

From: Rebecca Spore, Director of Infrastructure

To: Peter Oakford, Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services

Subject: Disposal of Land South of Four Elms, Sevenoaks

Decision Number: 20/00057

Key decision: Expenditure or savings of > £1m

Classification: Public

Electoral Division: Sevenoaks Rural South

Local Member: Peter Lake

Summary: This report sets out the disposal strategy for Land South of Four Elms and the intention to enter into a collaboration agreement with the neighbouring landowner.

Recommendation(s):

The Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services is asked to **ENDORSE** and authorise, **in respect of Kent County Council owned land South of Four Elms in Sevenoaks:**

1. the **Director of Infrastructure** in consultation with the **Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services**, to enter into a Collaboration Agreement with the neighbouring landowner to promote, market and dispose of the site.
2. the **Director of Infrastructure** to enter into the necessary contractual and land agreements required to implement 1 above.

1. Introduction

- 1.1 Kent County Council owns the freehold of Land South of Four Elms in Sevenoaks which has been declared surplus to operational requirements.
- 1.2 This paper seeks authorisation from the Cabinet Member for Finance, Corporate and Traded Services to authorise the Council entering into a collaboration agreement with the adjoining land owner to secure planning across the joint landownerships and following the successful granting of planning permission, market and dispose of the site in accordance with the Council's best value obligations.

2. Background

- 2.1 The disposal is by way of Collaboration Agreement with the neighbouring landowner to jointly seek planning consent for residential-led redevelopment, promote, market and sell a combined site in pursuance of best value to a third party.

3. Options

- 3.1 Kent County Council initially sought to pursue residential allocation and planning consent for the entire site of 5.3ha.
- 3.2 KCC was subsequently approached by the local NHS Trust with a need for a site to construct a medical hub in the area.
- 3.3 A 1.5ha area of the site was sold to the NHS Trust in February 2020. Access rights through the site disposed of to the NHS were retained and detailed to a level which would provide a complaint access from Four Elms to KCC's retained land.
- 3.4 In securing the best value of the subject property, the planning position underpins the value, and in this case, best chance of optimising the planning position is to work in collaboration with the neighbouring landowner to secure the planning position and jointly market the site.

4. Financial Implications

- 4.1 The eventual sale of the property will result in a capital receipt for KCC which will be used to support the Council's Capital Programme.
- 4.2 Revenue costs are minimised due to the structuring of the Collaboration Agreement with consultant fees being initially fronted by the neighbouring landowner.

5. Legal implications

- 5.1 The Collaboration Agreement commits KCC to the eventual sale of the land. This decision specifically seeks consent to both the entering into the Collaboration Agreement and the eventual disposal of the site per the terms of the Collaboration Agreement.

6. Governance

- 6.1 Subject to the Committee's recommendation to the Cabinet Member and the signing of the Decision. The Record of Decision gives authority to the Director of Infrastructure, in consultation with the Cabinet Member for Finance, Corporate and Traded services, to enter into the Collaboration agreement.

6.2 The Collaboration Agreement details the process for the eventual sale of the site, the Record of Decision grants authority to the Director of Infrastructure to sign land agreements relating to the eventual sale of the site.

7. Conclusions

7.1 This paper recommends that the Council enters into a collaboration agreement with the adjoining landowner to progress the planning application and following the grant of planning permission, market and dispose of the site in accordance with the requirements to achieve best consideration in land disposals per s123 of the 1972 Local Government Act.

8. Recommendation(s)

Recommendation(s):

The Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services is asked to **ENDORSE** and authorise, **in respect of Kent County Council owned land South of Four Elms in Sevenoaks:**

1. the **Director of Infrastructure** in consultation with the **Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services**, to enter into a Collaboration Agreement with the neighbouring landowner to promote, market and dispose of the site.
2. the **Director of Infrastructure** to enter into the necessary contractual and land agreements required to implement 1 above.

9. Contact details

Report Author: Alister Fawley, Head of Investment & Disposal Strategy 07703 289 855 Alister.Fawley@kent.gov.uk	Relevant Director: Rebecca Spore Director of Infrastructure 03000 416716 Rebecca.Spore@kent.gov.uk
--	--