be from a non-planning point of view as the Council cannot fetter its statutory role in determining the planning application.
- 2.4 Also, the council must ensure that in these circumstances any sale will be at best consideration and will need to take into account the loss of rental from the County Parade shops.
- 2.5 In this respect if Cabinet agree in principle independent consultants will be appointed to provide valuations and negotiate best consideration the cost of these consultants will be properly borne by the developers and partly by the Council from the Capital receipt. The Council's assets currently consist of a mix of Housing Revenue account assets and General Fund assets and any receipt will need to be proportioned accordingly depending on the final basis of valuation.
- 2.6 At the present time, whilst negotiations will commence immediately, any sale will be dependant on the developer receiving planning consent as well as bank funding, therefore it is not anticipated that the actual sale will occur till late 2013.
- 2.7 Should the Cabinet agree, officers working with the developer will seek to assist the various shop tenants with an exit strategy and this may involve giving current shop tenants first option on any local shops owned by the Council that may come available when the properties are needed for the development. Households currently occupying the Council's residential units on a temporary basis will be moved to alternative temporary accommodation if appropriate.

2.8 The developers have also asked if the Council, subject to planning consent, would be willing to utilise compulsory purchase powers subject to Secretary of State approval to acquire any assets necessary for the development. This would be subject to an indemnity agreement between entered into to pay all the Councils costs including all costs of acquisitions. This can be agreed in principle now but in due course would need t be the subject of a separate dedicated report containing a recommendation to full Council.

2.9 Given the proposed development does appear in principle to meet the key aspirations of the Brentford Area Action Plan then the Cabinet is being asked to commence negotiations and delegated authority to the Director of Regeneration, Economic Development in consultation with the Lead Member.

### **3.0 Comments of the Assistant Director Corporate Governance**

3.1 The Assistant Director Corporate Governance has been consulted and supports the recommendation.

### **4.0 Comments of the Assistant Director Corporate Finance**

4.1 This report seeks authority to agree in principle, the disposal of land and assets in the Brentford High Street (South) area.

4.2 The prospective sale would be expected to generate a significant capital receipt the estimated size of which has not yet been established.

4.3 Ownership of the property at this site is split between the HRA and General Fund though details of the corresponding ratios are not available at this time. It is vital that these proportions are determined before the disposal is further considered as they would impact on the subsequent available use of any capital receipt generated and as a result, would also affect the financial benefits of disposal.

4.4 The disposal would result in loss of revenue income as residential and commercial units are decommissioned.

4.5 There is also the potential for an increase in General Fund Temporary Accommodation (TA) expenditure as tenants currently residing in the dwellings at the site will require alternative housing – possibly in expensive TA units, or displace other prospective tenants in the Housing register.

## **5.0 Equalities Impact Assessment**

- 5.1 The Council has to give due regard to its equalities duties and in particular with respect to the Equality Act 2010, Section 149, part 11 of the public sector duty below.
- a) Eliminate discrimination, harassment, victimisation and eliminate any other conduct that is prohibited by or under the Act;
  - b) Advance equality of opportunity between persons who are a protected characteristics and persons who do not share it
  - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 5.2 An assessment for relevance has been carried out to assess whether the public sector duty is engaged by this proposal. The relevance assessment gave due regard to the following equalities protected characteristics age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 5.3 There is no evidence to indicate that the equality duties have been engaged by this proposal. The test concluded that none of the equalities protected characteristics are affected by this proposal because the proposal is remote or peripheral to the substance of the equality duty. Therefore, the council considers that there is no need for an Equalities Impact Assessment to be carried out. In approving this proposal it is considered that the Council will be acting in compliance with its duties under the Equalities Act 2010.

<b>Background papers: -</b>
<b>This report has been or is due to be considered by: -</b>
<b>This report is relevant to the following wards/areas: Brentford</b>