

## **COUNCIL – 14 SEPTEMBER 2023**

### **REPORT OF THE LEADER OF THE COUNCIL**

#### **COUNCIL CONSTITUTION – RULE 46 (WAIVING CALL-IN) PROVISIONS**

I wish to report that the Chair of the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) gave her consent, under Rule 46 (Waiving Call-In) of the Access to Information Procedure Rules set out in the Council's Constitution. The report was in relation to the Disposal of Meadows and ATC Site, Ainsdale, and it was not subject to call-in on the basis that the decision could not be reasonably deferred because of the need to facilitate the completion of the land sale transfer with The Riverside Group as soon as practically possible, which will allow the demolition of existing buildings to commence. The site has been a target for anti-social behaviour with youths causing damage to buildings and nuisance to local residents. It is essential that the buildings are removed as swiftly as possible to remove this public health risk.

#### **CABINET – 27 JULY 2023**

##### **54. Disposal of Ainsdale ATC and Meadows Site, Sandbrook Road, Ainsdale**

The Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services requesting approval to complete the asset disposal of the Meadows/Sandbrook ATC site in Ainsdale to Registered Provider, The Riverside Group. Following the disposal, the site would be redeveloped to provide affordable housing, an extra-care housing scheme, and a learning disabilities and autism short-term assessment unit (STAU), the latter to be owned by the Council.

The report set out the background to the matter and site plans were attached to the report.

##### **Decision(s) Made:**

That

- (1) the sale of the Council's freehold interest in land at Sandbrook Road, Ainsdale, shown edged red on the plan within Appendix 2 of the report, to The Riverside Group on the basis of the Heads of Terms detailed within Appendix 1 of the report, be approved;
- (2) the transfer of the relevant section of the existing highway land, as detailed in Section 4.2 of the report, from The Sovini Group to the Council at a nominal value, which will in turn form part of the wider land sale transfer to The Riverside Group, be approved;
- (3) a supplementary capital estimate in the Adult Social Care capital budget programme of £0.987m to deliver the STAU be approved. This is in addition to the £2.580m that was previously approved by the Council following a recommendation from the Cabinet in September 2021 and is funded by the Better Care Fund – Disabled Facilities Grant (DFG). This development is

within the conditions of the DFG grant that permit the Local Authority to expend a proportion of its allocation on other social care projects;

- (4) the deduction of up to 4% of the eventual capital receipt to cover the professional fees and incidental costs of disposal as set out in Capital Accounting Regulations, be approved;
- (5) authority be delegated to the Executive Director of Adult Social Care and Health, in consultation with the Cabinet Member – Adult Social Care, to approve any design changes to the STAU during the delivery phase and associated cost increases as a result of varying the contract;
- (6) the Chief Legal and Democratic Officer be authorised to complete the necessary legal formalities for the transfer of the section of highway land from The Sovini Group to the Council and in turn dispose of the land shown edged red on the plan within Appendix 2 of the report to The Riverside Group;
- (7) the Chief Legal and Democratic Officer be authorised to complete the necessary legal formalities in relation to the development agreement for The Riverside Group to construct the STAU, on the Council's retained land shown edged red on the plan within Appendix 3 of the report;
- (8) the fact that The Riverside Group's contractor partner will commence site works immediately, and the new Short Term Assessment Unit is anticipated to be fully operational by July 2026, be noted; and

#### **Rule 46**

- (9) it be noted that the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) had given their consent under Rule 46 of the Overview and Scrutiny Procedure Rules for this decision to be treated as urgent and not subject to "call in" on the basis that it cannot be reasonably deferred because of the need to facilitate the completion of the land sale transfer with The Riverside Group as soon as practically possible, which will allow the demolition of existing buildings to commence. The site has been a target for anti-social behaviour with youths causing damage to buildings and nuisance to local residents. It is essential that the buildings are removed as swiftly as possible to remove this public health risk.

#### **Reasons for the Decision(s):**

This property transaction ensured delivery of a new Short Term Assessment Unit and a 90-unit extra care housing scheme that would support strategic aims of Adult Social Care. This project had already been approved by the Cabinet on 29 July 2021.

#### **Alternative Options Considered and Rejected:**

- (i) Option 1 – “*Do nothing*”: do not dispose of the site to Riverside. This would result in no new autism care facility on the site. The Council would continue to utilise current provision and out-of-Borough placements which did not meet its needs and were financially unsustainable. There were also holding costs attached to the vacant assets on the site as well as ongoing anti-social behaviour which required constant review, management and revenue expenditure.

Risk: a continuation of current out-of-Borough placements would mean that the Council continued to incur substantial revenue costs.

- (ii) Option 2 – “*Redevelop the Meadows site for alternative use*”: this might generate a higher capital receipt but leave the Council with having to use existing building-based provision – this had been explored and discounted as an option as refurbishment and redevelopment of several existing care facilities would be at a higher cost and the technology and space standards could not be integrated due to age of buildings. In addition, there would be a need to identify alternative services/placements whilst this happened for an extended period.

Risk: higher capital cost to the Council and refurbishment of older buildings may not meet the stringent care quality standards set by wider NHS partners.

- (iii) Option 3 – “*Design and build of the STAU solely by the Council*”: would have an additional capital impact of £0.75m. By pursuing a partnership approach, the Council would be benefiting from the economies and capacity to deliver the scheme as part of the larger build contract.

Risk: higher capital costs to the Council and there would be additional resourcing requirements. A professional team would need to be procured to lead on technical design and the procurement of building contractor.