

# Report to the Meeting of the Oxford Health NHS Foundation Trust

# Board of Directors

**For Approval**

**BOD 130/2013**

**27 November 2013**

**PCT PROPERTY TRANSFER**

**Executive Summary**

The purpose of this paper is to update the Board of the current status of the Transfer of property from the PCT to Oxford Health.

Following the disestablishment of the PCT’s on 31 March 2013, 12 nr properties were transferred to the Trust, under Schedule 2 of the Transfer Agreement.

Negotiations continue with the CCG with regard to recurrent revenue funding, and there remains a risk that the Trust will face a financial shortfall.

As a requirement of the Transfer Agreement the Trust is required to enter into an option agreement with the Department of Health in relation to the football field adjacent to Wallingford Hospital. Details of the proposed legal document have not yet been agreed, and information is awaited from the Department of Health. There is a risk that the required drafting of the will impact upon the Trusts ability to potentially develop this site.

Under the Transfer Agreement, the ownership of Witney Health Centre to the Trust in error. A variation to the transfer document requires progressing to correct this error. As a result at present the Trust is carrying legal landlord liabilities relating to the Health centre site.

The transfer of these properties has resulted in the following key benefits for the Trust, which are considered to out weight the above risks.

(i) Ability to develop key properties to support the Trust’s clinical strategy and service delivery models (as outlined in the Estates Strategy

(ii) Ability to dispose of properties as required to support service delivery models

(iii) Ability to consider and adopt differing service delivery models, without concern that CCG will require delivery from existing properties (currently if NHS PS properties are not utilised the CCG are required to meet the resultant funding gap)

**Recommendation**

To note the risks and benefits and formally approve the transfer of the properties from the PCT..

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**Lead Executive Director:** Mike McEnaney**,** Finance Director

 [*A risk assessment has been undertaken around the legal issues that this paper presents and there are no issues that need to be referred to the Trust Solicitors.*]