

Meeting:	Cabinet
Date:	19 th June 2008
Subject:	Relocation of Belmont Synagogue
Key Decision: (Executive-side only)	Yes
Responsible Officer:	Corporate Director Community and Environment, Andrew Trehern
Portfolio Holder:	Portfolio Holder for Major Contracts and Property, Councillor Tony Ferrari
Exempt:	No
Enclosures:	Appendix 1 – Site Plans 4125 and 4126

Section 1 – Summary and Recommendations

This report sets out the reasons for the relocation of Belmont Synagogue and the proposed rationale for disposal of land at Wemborough Road and the garage block adjacent to the existing synagogue

Recommendations:

The Cabinet is requested to:

Authorise the Corporate Director of Community and Environment Services to

1) Negotiate and conclude at the best consideration reasonably obtainable the disposal of:

A) Land at Wemborough Road adjacent to Cannons Community Centre

B) The garage block in Honister Place adjacent to the synagogue in Vernon Drive

2) Consider and rule on any objections received in connection with the disposal of the land at Wemborough Road following the statutory advertising

- 3) Agree the variation to the terms of the existing lease to Cannons Community Association to facilitate the access arrangements and building of a new synagogue on the adjacent land
- 4) To authorise the Capital receipt from the sale of the Honister Place garages to be used for Affordable homes and regeneration projects.

Reason: (For recommendation)

To generate a capital receipt for the Council, giving value for money in line with the Council's Corporate Priorities (P11) and the Vision for delivering Value for Money. In particular, Capital has a revenue benefit as it reduces the need to borrow and will assist with reducing the predicted shortfall in 2009/10 (11.3). To ensure the ongoing viability of the synagogue.

Section 2 – Report

2.1 Introduction

- 2.1.1 The report proposes the disposal of a property surplus to the Council's requirements thereby generating a capital receipt. This will give value for money in line with the Council's Corporate Priorities (P11) and the Vision for delivering Value for Money. In particular the receipt of Capital has a revenue benefit as it reduces the need to borrow and will assist with reducing the predicted shortfall in 2008/9 (11.3).
- 2.1.2 For the avoidance of doubt this report deals only with property issues and does not in way attempt to pre judge any planning applications which may subsequently be made

2.2 Brief History

- 2.2.1 The council was approached by Belmont Synagogue with regard to their need to relocate from Vernon Drive as a result of the following issues: -
 - The Council is advised that the existing building is very tired and in need of substantial maintenance and that the synagogue does not have funds to invest in the existing synagogue.
 - The entire centre of gravity of the synagogue community has shifted and 90% of the members now live on the Wemborough Road side .The new housing development in Honeypot Lane will provide potential additional membership
 - No new members have joined in over 7 years on the Vernon Drive side.
 - The existing building was designed with the needs of and provision for a kindergarten and Sunday school. The rise of Jewish day schools has led to the closure of Jewish Sunday Schools and the kindergarten and the building no longer match the needs of the communities such as Belmont.
 - The sale of the existing site would fund the acquisition of land and the building of a new fit for purpose synagogue to meet the long terms needs of this community.
- 2.2.2 Adjacent to the Cannons Community Centre in Wemborough Road is an area of council owned land (shown for identification purposes on the attached plan number 4126) currently designated as open space but with

its sole access being via the Bromfield entrance to the cannons community centre. and included within their lease. The council has been advised by the synagogue that The Community Association have indicated to them that they would be prepared to provide rights of access and to surrender part of the land to enable a new synagogue to be built adjacent to the existing community buildings. A variation to the Associations lease from the council would be required to facilitate this.

- 2.2.3 The synagogue are prepared to release and transfer the freehold of an area of land at their existing Vernon Drive location which would: -
- Partly compensate for the loss of open space at Wemborough Road.
 - Provide a link in the "Green Chain "- in a location, which would otherwise remain built on.
- 2.2.4 Adjacent to the existing Vernon drive synagogue there is a block of council owned garages (shown for identification on plan number 4125) which are currently let on monthly tenancies and come within the HRA .The synagogue would like to acquire these to either a) enable a more comprehensive residential development on the total site (subject to planning) and compensate for the loss of parking when part of the existing synagogue car park is released as part of the green chain

2.3 Options considered

1. **Retain the garages at Honister Place and sell land at Wemborough Road**

This would result in a lower capital receipt to the council and a) limit the scale of any residential redevelopment or b) If the property is sold by the synagogue for an alternative D1 use limit the number of, off road parking spaces following the release of part of the existing car park into the green chain
2. **Sell the land at Wemborough Road and the garages at Honister Place**

This would maximise the council's capital receipt and enable the synagogue to relocate (subject to planning) and continue to serve the needs of its members in the longer term. This would be on the basis of a conditional contract subject to planning consent being granted at A) Wemborough Road for a new synagogue B) Vernon Drive for residential redevelopment and C) The Freehold transfer of the Honister Place garages containing either, a restrictive covenant limiting the use to residential in connection with the residential redevelopment of the existing synagogue in Vernon Drive and or the transfer not taking place until the commencement of the residential redevelopment.
3. **Retain the land at Wemborough Road and the garages at Honister Place**

The council would lose the opportunity to receive a capital receipt and the future of the synagogue would be put at risk, and the opportunity to gain a section of the green chain would be lost

2.4 Recommendations

- 2.4.1 That the council proceeds on the basis of option 2 thereby generating a substantial capital receipt, ensuring the synagogue is able to meet the changing needs of its community and to enhance the green chain. The transaction would be subject to the receipt of satisfactory planning consents and the transfer restrictions and process as detailed.

2.5 Financial Implications

- 2.5.1 The garages at Honister Place currently generate a revenue stream for the HRA this would be replaced with a capital receipt
- 2.5.2 The garages at Honister Place currently generate a revenue stream for the HRA this would be replaced with a capital receipt With reference to the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003, the Council is obliged to pay over 50% of the Capital receipts derived from the sale of any other interest in Housing land. With reference to the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003, the Council is obliged to pay over 50% of the Capital receipts derived from the sale of any other interest in Housing land.
- 2.5.3 However, in view of the provisions of paragraphs 12-18 of the said Regulations, the Council can reduce the amounts payable to the Secretary of State under these regulations. The reduction in the amount payable can be determined by the Council and must be used as a contribution towards Affordable Housing or Regeneration projects It should be noted that this can only be used for Affordable Housing or Regeneration projects

2.6 Risk Management Implications

Risk not included in directorate risk register.

- 2.6.1 Negotiations with Cannons Community Association may not come to a satisfactory conclusion
- 2.6.2 Planning consent for the new synagogue is not granted. Any applications will need to be referred to both the GLA and GOL as open space is involved.
- 2.6.3 Belmont synagogue are unable to raise the additional monies required for the development
- 2.6.4 The council may incur abortive legal, surveying and management costs

2.7 Legal Issues

- 2.7.1 The Council has the power to sell the Wemborough Road property under S123 Local Government Act 1972, and the Garages at Honsister Place under Section 32 of the Housing Act 1985
- 2.7.2 The council is required under S123 (2A) to advertise the disposal of the Wemborough Road property for two consecutive weeks and consider any objections received before disposing of the land

- 2.7.3 The Council must obtain the best consideration reasonably obtainable for this property or rely on the general consent issued by the Secretary of State under the local Government Act 1972. If best consideration is not being obtained and the council cannot rely on the general consent, the Council must obtain the ad hoc consent of the Secretary of state for the disposal.
- 2.7.4 In so far as the Garages are concerned the Council is required under the general consent issued by the Secretary of State under S32 of the Housing Act 1985 to achieve the best consideration reasonably obtainable. If this is not obtained the council must obtain the ad hoc consent of the Secretary of State for the disposal.
- 2.7.5 The Council has the power to acquire the synagogue land under section 120 of the Local government Act 1972

2.8 Performance Issues

- 2.8.1 The disposal of this property forms part of the Council's Disposal Programme that is targeted with generating £30m of capital during 2008/09, The disposal of this property forms part of this programme contributing to the target of £30m. Options 1 and 3 do not maximise the potential value for money
- 2.8.2 Option 2 maximises the council's capital receipt and further positively impacts upon Residents satisfaction indicators (Place Survey) by enabling the synagogue to continue to serve the needs of its members in the longer term.
- 2.8.3 Option 2 further impacts upon our programme of green belt management and as such will work towards our meeting the suite of National Indicators around Green Issues.

Section 3 - Statutory Officer Clearance

Name: ...Sheela Thakrar.....	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: ...20 th May 2008.....		
Name: ...Jessica Farmer.....	<input checked="" type="checkbox"/>	on behalf of the* Monitoring Officer
Date: 20 th May 2008		

Section 4 – Performance Officer Clearance

Name: Anu Sing



On behalf of
Divisional Director
(Strategy and Improvement)

Date: ...20th May 2008.....

Section 5 - Contact Details and Background Papers

Contact: Philip Loveland-Cooper – SP Strategic Property Ext: 2877/020 8424 1877 or
Email: - Philip.Loveland-Cooper@Harrow.Gov.Uk

Background Papers:

None