

DECISION-MAKER:	CABINET
SUBJECT:	DISPOSAL OF SITE OF FORMER NETLEY COURT SCHOOL
DATE OF DECISION:	6 JUNE 2011
REPORT OF:	THE CABINET MEMBER FOR RESOURCES, LEISURE AND CULTURE

STATEMENT OF CONFIDENTIALITY

Confidential Appendix 2 contains information deemed to be exempt from general publication based on Category 3 of paragraph 10.4 of the Council's Access to Information Procedure Rules. The appendix includes details of a proposed transaction which, if disclosed prior to entering into a Legal contract, could put the Council at a commercial disadvantage. In applying the public interest test it is not considered appropriate to make public the bids received as this could lead to a revision of bids and, in the event of the transaction failing to complete, prejudice re-tendering of the property, therefore reducing the amount receivable by the Council.

BRIEF SUMMARY

This report sets out the results of the marketing of the former Netley Court School site and seeks approval for the acceptance of the recommended tender offer.

RECOMMENDATIONS:

- (i) To approve the sale of the former Netley Court School site to the recommended bidder as set out in Confidential Appendix 2 and to delegate authority to Head of Property and Procurement to negotiate final terms and to accept the next best bid in the event of the selected bidder not proceeding and to continue such process as necessary.
- (ii) That the Head of Legal and Democratic be authorised to enter into any legal documentation necessary in respect of the sale.

REASONS FOR REPORT RECOMMENDATIONS

1. Netley Court School closed in July 2006 and the site is surplus to Council requirements. The disposal of the site enables the Council to realise a significant capital receipt. The receipt has already been set aside as funding for the Children's Services and Learning capital programme.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. The decision to sell the site has already been taken, thus the options are to sell the site to the recommended bidder, sell the site to a different bidder or not to sell at all following this tender and to remarket the site. It is considered that no significant benefit would be gained from remarketing the site as the offer of the recommended bidder realises best consideration.

DETAIL (Including consultation carried out)

3. Netley Court School was formerly a school for primary aged children with learning difficulties. It closed in July 2006 under the SEN Review Programme when the enlarged school was transferred to the new Springwell School in Thornhill. Cabinet approved the principle of the disposal of the site in 2004.

4. Secretary of State consent was received dated 11 October 2004 under section 77 of the School Standards and Framework Act 1998 to the disposal of the playing field land within the property. In addition confirmation was received from DFEE dated 22 March 2004 confirming that Schedule 35A to the Education Act 1996 did not apply to the disposal of Netley Court School as it was a Special School.
5. The property is located outside of the City in the Borough of Eastleigh. The Council is therefore not the relevant Local Planning Authority. It is located on the south side of Victoria Road in Netley overlooking Southampton Water (as shown on the plan at Appendix 1). Buildings on the site comprise the original Victorian building with more modern extensions and outbuildings.
6. The property was originally marketed in 2007 but due to the downturn in the property market no sale was achieved.
7. The property has now been re-marketed and offers invited by way of tender in accordance with the Council's normal sale procedures. Offers were invited subject to planning as this was considered to offer the best opportunity of securing the best price for the site and realising best consideration. 25 bids were received as set out in Confidential Appendix 2.

RESOURCE IMPLICATIONS

Capital/Revenue

8. Council agreed at its May 2003 meeting that the capital receipts generated from the sale of the Netley Court School, and the other SEN schools to be released and sold could be used to support the capital expenditure incurred in implementing the SEN Strategy major capital projects.
9. The disposal of the property will not result in any loss of income to the Council. There are ongoing holding costs in terms of security costs until the property is finally disposed of. These holding costs are being met by the Children's Services and Learning Portfolio, which has a budget for these costs.

Property/Other

10. The disposal of Netley Court School, is reflected in the Corporate Property Strategy as it is property that is surplus to operational requirements.
11. The buildings are currently being used by the Council for the temporary storage of office furniture. Alternative arrangements will be made for the storage of any remaining furniture prior to disposal.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

12. The relevant power of disposal is Section 123 of the Local Government Act 1972.

Other Legal Implications:

13. Not applicable

POLICY FRAMEWORK IMPLICATIONS

14. The disposal of the Netley Court site is in accordance with the SEN strategy and consistent with the Education Development Plan, the Early Years Development and Childcare Plan and the Adult Learning Plan.

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KEY DECISION? Yes/No YES

WARDS/COMMUNITIES AFFECTED:	No wards are directly affected. The SEN Strategy major capital projects affects all wards across the City.
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SUPPORTING DOCUMENTATION

Non-confidential appendices are in the Members’ Rooms and can be accessed on-line

Appendices

1.	Location Plan
2.	Confidential Appendix – Tender Bids

Documents In Members’ Rooms

1.	None
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Integrated Impact Assessment

Do the implications/subject of the report require an Integrated Impact Assessment (IIA) to be carried out.	No
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Other Background Documents

Integrated Impact Assessment and Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	None	
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