

Decision by Portfolio Holder



Report reference: HAC-003-2022/23

Date of report: 4th August 2022

**Epping Forest
District Council**

Portfolio: Housing and Communities – Cllr Holly Whitbread

Author: Rochelle Hoyte (07742 499145) Democratic Services: J Leither

Subject: FORMER PRINCESS OF WALES PUB, 41 WESTALL ROAD, LOUGHTON IG10 2HX

Decision:

1. That the portfolio holder gives the delegated powers to approve the surrender of the lease for the pub at a cost of £687,500 and costs associated including legal fees and subject to completion and VAT.

ADVISORY NOTICE: <i>A Portfolio Holder may not take a decision on a matter on which he/she has declared a Pecuniary interest. A Portfolio Holder with a non-pecuniary interest must declare that interest when exercising delegated powers.</i>	
I have read and approve/ do not approve (delete as appropriate) the above decision:	
Comments/further action required: None	
Signed: Councillor H Whitbread	Date: 8 th August 2022
<i>Non-pecuniary interest declared by Portfolio Holder/ conflict of non-pecuniary interest declared by any other consulted Cabinet Member:</i> None	<i>Dispensation granted by Standards Committee:</i> Yes/No or n/a
Office use only: Call-in period begins: 8 th August 2022	Expiry of Call-in period: 15 th August 2022

**After completion, one copy of this pro forma should be returned to
Democratic Services IMMEDIATELY**

Reason for decision:

The Council is continuing to grow the council house building programme to meet the demand of the housing register as such, we have had to consider all possible opportunities for income to support the continuation of the programme. The Princess of Wales Pub, 41 Westall Road, Loughton Essex IG10 2HX, has not been operating as such for over 4 years. The site has suffered from anti-social behaviour and has been boarded up for many years to try and prevent this. We have recently resecured the site. The business is no longer viable or of interest to the leaseholder and therefore negotiations were had to agree on terms to surrender the lease early and an agreement was reached on the 23rd March between both parties to move forward with the purchase of the leaseholder's interest for the sum of £687,500 through valuation, which I

attach for your reference. The leaseholder paid VAT on the purchase and therefore this is now present in the sale back to us. The reclaim of the VAT is being managed by our appointed Solicitors Pennington Manches. There was a long lease of over 100 years, and this is why we have negotiated at this cost. We have since had several surveys completed including asbestos and contamination to consider any risks, these surveys have not shown anything more than expected for the age of the building. In addition, we have had a massing exercise completed by our architects which provides 3 options for development with the unit potential of 17 units. This site therefore provides a development opportunity with the option for us to also explore SO/ First Homes, generating more income for the district.

The land is already appropriated for the purposes of entering into planning under provisions laid out in S122 of the Local Government Act 1972 and S226 (1)(a) of the Town and Country Planning Act 1990.

Background Report:

None

Procurement rules – sections to be waived:

None

Resource Implications:

This is being managed by the Housing development team and our solicitors at Pennington Manches.

Legal and Governance Implications:

All procurement must take place in line with the Council's Procurement Rules.

Safer, Cleaner and Greener Implications:

All field surveys will be undertaken in accordance with the Council's Safer, Cleaner and Greener agenda.

Consultation Undertaken:

Independent valuations as supplied to support the report

Background Papers:

None

Impact Assessments:

N/A

Risk Management:

None required

Equality Analysis:

The Equality Act 2010 requires that the Public Sector Equality Duty is actively applied in decision-making. This means that the equality information provided to accompany this report is essential reading for all members involved in the consideration of this report. The equality information is provided at Appendix 1 of this report.

Key Decision Reference (Y/N):

N/A