

Forest Heath District Council

(This report is a key decision. This report has been subject to appropriate notice of publication under the Council's Access to Information Rules)

Report of the Portfolio Holder for Economic Development and Tourism

CABINET

15 JANUARY 2013

CAB13/056

TRANSFER OF LAND TO SUFFOLK COUNTY COUNCIL FOR SCHOOL PLAYING FIELD/MUGA SITE (Key Decision Reference: JAN13/05)

1. Summary and reasons for recommendation(s)

- 1.1 Members will be aware of the ongoing work with Suffolk County Council to permit extension of the playing field at All Saints School Newmarket by the transfer to the County Council of part of the rear of the Palace House Stables property.
- 1.2 In doing so, the school will benefit from a much needed expanded playing field and the Home of Horseracing Project will benefit from an improved vehicular access to the rear of the visitor site, funded by the contribution from Suffolk County Council.

2. Recommendation(s)

- 2.1 **It is recommended that Cabinet agrees to the transfer of the site on the terms outlined in this report.**

Contact details

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3. How will the recommendations help us meet our strategic priorities?

- 3.1 In facilitating the Home of Horseracing project, this recommendation will contribute to all four of the Economic Growth objectives

4. Key issues

- 4.1 Members will be aware of the ongoing work with Suffolk County Council to permit extension of the playing field at All Saints School Newmarket by the transfer to the County Council of part of the rear of the Palace House Stables property.

4.2 Planning

- 4.2.1 The planning permission for change of use of the site has been a matter for the County Council. An application was considered at Planning Committee on 7 November 2012, when no objection was raised. It is now understood that the County Council are making application for the construction of the multi-use games area on part of the site and the adjoining area of existing playing field.

4.3 Vehicular Access

- 4.3.1 The change of use included improvements to the vehicular access to Palace House Stables. A proposal that the County Council should carry out the works for the improvement of the vehicular access has been amended and it is now intended that these works will be included as part of the project for the creation of the Home of Horseracing on the Palace House Stables site.

4.4 Arrangements for transfer

- 4.4.1 The County Council has agreed that in return for a transfer of the freehold of the site required for the school playing field extension they will contribute a sum of £60,000 towards the cost of the improvements of the vehicular access to Palace House Stables. When the arrangements for transfer of the site were last reported to Community Services Committee in March 2012 the broad principles of the arrangement were agreed subject to planning permission being obtained by the County Council and to a further report back on the final arrangements.

4.5 Valuation and consent

- 4.5.1 When the Palace House Stables were being valued earlier this year a specific valuation was obtained for the area of land at the rear of the stables and fronting Vicarage Road, of which this proposed transfer forms part. This was based on the valuation as two residential development units, being the maximum obtainable, should such change of use be obtained. The value placed on them was £110,000. As the area to be transferred to the school is perhaps some two-thirds of that site it can be seen that it is potentially the case that it has been transferred at slightly less than the value attributed to it. The Council is under an obligation to dispose of its property only for the best price reasonably obtainable, unless it has the consent of the Secretary of State. The Secretary of State has given general consent to disposals where, in the view of the Authority, the disposal promotes the social economic or environmental well

being of the area and the difference between the value being transferred and the consideration being received ("the under value") is no more than £2,000,000. To proceed with this transfer at this price it is suggested that the Authority agrees that it considers that such a transfer will promote the economic, social and environmental well being of the area to ensure that the general consent is met in respect of any potential under value.

4.6 Licence to proceed

4.6.1 In view of the stated requirement of the County Council to commence works on the site in early January to enable them to be completed in time for the earliest possible occupation of the site by the school it is also proposed that they be granted a licence, at their own risk, to start on the works of construction. The transfer of the site would proceed immediately thereafter once approval has been formally given by Cabinet at its meeting on 15 January.

5. Other options considered

5.1 None.

6. Community impact

6.1 **Crime and disorder impact** *(including Section 17 of the Crime and Disorder Act 1998)*

6.1.1 n/a

6.2 **Diversity and equality impact** *(including the findings of the Equality Impact Assessment)*

6.2.1 n/a

6.3 **Sustainability impact** *(including completing a Sustainability Impact Assessment)*

6.3.1 n/a

6.4 **Other impact** *(any other impacts affecting this report)*

6.4.1 n/a

7. Consultation *(what consultation has been undertaken, and what were the outcomes?)*

7.1 Suffolk County Council and Home of Horseracing Trust.

8. Financial and resource implications *(including asset management implications)*

8.1 As described in the report.

9. Risk/opportunity assessment *(potential hazards or opportunities affecting corporate, service or project objectives)*

Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Land is transferred at less than its value	Medium	There are clear benefits to the Home of Horseracing project from transferring this land, and thereby improving the road access to the site.	Low

10. Legal and policy implications

10.1 n/a

11. Ward(s) affected

11.1 All Newmarket wards.

12. Background papers

12.1 n/a.

13. Documents attached

13.1 None.