
Cabinet Member for Jobs and Regeneration

5 October 2016

Name of Cabinet Member:

Cabinet Member for Jobs and Regeneration - Councillor J O'Boyle

Director Approving Submission of the report:

Executive Director of Place

Ward(s) affected:

Foleshill, Woodlands, Longford and Henley

Title:

Freehold Disposal of Sites

Is this a key decision?

No – Individual site disposal proceeds will be below the threshold for reporting to Cabinet

Executive Summary:

Council officers are continually reviewing the Council's land holdings. A number of additional sites have been identified as they are either surplus to operational requirements, do not contribute adequately in terms of income, or there is expenditure to maintain or the land is subject to fly tipping and anti-social behaviour. The sites identified in the attached appendix may have the potential to be developed as part of a wider development site, including commercial and garden land uses.

The sites identified are a mix of derelict, overgrown and non-operational sites and do not have any strategic benefits for the Council to retain. The Council acting as planning authority is in principle supportive of the regeneration of the identified sites subject to full consideration by the Council through the planning application process.

In addition to the sites for sale, the Council have obtained possession of 30 Handsworth Crescent, Eastern Green by an Order for Sale from the County Court.

The preferred method of disposal will be via auction, to guarantee the capital receipts which will be received in this financial year. The land that has been considered for 'extended gardens' would be disposed to the adjacent and adjoining residents only.

Council officers will continue to review the Council's commercial property portfolio for opportunities to identify land and buildings that do not adequately contribute to the Council's resources and will bring forward further reports recommending disposal.

Recommendations:

The Cabinet Member for Jobs and Regeneration is recommended to:

1. Approve the freehold disposal of the sites identified in this report by auction or direct negotiation
2. Approve the freehold disposal of 30 Handsworth Crescent by auction following the County Court Order.
3. Delegate authority to the Executive Director of Resources to complete the necessary legal documentation and collect the consideration for the sale.

List of Appendices included:

List of sites & property to be declared surplus

Other useful background papers:

N/A

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Freehold Disposal of Small Surplus Sites

1. Context (or background)

- 1.1 Following a further review of the Council's land holdings, a number of sites have been identified where there are no strategic reasons for the Council to continue to retain them.
- 1.2 The identified sites are a mix of non-operational assets and in some instances are derelict, overgrown and are being used for fly tipping and anti-social behaviour. The subsequent development of these sites may generate requirements for planning obligations to improve the sites.
- 1.3 Following advice from Planning Policy, informal views have been stated within the appendix, one of the identified sites has been included in the Coventry SHLAA (Strategic Housing Land Availability Assessment); the site can be developed as part of a wider development site or considered by its own.
- 1.4 The car park site off Red Lane has recently been the subject of anti-social behaviour, stolen cars were being left abandoned and officers took action to close this car park for vehicles. Residents are still able to access the rear of their properties from the pedestrian gate.
- 1.5 The land to the rear of Merryfields Way is currently leased to the farmer. An outline planning application (ref Out/2016/1965) has been submitted for the adjoining land at Merryfields Way and if the application is approved and the land sold, the tenant will surrender his interest, which will include the land to the rear of Merryfields Way. The residents at Merryfields Way have over the subsequent years expressed an interest in extending their gardens and the future surrender of the tenant's interest will act as the catalyst for the residents to acquire the land
- 1.6 The preferred method of disposal is to submit two sites into auction and consider disposal of land at Merryfields Way by negotiating directly with adjacent and adjoining residents of Merryfields Way in the best interest of the Council. It is expected that the disposals will be concluded this financial year 2016/2017, subject to necessary planning consents being approved.
- 1.7 It is believed that the property, 30 Handsworth Crescent has been empty for over thirty years and the debt to the Council is substantial. It is understood that the debtor is believed to reside in the Middle East and the Council have been unable to trace his whereabouts.
- 1.8 In accordance with the Councils agenda for bringing back empty property, it was considered appropriate to seek an Order for Sale. The County Court awarded the Council possession of 30 Handsworth Crescent in January 2016 and the debtor was allowed a period of 50 days to settle the outstanding balance. The debt was not settled and the Council took possession of the property.
- 1.9 The County Court directed that the Council could not sell 30 Handsworth Crescent for a specified amount.
- 1.10 A list of the sites with site plans identified for disposal is attached as Appendix 1 to this report.
- 1.11 The Assistant Director for Property Asset Management has delegated authority to dispose of property at auction and to agree terms for minor land disposals where the consideration is less than £50,000, in consultation with the Cabinet Member. Rather than submit separate reports for each disposal, one collective report has been produced.

2. Options considered and recommended proposal

- 2.1 Disposal of the sites & property identified** – As specified earlier in the report, the sites do not form any strategic or operational purpose for the Council. The disposal of these sites, which are largely non-performing, will generate capital receipts for this financial year 2016/2017. It is understood that 30 Handsworth Crescent will be sold to repay the outstanding debt. The Council has to dispose of the property as the County Court has granted an Order for Sale.
- 2.2 Continue status quo** – If the identified sites are not declared surplus and released for disposal then there is a lost opportunity to generate a capital receipt for assets serving no strategic or operational purpose. The sites will therefore continue to remain overgrown and derelict and incur intermittent Council expenditure in response to fly tipping or other local anti-social uses.
- 2.3** It is therefore recommended that the sites & property identified are declared surplus and are disposed via auction or direct negotiation.

3. Results of consultation undertaken

Ward Councillors have been notified where an identified site falls within their respective ward area and asked if they wish to submit any further comments.

4. Timetable for implementing this decision

- 4.1** Subject to Cabinet Member approval and necessary planning consents, the sites & 30 Handsworth Crescent will be allocated for disposal in 2016/2017 and considered for auction or disposal through negotiation accordingly.

5. Comments from the Executive Director of Resources

5.1 Financial implications

The capital receipt estimated for the sites has been estimated at £98,000 and will contribute towards corporate resources. It is expected that the disposal will be completed by the end of the financial year

The reserve at auction for 30 Handsworth Crescent will be in accordance with the Court Order for Sale. The capital receipt will pay the outstanding debt owed to the Council with the remainder of the receipt will be held on balance until the owner can be traced.

5.2 Legal implications

The Assistant Director for Property Management and Property Services has delegated authority to dispose of property at auction or direct negotiation and to agree terms for minor land disposals where the consideration is less than £50,000, in consultation with the Cabinet Member.

Officers have confirmed that the disposals at auction or direct negotiation will represent "Best Value" in accordance with the Council's requirements to obtain the best consideration reasonably obtainable pursuant to the provisions of Section 123 of the Local Government Act 1972. The Council is able to proceed with the sale of 30 Handsworth Crescent in accordance with the County Court Order

The Executive Director of Resources (Legal Services) will complete the freehold conveyance/transfers of the sites/property identified in accordance with appropriate procedures and will collect the consideration for the disposals.

6. Other implications

Property Implications

The proposed transactions will dispose of sites that do not serve any strategic use and are therefore surplus to requirements and will contribute towards corporate financial targets as specified in paragraph 5.1 above.

The disposal of 30 Handsworth Crescent will settle the outstanding Council Tax debt owed on the property.

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

The capital receipts will contribute towards corporate resources whilst the disposal of sites will promote their development and support urban regeneration.

The disposal of 30 Handsworth Crescent is in accordance with the Council's agenda to bring back into use empty properties.

6.2 How is risk being managed?

The risks have been identified as per paragraph 2.2 with the loss of potential capital receipts.

6.3 What is the impact on the organisation?

The impact to the organisation will be minimal however it will generate additional work for officers within Resources Directorate (Legal Services) in processing the sales contracts for the auction and dealing with the completion of the sales post-auction.

6.4 Equalities / EIA

An Equality Impact Assessment has not been undertaken as the proposal concerns the disposal of land for redevelopment and no group will be impacted.

6.5 Implications for (or impact on) the environment

The impact will be positive as overgrown, derelict sites will be redeveloped and utilised in a more efficient manner than it currently is.

30 Handsworth Crescent will be occupied and no longer empty or a blight to the residents of Eastern Green.

6.6 Implications for partner organisations?

There are no implications for any partner organisations.

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www.coventry.gov.uk/meetings

Appendix 1

List of sites for disposal

Site Address	Local Ward	Size (Acres)	Potential Plots* (estimated)	Recommendation
No 1: Land off Red Lane Car Park, CV6 5ER	Foleshill	0.177	0	Subject to planning, alternative uses may be considered, obtain approval to dispose at auction.
No 2: Land off Aldermans Green Road, CV2 1PD	Longford	0.156	3	Subject to planning, a range of uses may be considered, obtain approval to dispose at auction.
No 3: Land to rear of Merryfields Way, CV2 2NS	Henley	0.270	0	Subject to planning, obtain approval to negotiate directly with adjacent and adjoining residents of Merryfields Way
No 4. 30 Handsworth Crescent, Eastern Green, CV5 7GE	Woodlands	0.083	0	Obtain approval to dispose at auction.

Site No 1: Land off Red Lane Car Park, Foleshill, CV6 5ER

0.177 acres comprising of hard standing brownfield land, located between residential properties, located off Red Lane, known formerly as Peel Lane Car Park. The land has been subject of fly-tipping, anti-social behaviour and cause of nuisance. Properties that front the land off Red Lane will continue to enjoy pedestrian access to the rear of their properties, vehicle access has subsequently ceased due to the anti-social behaviour problems and costs incurred. The land is managed, maintained and part of Place Directorate portfolio.

Planning Policy Comments

Back land area would be difficult to develop under current local and national policy; development linked to surrounding uses may be a more appropriate use of the land. All enquiries related to planning uses or planning applications for change of use need to be made prior to any sale.




Site No 2: Land off Aldermans Green Road, Longford, CV2 1PD

0.156 acres comprising of overgrown vegetation, situated between residential developments and Wyken Slough Nature Reserve. The land is non-operational and subject of fly-tipping. The land is managed, maintained and part of Place Directorate portfolio.

Planning Policy Comments

This site sits within the SHLAA as part of a shortlisted site. It is likely to require consideration under existing policies relating to the loss of urban green space if developed. It also adjoins the Wyken Slough area of green space which is currently designated as Green Belt but proposed to be redesigned as Local Green Space within the emerging Local Plan. It is also a Local Wildlife Site. Any development proposals would need to ensure appropriate design and setting in relation to this area. In this regard an assessment of onsite trees will also be required to support the planning process. Subject to policy checks, it is recommended that any new proposals are discussed with the planning department prior to any disposal.



<p>PLACES DIRECTORATE CORPORATE PROPERTY SERVICES 9TH FLOOR, CIVIC CENTRE 4 MUCH PARK STREET COVENTRY CV1 2PY 02476 833384</p> 	<p>Aldermans Green Road Scout Hut 0.156 Acres</p> <p>Scale 1:500 Drawn by AW Date 25.07.2016</p>
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Site No 3: Land rear of Merryfields Way, Henley, CV2 2NS

0.270 acres comprising of greenfield land, formerly used for grazing within Elms Farm, situated off Wigston Road and rear of Merryfields Way. An outline application has been submitted for 150 houses and part of this application includes a route to provide an emergency access road (rear of Merryfields Way). On the basis that the emergency access route will divide the land, an opportunity to dispose of some land to adjacent and affected residents became available. The land will be restricted to garden land use only and the residents will be required to pay a consideration and submit a planning application for change of use. The land is managed, maintained and part of Place Directorate portfolio.

Planning Policy Comments

The conversion of land to garden land will require necessary planning permission as it is a change of use.



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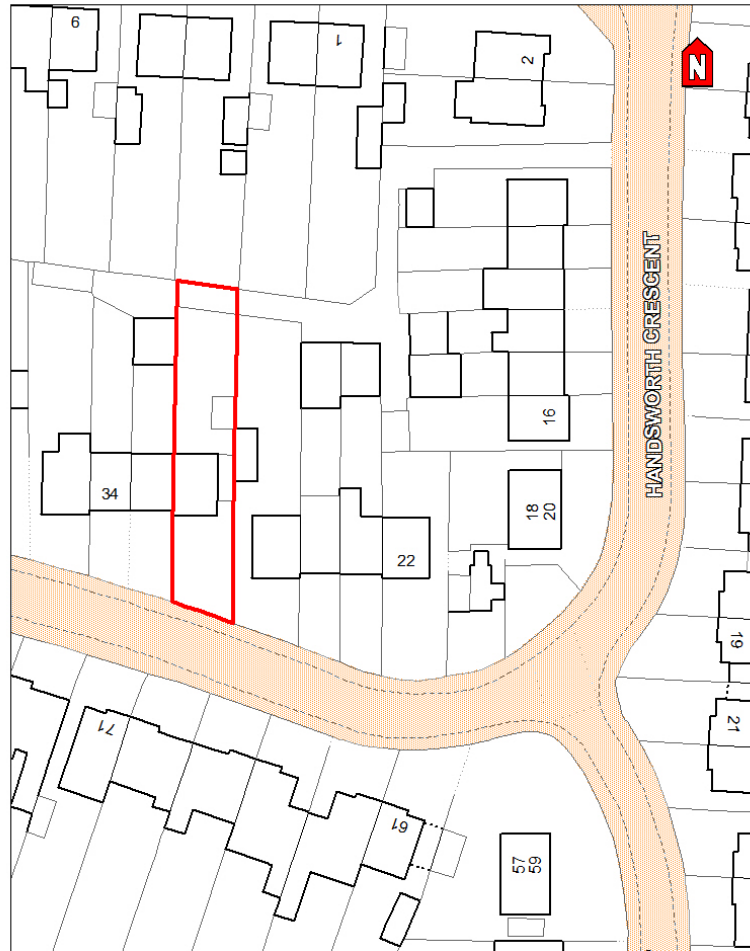
Land to rear of Merryfield Way

Scale 1:500 Drawn by: LPL Date: 18/07/2016
 O.S. Ref. No: 3782 SE LPR- 155-2016

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Site No 4: 30 Handsworth Crescent, Eastern Green, CV5 7GE

0.083 comprising of three bed room end terraced two storey house, built in late 1950's or early 1960's. The property is made of traditional construction with cavity brick faced elevations and surmounted by a pitched concrete interlocking tiled roof. Overall, the property requires extensive repair and further surveys to determine the level of work required.



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30 Handsworth Crescent, Eastern Green CV5 7GE
0.083 Acres

Scale 1:500 Drawn by AW Date 20.09.2016

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