

REPORT TO CABINET 27 MAY 2010

Title: **HEATHERWOOD AND WEXHAM PARK HOSPITAL NHS FOUNDATION TRUST**

Date: 27 May 2010

Member Reporting: Councillor Simon Dudley

Contact Officer(s): Emma-Jane Brewerton (Property Lawyer – Legal Services)
01628 796021

Wards affected: All

1. SUMMARY

- 1.1.1 The Council received notice dated 11 February 2010 from the Heatherwood and Wexham Park NHS Foundation Trust ('the Trust') of its intention to remove the protected property status against part of the site at Heatherwood Hospital as they consider the land to be surplus land and buildings not required by the Trust for the provision of mandatory goods and services.
- 1.1.2 The mandatory goods and services provided from the proposed un-protected site are identified on the schedule annexed to the notice. The mandatory services provided from the Heatherwood site as a whole include minor injuries, plaster room, day surgery, theatres, oral surgery, orthopaedics, urology, gynaecology, paediatrics, diagnostic services (cardiology, CT, MRS, radiology, physiotherapy, outpatient clinics)
- 1.1.3 An NHS Foundation Trust may not dispose of any protected property without the approval of the regulator (Monitor) pursuant to s45 of the National Health Service Act 2006 and Condition 9(2) of the Trust's Authorisation dated 1 June 2007 ('the Authorisation'). The Authorisation specifies it's protected property (Condition 9) to be property needed for the purposes of providing any of the mandatory goods and services (defined in Condition 7 and listed in Schedule 2 of the Authorisation) including the ancillary services, accommodation and other facilities related thereto and the mandatory training and education (referred to within Condition 7(2) and listed in Schedule 3)
- 1.1.4 The proposed area to be unprotected comprises the land edged red on Plan 1 and Plan 2 and registered under title BK303127 and BK3324 (excluding the land coloured green in title BK303127 and the 'Retained Land' shown coloured blue on Plan 3). The land proposed to be retained at the Heatherwood site in order to provide the mandatory goods and services is shown coloured blue on Plan 3 ('the Retained Land')
- 1.1.5 There is concern that the services provided from the Heatherwood site will not be maintained and it is considered, therefore, that the Council must resist the Trust's application to 'unprotect' the site until such time it is satisfied that the provision of the

mandatory goods and services will be protected and further information provided regarding the Trust's intentions. In addition, the Council may consider making recommendations to the Trust in respect of the ancillary services and external services which do not have mandatory status.

- 1.1.6 This report seeks authority to object to the Trust's application to 'unprotect' the site and make such representation as appropriate to investigate the Trust's proposals with regard to the ancillary services and external leases to protect the Council's local residents' access to such services

2. RECOMMENDATION

That authority be delegated to the Lead Member for Adult & Community Services to make representations to the Heatherwood and Wexham Park Hospital NHS Foundation Trust ('the Trust') in respect of the proposals to remove the protected property status against the property identified in it's notice dated the 11 February 2010 and make representations to the Trust in respect of the ancillary services and external services provided from the Heatherwood site to protect accessibility to the services provided at present for the residents of the Council.

What will be different for residents as a result of this decision?

If the Council does not object to the proposals (and no other objections are received from relevant bodies) the proposals could be considered accepted and the site will no longer have protected status. The NHS Trust will be able to dispose of the site without consent and the continued provision of services from the affected site will be uncertain.

If the Council objects to the proposals to ensure appropriate health services continue to be provided the matter should be referred to and determined by Monitor.

3. SUPPORTING INFORMATION

3.1 Background

- 3.1.1 The Council received notice dated 11 February 2010 from the Heatherwood and Wexham Park NHS Foundation Trust ('the Trust') of its intention to remove the protected property status against part of the site at Heatherwood Hospital as they consider the land to be surplus land and buildings not required by the Trust for the provision of mandatory goods and services.
- 3.1.2 The Trust intend to continue to provide the mandatory goods and services as outlined in the Monitor's Authorisation dated 1 June 2007 from the remaining accommodation within the Retained Land and within the Trust's other locations at Wexham Park Hospital and associated sites.
- 3.1.3 There are a number of additional services provided from the Heatherwood site which

are not classified as 'mandatory' but would also affect the local community if they were to be located outside of the Heatherwood site in the future which services include mental health services and social services.

- 3.1.4 The proposed area to be unprotected comprises the land edged red on Plan 1 and 2 and registered under title BK303127 and BK3324 (excluding the land coloured green in title BK303127 and the Retained Land on Plan 3). The land proposed to be retained is shown coloured blue on Plan 3.
- 3.1.5 The Schedule attached to the notice of the 11 February 2010 refers to the services provided at the Heatherwood Site and their proposed re-location but unfortunately the reference is to 'within the Heatherwood and Wexham Park Hospital Estate' which is uncertain and unclear. The Schedule also identified which services it considers to be mandatory.
- 3.1.6 By way of background it should be noted that assets held by NHS Foundation Trusts for the provision of mandatory goods and services are protected from disposal. If a decision to 'unprotect' land is disputed by a relevant body an NHS Foundation Trust must refer the dispute to Monitor (Independent Regulator of NHS Foundation Trusts). It is understood that the Trust are referring the issue to Monitor.
- 3.1.7 The Council has sought clarification as to the proposed re-location site for mandatory services, ancillary services and external services but the Trust have been unable to provide clarification on this issue to date. The Trust have indicated that it proposes to continue to provide all mandatory services within the Retained Land and that it has no plans to reduce its services but this needs to be confirmed and the relocation area specified.
- 3.1.8 The Council currently occupy a room at Heatherwood Hospital for the purposes of a registrars office pursuant to a licence for a period of 5 years from 6 April 2006 until 5 April 2011. The Trust has indicated that it has no intentions to terminate the licence at this present time. Additional services provided at the site include social services, mental health facilities, nursery, Red Cross, Thames Hospicecare. It should be noted that majority of these services are not specified as mandatory goods and services and clarification on the proposals for the future of these services and where they will be located is required.
- 3.1.9 The Council is keen to protect access to the services provided from the Heatherwood site for the Council's residents served by the Trust. It is considered, therefore, that the Council must resist the Trust's application to 'unprotect' the site until such time it is satisfied that the relocation of the mandatory goods and services are protected. In addition, the Council could make recommendations to the Trust in respect of the ancillary services and external services.
- 3.1.10 The Council has, to date, objected to the proposals to remove protection on the basis that it has not been provided with satisfactory evidence of the Trust's ability to continue to provide the mandatory services on the Retained Land. The Trust are unable at present to confirm their intentions with regard to the site at present but the whole essence of removing the protection enables the Trust to dispose of the land without further consent from Monitor.

3.1.11 Monitor has the ability to determine whether the plans proposed by the Trust should be approved and will apply the following criteria (following an investigation by itself or a third party):-

3.1.11.1 'Monitor will approve the disposal of an asset / removal of protection if the asset is no longer needed to provide mandatory goods and services eg redundancy of an asset, replacement / upgrade of an asset, termination of mandatory provision

3.1.11.2 Monitor may approve the disposal of a protected asset which is needed for the provision of mandatory goods and services if it is satisfied that:

- there is a urgent need to proceed with the disposal (eg as part of a broader re-financing package for a capital programme) and
- alternative arrangements for the provision of the mandatory goods and services have been agreed with other relevant providers

3.1.11.3 In cases of mixed use assets Monitor will approve disposal or removal of protection if it is satisfied that:

on the non-protected part of the asset

- the protected usage is sufficiently separate from the non-protected usage to allow disposal of the latter, without adverse effect on the provision of the mandatory goods and services
- the Trust has access to the protected part of the asset

and

- the disposal or removal of protection will not compromise future service developments related to the provision of mandatory goods and services

On the protected part of the asset

- one or more of the conditions in 3.1.11.1 or 3.1.11.2 are fulfilled'

3.1.12 Ultimately the decision regarding the protection or removal of protection of the site is determined by Monitor but the Council may make such representation as it considers appropriate to protect access to the services currently provided for the benefit of the Council's residents.

3.1.13 Clarification is required as to whether the proposals have been formally presented to the Council of Governors for their consideration.

4. OPTIONS AVAILABLE AND RISK ASSESSMENT

4.1 Options

	Option	Comments	Financial Implications
1.	To do nothing	The Trust's proposals could be deemed accepted (if no other objections were received) and the land would become 'unprotected' and the Trust could dispose of	Revenue Capital

	Option	Comments	Financial Implications
		the land without consent.	
2.	To oppose the proposals	The Trust should notify Monitor with regard to the proposals and seek determination. The Council should seek further information in respect of the proposals to ensure appropriate health services continue to be provided.	Revenue Officer time in preparing objections and ongoing correspondence with the Trust Capital
3.			Revenue Capital

4.2 Risk assessment

- 4.2.1 The main risk associated with the proposals is the impact on local residents and their ability to access the services currently provided. The Trust are unable to provide specific information in respect of the proposed re-location of services or clarification of it's intentions and until such time as the information has been provided the Council must seek to protect the services for the benefit of the Council's residents so far as it is able.

5. CONSULTATIONS CARRIED OUT

- 5.1.1 No formal external consultation has been undertaken but information as to process has been sought from Monitor.

6. COMMENTS FROM THE OVERVIEW AND SCRUTINY PANEL

- 6.1.1

7. IMPLICATIONS

- 7.1.1 The following implications have been addressed where indicated below.

Financial	Legal	Human Rights Act	Planning	Sustainable Development	Diversity & Equality
✓ or N/A	✓ or N/A	✓ or N/A	✓ or N/A	✓ or N/A	✓ or N/A

Background Papers:

Authorisation:

	Legal	Finance	Planning	Property	Procurement	DMT
Name:	EJB					

Date Approved:	27-04-10					
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	Directors Group	Lead Member	Ward Cllrs (if Appropriate)	Leader's Office	Scrutiny Panel
Name:					
Date Approved:					

Protection of Assets

Guidance for NHSFTs

15 October 2004

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1. MONITOR'S DUTIES AND POWERS

Section 16 of the Health and Social Care (Community Health and Standards) Act 2003 (the Act) provides that:

“An NHS Foundation Trust may not dispose of any protected property without the approval of the Regulator. Disposing of property includes disposing of part of it or granting an interest in it.”

Protected property is property designated as protected in the Terms of Authorisation (ToA) of a NHS Foundation Trust (NHSFT). Condition 9 of the ToA defines property as protected if it is required for the purposes of providing either the mandatory goods and services or the mandatory education and training as defined in the ToA ('mandatory goods and services').

Consequently, Monitor - Independent Regulator of NHS Foundation Trusts needs to determine a regime for:

- identifying protected property; and
- deciding on applications either to dispose of protected property or to remove protection.

2. REGULATORY PHILOSOPHY AND APPROACH TO DISPOSALS

Monitor's overall approach to the exercise of its regulatory functions is one of risk management. Monitor must be confident that following authorisation NHSFTs remain legally constituted, financially sustainable, effectively governed and locally representative. As part of this overall approach, NHSFTs need to ensure continued provision of the mandatory goods and services defined in the ToA.

Monitor's philosophy in relation to asset protection and disposals reflects this risk-based approach, and has four key elements:

- focus protection on assets which are required for the delivery of mandatory goods and services, which are most likely to be disposed of, and the disposal of which may significantly affect the provision of mandatory goods and services;
- enable NHSFTs to have flexibility to reconfigure services and assets in response to changing patterns of care, while continuing to provide mandatory goods and services;

- focus regulatory intervention on disputes related to protection or disposal (i.e. not on agreed changes), to maximise local autonomy and minimise administrative burdens on NHSFTs; and
- use the NHSFT's Annual Planning process as the main vehicle for establishing protection and proposing disposals of assets, to simplify the process and further reduce administrative burdens on NHSFTs.

The remainder of this document describes:

- key terms relating to the asset protection regime (section 3);
- the overall process and timetable for asset protection and disposal of protected assets (section 4);
- Monitor's approach to resolving disputes related to the protection of assets (criteria and process) (section 5);
- the approach to treatment of new assets (section 6); and
- public access to the Asset Register (section 7).

3. DEFINITIONS OF KEY TERMS

3.1 Assets

For the purposes of this document, assets are land or buildings owned or leased by the NHSFT. Assets such as equipment, financial assets, cash or intellectual property will not be regarded as assets for this purpose and will not be protected. For the avoidance of doubt, the property referred to in Condition 9 (1) of the Terms of Authorisation, which is to be protected, is limited to land and buildings owned or leased by the NHSFT as defined above.

The rationale for this is that land and buildings are the assets which are most capable of being, and most likely to be, disposed of, and the disposal of which may most affect the NHSFT's ability to provide the mandatory goods and services. Focussing the definition of assets in this way this will help to ensure the protection regime is targeted on key risks and will reduce unnecessary administrative burdens. Any service issues caused by disposal of other categories of assets, e.g. equipment, should be identified through the normal monitoring processes to which NHSFTs are subject (e.g. contract-based reporting to commissioners and inspections by the Healthcare Commission) and do not, in Monitor's current view, require a separate asset protection regime. However, Monitor reserves the right to amend this process if needed, in the light of experience with the regime described in this document.

3.2 Protection

Assets required for the provision of mandatory goods and services are protected. Assets which are not required for mandatory goods and services (e.g. a private wing) are not protected and may be disposed of by NHSFTs without the approval of Monitor.

3.3 Disposal

'Disposal' refers to all types of relinquishing of ownership or control over an asset (or any part of it) including sale, granting of lease, mortgage or other interest. Protection does not extend to cases where the NHSFT has informal arrangements to use a piece of land or building, e.g. loan of premises. The rationale in this case is that the NHSFT cannot dispose freely of an asset it has no title over.

3.4 Mixed use

Mixed use assets are assets which are not used solely for the provision of mandatory goods and services (e.g. buildings used for provision of both NHS and private patient care). Such assets will be protected in full, unless the part of the asset required for non-mandatory goods and services is severable from the others and can be disposed of separately while maintaining access to the protected part.

4. OVERALL PROCESS AND TIMETABLE FOR ASSET PROTECTION AND DISPOSAL

The process for defining and undertaking disposals of protected assets starting from the date of issue of this guidance will be as set out in sections 4.1 to 4.6 below.

4.1 Update of the existing Asset Register

Each NHSFT should update its existing Asset Register to identify separately (a) any land and buildings which in the NHSFT Board's view are not required for the provision of mandatory goods and services, and thus are not protected; and (b) any land and buildings which are currently required for the provision of mandatory goods and services, but are planned for disposal in the current financial year. The Asset Register should make clear that all land and buildings are protected by default, unless specifically excluded. The Asset Register should also clearly explain the treatment of any mixed use assets.

The Asset Register should be updated within one month of the coming into force of this guidance for Wave 1 NHSFTs, or within one month of being authorised for Wave 1A.

NHSFTs should at the same time notify relevant bodies, including, but not limited to, key commissioners that the updated Asset Register is available. Any new land and buildings acquired after this date within the financial year should be added to the Asset Register and classed as protected unless in the NHSFT Board's view they are not required for mandatory goods and services. Similarly, any new proposed disposals should also be included in an updated register and notified to commissioners in the same way.

Monitor expects that in the vast majority of cases any issues relating to the protection or disposal of existing assets will have been addressed in the process of applying for NHSFT status, and that disputes related to the contents of the existing register will therefore be minimal. Should any disputes arise in relation to the treatment of either existing or new assets, the procedure described in section 5 below will apply.

4.2 NHSFT Annual Plan

As part of the overall compliance framework being established by Monitor, all NHSFTs will be required to submit Annual Plans to Monitor as required by Paragraph 27 of Schedule 1 of the Act. The first plans are likely to be required by the end of April 2005. Guidance on the Annual Plan will be provided separately. In relation to asset protection, the Annual Plan should include:

- any proposed changes in the treatment of assets as protected for the 2005-06 financial year, compared to the latest Asset Register (e.g. where service reconfiguration has or will render a building no longer necessary for the provision of mandatory goods and services);
- any proposed disposals of protected assets in the 2005-06 financial year;
- any proposed acquisitions of assets in the 2005-06 financial year, and whether the acquired assets are classed as protected.

4.3 Notification of relevant bodies

NHSFTs will be required to notify publication of their Annual Plans to relevant bodies, including but not limited to key commissioners. In relation to asset protection, the purpose of this notification is to ensure that commissioners are satisfied that any proposed changes in the classification or availability of assets do not endanger the provision of mandatory goods and services. Commissioners, or other relevant bodies, will have 21 days from the date of receipt of the notification to respond to the plans on protection or disposal of assets. If there are no objections, the NHSFT's plans will be treated as approved by Monitor and the NHSFT will be free to reclassify or dispose of the relevant assets. Monitor does not require notification of agreed asset changes.

4.4 Identification of disputes

If commissioners or other relevant bodies object to any of the proposals relating to asset protection and disposal in a NHSFT's Annual Plan (e.g. because they believe that a proposed disposal will jeopardise the delivery of mandatory services), they should notify the NHSFT Board of the objection within the specified timescale and provide the NHSFT with any relevant documentation to support their concerns.

4.5 Submission to Monitor

Where commissioners, or other relevant bodies, have identified an area of dispute to the NHSFT Board, the NHSFT is required to forward the objection and supporting material to Monitor, who will follow the procedure described in section 5 below. The NHSFT should do so within 7 days from the end of the period within which commissioners are required to respond. Pending resolution of the dispute, all relevant assets subject to dispute will be treated as protected and no disposals can take place.

4.6 In-year reclassification, disposals or acquisitions

NHSFTs should follow the process described in sections 4.1 and 4.5 above for any in-year reclassification of assets as protected or non-protected, addition of new assets and disposals of protected assets, when such cases have not been previously addressed in the Annual Plan.

5. MONITOR'S APPROACH TO DISPUTES RELATED TO THE PROTECTION OF ASSETS

5.1 When will Monitor intervene?

Monitor will only intervene in the case of any disputed classification, reclassification or disposal of protected land or buildings as described in sections 4.1 and 4.5 above. Notification of the dispute to Monitor must precede the initiation of any disposal process, e.g. in case of a sale, invitation to declare interest, placement of a public tender etc. The NHSFT can, however, initiate measures needed in preparation for a possible disposal, e.g. undertake valuation, relocate/reconfigure services or enter into preliminary negotiations.

The purpose of the process defined in sections 5.2 to 5.4 below is to determine whether the plans proposed by a NHSFT in relation to asset protection or disposals should be approved and it is not intended as a general dispute resolution procedure or substitute to any contractual arrangements on dispute resolution,

5.2 What criteria will Monitor use to resolve disputes?

Monitor will apply the following criteria in assessing disputes related to asset protection and disposal:

5.2.1 Monitor will approve the disposal of an asset or the removal of protection if the asset is no longer needed to provide mandatory goods and services. Examples include:

- Redundancy of asset (surplus asset)

This refers to either a change in the provision of mandatory goods and services (e.g. through service reconfiguration), or an addition of a new asset, which renders the protected asset redundant

- Replacement/upgrade of asset

This refers to cases when an asset is replaced, e.g. within the context of a wider refurbishment effort, or of securing better leasing terms

- Termination of mandatory provision

This refers to cases when the mandatory provision for which the asset is needed is terminated (e.g. contract expiry)

5.2.2 Monitor may approve the disposal of a protected asset, which is currently needed for the provision of mandatory goods and services, if it is satisfied that:

- there is urgent need to proceed with the disposal (e.g. as part of a broader re-financing package for a capital programme); and

- alternative arrangements for the provision of the mandatory goods and services have been agreed with other relevant providers

5.2.3 In cases of mixed used assets, Monitor will approve disposal or removal of protection if it is satisfied that:

On the non-protected part of the asset

- the protected usage is sufficiently separate from the non-protected usage to allow disposal of the latter, without adverse effect on the provision of the mandatory goods and services;

- the NHSFT has access to the protected part of the asset; and

- the disposal or removal of protection will not compromise future service developments related to the provision of mandatory goods and services.

On the protected part of the asset:

- one or more of the conditions set out in 5.2.1 and 5.2.2 above are fulfilled

5.3 What process will Monitor follow to resolve disputes?

Monitor will decide at the time a dispute is notified whether it will be resolved by (a) Monitor conducting the whole process, including any investigation, and making the determination; or (b) delegating the investigation (or a specific part of it) to a third party, with Monitor taking the final decision. The rationale for this approach is that it provides flexibility for Monitor to make use of third party expertise (e.g. on local service needs) while retaining the final decision on a key policy area affecting NHSFTs. An illustration of the type of information likely to be required is shown in the Appendix. NHSFTs will be notified of the specific information and process requirements within 10 days from the receipt of relevant information by Monitor, so the Appendix should be taken as indicative only at this stage.

5.4 What happens once a dispute is resolved?

Once a dispute is resolved, Monitor may:

- 5.4.1 approve the removal of protection or disposal unconditionally. In this case the NHSFT may proceed with the removal of protection/disposal and must amend the Asset Register accordingly as soon as it is completed;
- 5.4.2 approve any proposed disposal with conditions. Monitor reserves the right to grant approval on conditional terms, e.g. to ensure proceeds of any disposal are used for the purchase of a replacement asset;
- 5.4.3 modify specific parts of the NHSFT's plan. Monitor may take any of the above steps on the NHSFT's proposal as a whole, or on part of it, e.g. agree to removal of protection on selected buildings only;
- 5.4.4 reject the proposed removal of protection or disposal. Monitor may reject the proposal, potentially along with a set of conditions under which the proposal could be accepted in the future.

6. NEW ASSETS

NHSFTs must maintain an up-to-date Asset Register, including any land and buildings acquired or leased in the year. Where a new asset has already been included in the Annual Plan, the NHSFT should simply update its Asset Register

using the classification (protected or not protected) set out in the Annual Plan. Where an asset is acquired which was not included in the Annual Plan (or, for Wave 1 and Wave 1A NHSFTs, is not included in the most recent Asset Register), the procedure outlined in section 4.1 above will apply (i.e. the NHSFT should add the asset to the Asset Register, specify whether or not the asset is protected and notify commissioners).

Where agreed asset disposals take place, the Asset Register should be updated but no separate notification to commissioners is required until the next Annual Plan.

7. PUBLIC ACCESS TO THE ASSET REGISTER

As required by Condition 9 (4) of the Terms of Authorisation, NHSFTs must make the Asset Register available for inspection on payment of such reasonable fee, if any, as each NHSFT may determine. Similarly, a new version should be available for inspection whenever there is a material change of classification between protected and non-protected property, or where a disposal is agreed.

8. CONTACTS AND ENQUIRIES

If a NHSFT has a concern on protection of assets which is not addressed in this guidance, enquiries can be addressed to Monitor at:

enquiries@monitor-nhsft.gov.uk

Monitor - Independent Regulator of NHS Foundation Trusts
4 Matthew Parker Street
London
SW1H 9NL

Submission to Monitor of any disputed disposal or reclassification of protected assets should be directed to:

Kate Moore

Head of Legal Services
Monitor - Independent Regulator of NHS Foundation Trusts
4 Matthew Parker Street
London
SW1H 9NL

Kate.Moore@monitor-nhsft.gov.uk

APPENDIX: INDICATIVE INFORMATION REQUIREMENTS FOR RESOLUTION OF DISPUTES ON ASSET PROTECTION BY MONITOR

The NHSFT is likely to need to provide the following types of information to Monitor where there is a dispute related to removal of protection or disposal of a protected asset:

1. Description of the asset (or part)

2. Type of disposal, e.g. sale, lease, mortgage/granting of interest, if relevant

3. Rationale as applicable, for example:

A. Change in service provision, e.g.

- *Service reconfiguration.* The NHSFT should describe why the change in service configuration means that this asset is no longer needed, e.g. consolidation at a single site of service previously spread across sites
- *Reduction in service levels or change in the way a service is provided,* which renders the asset redundant.
 - In case of service reduction, the NHSFT should include a copy of the completed formal service variation document. If the NHSFT is also applying for a variation of its ToA, the two applications will be handled by Monitor in parallel.
 - In case of change in the form of service provision, the NHSFT should describe how the change has rendered the asset redundant, e.g. through increase in efficiency of use.

B. Renewal/replacement of asset

- The NHSFT should include the proposed plans on replacement (e.g. in case of sale of a building and purchase of a new site) demonstrating that there will be no material gap in the provision of mandatory goods and services as a consequence of the renewal or replacement

C. Termination of service

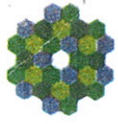
- The NHSFT should submit relevant documentation, e.g. notice of termination. The contract must have been terminated by the time of application to Monitor or, alternatively, Monitor's approval may be conditional on such termination.

4. A written NHSFT Board statement that:

- key commissioners and other relevant bodies have been notified. Such bodies may, for example, include third parties with rights of access to the asset (e.g. mental health NHSFTs making use of a hospital building the NHSFT is applying for permission to dispose of, medical schools);
- all relevant documentation related to the dispute has been attached;
- the proposed disposal does not in the NHSFT's view adversely affect the provision of mandatory goods and services;
- internal standing financial instructions in terms of accountabilities and roles in property disposal have been adhered to; and
- any necessary planning, regulatory or local authority consents or permits have been secured.

5. In the case of a mixed use asset, the NHSFT should also provide information on:

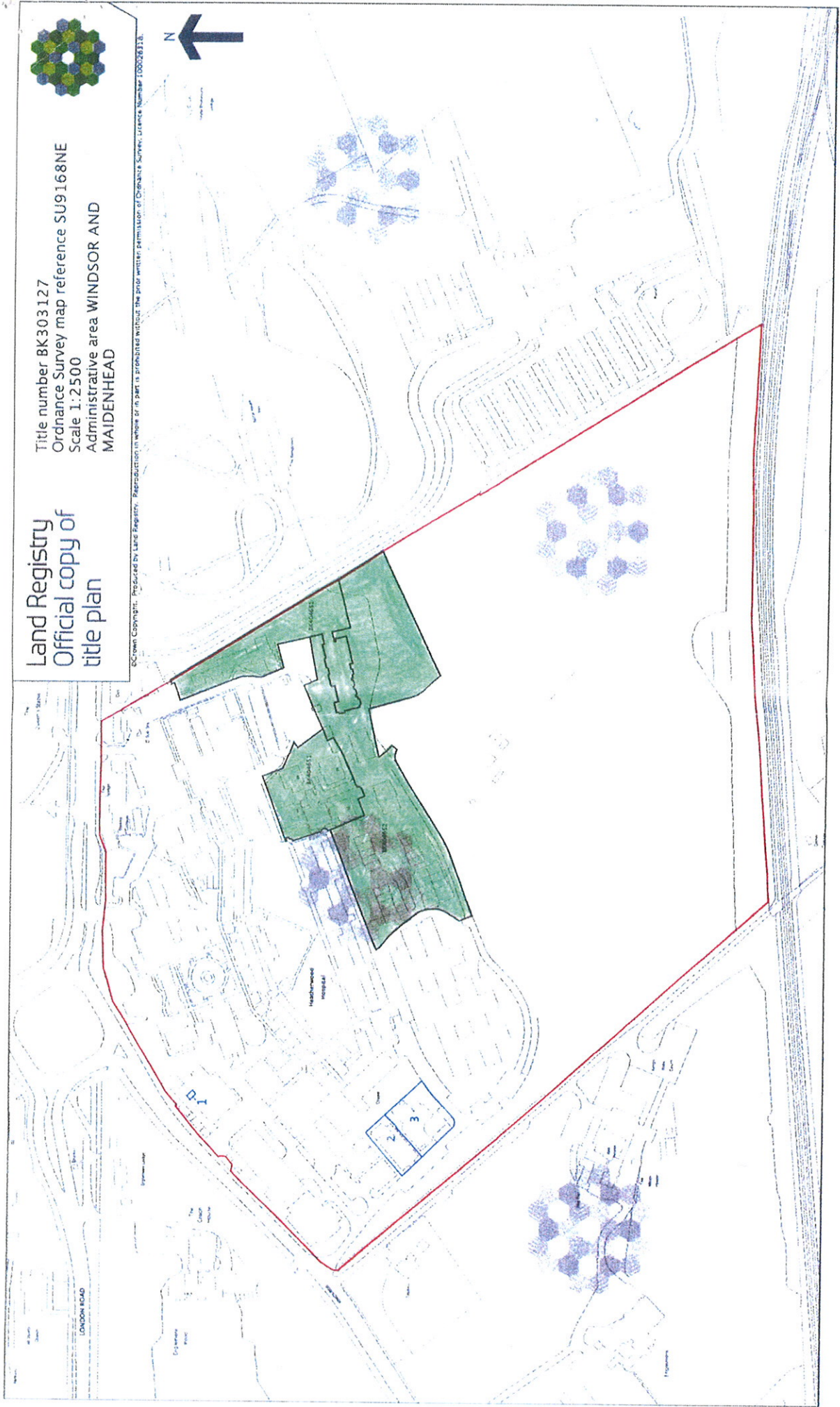
- the severability of the protected and non-protected asset parts;
- any covenants to prevent uses that would be incompatible with the operational use of the retained site;
- maintenance of shared facilities such as access roads and services;
- control over the future use and development of the retained land; and
- creation of any new boundaries and their future maintenance.



Title number BK303127
 Ordnance Survey map reference SU9168NE
 Scale 1:2500
 Administrative area WINDSOR AND
 MAIDENHEAD

Land Registry
 Official copy of
 title plan

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PJG 27 1

Plan 3 - Proposed Retained Land

