



CRANLEIGH PARISH COUNCIL

Caring for the Community

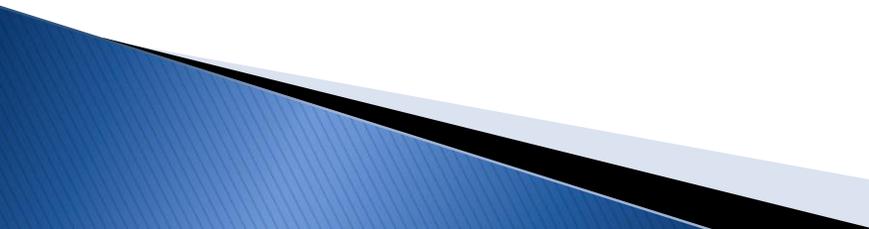


Cranleigh Village Hospital Trust

Beverley Bell FSLCC MIET IEng

06 March 2019

History of Healthcare in Cranleigh

- ▶ 1859 Cottage Hospital opened
 - ▶ War Years Hospital served forces and locals
 - ▶ 1947 Became part of NHS
 - ▶ 1980's Day hospital opened
 - ▶ 2006 New GP surgery decision
 - ▶ 2006 Community beds temporary closure
 - ▶ 2010 14 community beds closed
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Roles of Fundraisers

League of Friends

- ▶ Formed 1949 from Board of Trustees
 - ▶ Objective to raise money for improvement, substantial extensions and new equipment
 - ▶ Company limited by guarantee and registered charity
 - ▶ Never received funds from CVHT
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Roles of Fundraisers

Cranleigh Village Hospital Trust (CVHT)

- ▶ Formed 2001
 - ▶ Main focus in-patient care in the village
 - ▶ Company limited by guarantee and registered charity
 - ▶ Subsidiary CVHT Enterprises Limited created to organise major events
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Sites



Cranleigh Hospital & Health Centre

2001

- ▶ Possible housing development on Paddock Field
- ▶ Offer of larger piece of land in Knowle Lane, the Bruce McKenzie Field (BMF), for exchange with Paddock Field to enable new primary health centre including hospital and GP surgery on Paddock Field and the existing hospital to be turned into a museum

Cranleigh Hospital & Health Centre

2002

- ▶ CVHT launch appeal to raise £2M to build new hospital, operational within 3 years. Hospital to have 14 NHS and 6 private beds, 6 consultant rooms, X-Ray and MRI
- ▶ Principle of land swap agreed by Parish Council (PC). CVHT to pay legal costs of PC.
- ▶ Meetings and negotiations for land swap – trees, access, drainage
- ▶ Option agreement for land swap agreed with Knowle Lane site (BMF) landowner
- ▶ PC appoint District Valuer to value land swap, funded by CVHT

District Valuer Report

- ▶ Paddock Field valuation £250,000 (current value £2.4M in CVHT Accounts)
- ▶ Bruce McKenzie Field valuation £50,000
- ▶ Valuation based on 1864 sqm hospital and 755 sqm health centre over two storeys.
- ▶ DV said if the completed facility is greater than this, the land may be worth more than stated, so there should be a claw back mechanism to protect the Council in this eventuality

Claw Back

- ▶ Valuation report on the land exchange:

Point 9.

The Parish Council should ensure that a clawback provision is inserted in any transfer of the land.... This will protect the Council's interest in the event that the Trust sells the site on at a profit....suggest that the Council should be entitled to 75% of any increase in value of the site on further transfer.

- ▶ District Valuer suggests 75% PC and 25% CVHT profit share on claw back provision if CVHT sells the Paddock Field site for a profit.

Claw Back

- ▶ CVHT surveyor wrote to District Valuer with an alternative suggestion of a restrictive covenant for the benefit of the local community and recreational approved planning policies.
- ▶ DV also suggested an alternative of leasing the Paddock Field on a 999 year lease subject to restrictions on use of land and size of hospital.
- ▶ PC solicitor advised that the restrictive covenant could be agreed closer to the land exchange.

Cranleigh Hospital and Health Centre

2003 – Planning Applications submitted by CVHT

Bruce McKenzie Field

- ▶ WA/2003/1779 Change of use of land to provide sports playing field

Hospital

- ▶ WA/2003/1778 Erection of a replacement Community Hospital and Health Centre

Cranleigh Hospital and Health Centre

2005

- ▶ Strong representations from Cranleigh Parish Council in objection to the proposed closure of the community beds in Cranleigh Hospital
- ▶ Original legal option agreement between CPC and BMF land owner for land swap varied to include CVHT as an additional party to avoid capital gains tax on BMF transfer

Cranleigh Hospital and Health Centre

2005/6

- ▶ Community beds threatened with closure.
- ▶ Keep Cranleigh Hospital Open – CVHT and League of Friends negotiated £189,000 settlement with Primary Care Trust to keep beds open for the remainder of the financial year 09/11/05 – 31/03/06
- ▶ Cranleigh Parish Council donated £10,000 to Keep Cranleigh Hospital Open

Hospital and Health Centre Project Divides

2006

- ▶ GPs parted company with the project due to unacceptable personal liability associated with the project – commence plans for Cranleigh Medical Centre

2008

- ▶ Supplemental Agreement with BMF land owner to extend land swap option agreement from 05/05/08 to 23/08/10

CVHT Project Continues

2009 CVHT Consultation on two options:

1. Demolish old hospital buildings (apart from listed building), build new health centre on this site and commission 6 – 8 beds in nursing homes as near to Cranleigh as possible
2. New Health Centre and outpatients clinic on Paddock Field site including a new nursing home with 6 – 8 NHS beds

PC minutes say GOSE (Government Office for the South East) approved planning application for hospital even though contrary to planning policies as would be a benefit to the community.

Land Swap

2010

PC negotiates the land swap including restrictive covenant on the Paddock Field:

"Not at any time to use the Property for any purpose other than

- (a) for the benefit of the local community; or
- (b) for any recreational use; or
- (c) for any community, social or healthcare purposes

or any combination of such uses, or any use ancillary to such use or uses."

Land Swap

2010 (Continued)

- ▶ In foregoing 14 community beds and accepting 6 – 8 beds, PC request longstop date – hospital to be built within 5 years or land exchanged back
- ▶ 16/07/10 PC most unwilling for land exchange to proceed should only a care home be proposed rather than a new health facility
- ▶ Agreed not to pursue longstop – land not to revert back after 5 years if hospital not built
- ▶ Agreed to vary covenant instead, eventually done 2013 (more on this later)

Land Swap Proceeds

2010

- ▶ PC becomes owner of Bruce McKenzie Field – land locked field with only a right of access over third party land for vehicular access
- ▶ CVHT becomes owner of the Paddock Field for £1 including a right of vehicular access over the Parish Council's Snoxhall Fields recreation ground access road.

Planning Application

2010 CVHT submit two further applications:

Bruce McKenzie Field

WA/2010/1328 Application for a new planning permission to replace extant permission

WA/2003/1779

Community Hospital & Health Centre

WA/2010/0773 To replace extant permission

WA/2003/1778, this application was valid for 3 years.

Planning Application

Bruce McKenzie Field – WA/2010/1328

The Officer's report for the Bruce McKenzie Field planning application refers to the s278 highways agreement for the linked main hospital planning application. This was designed to deal with, in the main, road safety improvements for the crossing from Snoxhall Field to the new Bruce McKenzie Field:

- ▶ 30 mph speed limit with signs and road markings
- ▶ Two priority give ways and narrowing of the lane
- ▶ Pedestrian link

Planning Conditions WA/2010/1328

Bruce McKenzie Field

- ▶ Planning conditions enforceable against the land owner, subject to a 10 year time limit. Applicant was CVHT, land owner is now PC
- ▶ S278 Highways Agreement between SCC, CVHT and the Parish Council includes traffic calming. CVHT agree to indemnify the Parish Council against any losses or liabilities for this 278 agreement
- ▶ WBC Planning Department state traffic calming measures associated with hospital application are unenforceable as proposals never undertaken
- ▶ 12 planning conditions for BMF never discharged, in 2019 WBC now taking planning enforcement action against PC as land owner

Varied Restrictive Covenant

2013

When the covenant was signed it was:

- ▶ Use as a care or nursing home.
- ▶ Any medical or healthcare use.
- ▶ Any community use.
- ▶ Any other use which CPC approves (such approval not to be unreasonably withheld or delayed).

Current Planning Application

WA/2018/1966

80 Bed Care Home including 20 community beds free at point of entry and 26 unit accommodation block.

Parish Council has three roles:

- ▶ Consultee on planning application – through Planning Committee
- ▶ Public interest of parishioners
- ▶ Adjacent landowner

Planning Committee

PC SUPPORTS planning application on Planning Committee Vice Chairman's casting vote (not Chairman of Parish Council), 2 Cllrs on planning committee in favour, 2 against, 2 abstain but raises concerns:

- ▶ As this application will have a major impact on the traffic along Knowle Lane and junction to the High Street PC would like to see SCC consulted further and a scheme to be put in place to make the junction safe for pedestrians crossing and vehicles entering/exiting Knowle Lane.
- ▶ To ensure the accommodation for key workers and residents meets the national space standards.
- ▶ Consideration should be given to the lack of staff amenity space.
- ▶ As there would be a significant effect on the residents of John Wiskar Drive due to noises, light and odours, this should be considered for conditions.
- ▶ As this is currently a green space the amount of hard standing and green space should be considered onsite, with the idea of increasing the green space in the proposals.
- ▶ An appropriate landscaping plan should be agreed with particular consideration given to the boundary of John Wiskar Drive.

Public Interest Test

PC DOES NOT SUPPORT the planning application requires details of the contractual terms for the 26 affordable housing units and definition of key workers.

- ▶ NPPF identifies Essential Local Workers as: Public sector employees who provide frontline services in areas including health, education and community safety – such as NHS staff, teachers, police, firefighters and military personnel, social care and childcare workers.
- ▶ ‘Local’ workers are those employed in essential roles anywhere in the borough of Waverley and not only in a specific parish.

PC as Adjacent Landowner

PC Comments submitted as adjacent landowner:

- ▶ Impact on the Area Strategic Visual Importance (ASVI) and views to and from the playing field and from Village Way
- ▶ Flood risk – the incorrect drawing has been uploaded to the planning portal for the 1000 year flood risk. Concerns were raised that whilst the applicant may have mitigated flooding on their site, it would have a cumulative impact elsewhere in the parish as the water would flow into the watercourses
- ▶ Noise and disturbance from the development – odours, light pollution from 24 hour operation on site, noise impacting the playing pitches and loss of amenity to the recreation ground
- ▶ Highway safety – impact of the development at Berkeley Homes, commercial premises on Knowle Lane and this application on the junction of Knowle Lane and High Street which cannot cope now. Discharge of the prior planning conditions for CVHT planning application WA/2010/1328 for three highway safety improvements on Knowle Lane

Up to Present Day

- ▶ Newly elected Council May 2015
- ▶ Council investigates land swap arrangements, long stop date, deed of variation, access road rights, planning conditions, restrictive covenant
- ▶ PC invites CVHT to meeting 01 June 2017, they say it is too soon, key personnel are unavailable and issue a statement instead.
- ▶ October 2017 CVHT invite PC to exhibition of planning application proposals, but limit invitation to 3 Parish Councillors only
- ▶ CVHT gave an update to PC meeting July 2018 – accommodation block to be funded by donation from benefactor

Up to Present Day

- ▶ CPC Clerk tries to engage with Clinical Commissioning Group in Sept 2018. Response back from CVHT offering Clerk to meet CCG representative at CVHT public consultation event on 11 October 2018
- ▶ CVHT invite the Parish Council to stakeholder consultation on 11 October 2018, but insist on the meeting being private, CPC has to decline invitation, as PC has an adopted policy not to meet developers in private
- ▶ After publication of PC comments on planning application on WBC portal in January this year, CVHT request a meeting within 7 days
- ▶ PC decline meeting whilst awaiting response to letter from its solicitor to CVHT about the restrictive covenant
- ▶ Restrictive covenant legal negotiations continue (fees from 2016 to date £3,030) to ensure community benefit