

WIRRAL COUNCIL

DELEGATED DECISION

SUBJECT:	<i>LEASED PROPERTY REVIEW - LAND IN SINGLETON AVENUE & BOROUGH ROAD, OXTON</i>
WARD/S AFFECTED:	<i>OXTON</i>
REPORT OF:	<i>HEAD OF UNIVERSAL AND INFRASTRUCTURE SERVICES</i>
RESPONSIBLE PORTFOLIO HOLDER:	<i>MEMBER FOR CENTRAL & SUPPORT SERVICES - COUNCILLOR ADRIAN JONES</i>
KEY DECISION?	<i>NO</i>

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to declare land in Singleton Avenue and Borough Road, Oxtton as surplus assets and seek authority to dispose of the freehold interest in part to the current lessee of the land and at auction.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 A review has been undertaken in respect of the Council's leased properties to determine whether they should be held by the Council or whether they are surplus to requirements. As part of the review it has been established that the land in Singleton Avenue and Borough Road is not required for Council purposes and is considered appropriate for disposal.
- 2.2 The land in Singleton Avenue and Borough Road was originally purchased as part of a proposed road widening scheme and is shown heavily edged on the attached plan. Part (cross-hatched) is within the boundary wall of Valley Lodge in Borough Road and forms part of the ornamental gardens fronting this former house, now used as a funeral home. The remainder fronts Singleton Avenue and is grassed amenity land, created on demolition of 2 – 6 Singleton Avenue. The Head of Service, Streetscene & Waste has confirmed that both parcels of land are no longer required for Highway purposes and has agreed in principle to disposal.
- 2.3 The land fronting Borough Road was retained on transfer of Valley Lodge to the funeral home business in 1983 and subsequently let with a clause that if it were ever required for a highways scheme the lease could be brought to an end. As this section of land has a long established use and is restrained by its dimensions, it could only be put to practical use as garden associated with Valley Lodge or as part of a highway scheme.
- 2.4 In 2008 the lessee entered into separate leases of the land fronting Singleton Avenue and Borough Road, but on the same basis and for a period of 10 years running concurrently.

2.5 Now that both parcels of land are no longer required for Highways purposes, there is no reason for the Council to retain them. As such, the lessee has agreed to surrender the lease of the land on Singleton Avenue to the Council on the understanding that the freehold title of the land fronting Borough Road is transferred to him at a nominal price (£1). This is deemed to be reasonable given that the Council will thus improve the chances of realising a better capital receipt for the land in Singleton Avenue with vacant possession rather than land encumbered by a lease.

2.6 A sale by auction is considered to be the best way of demonstrating that the best price reasonably obtainable has been achieved for the site at Singleton Avenue, which satisfies s123 of the Local Government Act 1972. Council officers will review and set a reserve for the sale at auction, based on the professional advice of the Auctioneer.

3.0 RELEVANT RISKS

3.1 There is a risk that the land in Singleton Avenue will not sell at auction, however, the Council will only be charged a fee if the sale is successful.

3.2 Sale will remove the risk of the potential liability for any future maintenance of the land in Singleton Avenue – there is a chance that the lessee may decide not to renew the lease of this land.

4.0 OTHER OPTIONS CONSIDERED

4.1 As the land in Singleton Avenue is no longer required by the Council, a sale by auction is considered to be the most appropriate method of disposal.

4.2 Selling both parcels of land on the open market subject to the leases has been disregarded in this instance because selling the Singleton Avenue site with Vacant Possession would improve the chances of realising a better capital receipt.

5.0 CONSULTATION

5.1 The Head of Universal and Infrastructure Services has consulted with other relevant Council departments. In addition, the auctioneer will undertake a promotional exercise to advertise the availability of the land in Singleton Avenue at its auction, which will include promotion through its website and auction catalogue.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

6.1 The land is not considered to be suitable for transfer or disposal to voluntary, community or faith groups, although such groups would be able to bid at the auction.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

7.1 Should the land fronting Singleton Avenue sell at auction, it will generate a receipt and will also remove any potential future liability such as clearing the land of fly tipping. In addition the purchaser will pay the Council 2% of the gavel price, with a minimum of £1,000, towards the Council's fees. If the land does not sell, no costs will be charged to the Council.

7.2 The owner of Valley Lodge has agreed to pay the Council's reasonable costs in surrendering the leases and transferring the land fronting Borough Road to him.

8.0 LEGAL IMPLICATIONS

- 8.1 The disposals will require the preparation of appropriate legal documentation.
- 8.2 A sale by auction is considered to be the best way of demonstrating that the best price reasonably obtainable has been achieved for the site at Singleton Avenue, which satisfies s123 of the Local Government Act 1972.

9.0 EQUALITIES IMPLICATIONS

- 9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?
- No because there is no relevance to equality.

10.0 CARBON REDUCTION IMPLICATIONS

- 10.1 There are no carbon reduction implications arising directly from this report.

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

- 11.1 The land fronting Borough Road currently comprises the front garden and parking area to the funeral home. As there are no proposals to change the use of this land, there are no planning implications arising from the transfer of land fronting Borough Road to the current lessee.
- 11.2 The land at Singleton Avenue forms an open grassed area at the junction with Borough Road. It is currently bounded to the north and west by a brick wall. The site is designated as part of the Primarily Residential Area in the Wirral Unitary Development Plan (UDP), where residential development could be permitted subject to compliance with UDP Policy HS4 'New Housing Development'. The land is also identified in the UDP for Minor Highway Improvements, although the Head of Service, Streetscene & Waste has confirmed the land is no longer required for Highway purposes.

12.0 RECOMMENDATION/S

- 12.1 That the land in Singleton Avenue and the land in Borough Road be declared surplus to requirements following the advice of the Head of Service, Streetscene and Waste that they are no longer required for Highways purposes.
- 12.2 That authority be given to Officers to set a reserve price for the disposal of the land in Singleton Avenue for a future sale through the Council's appointed auctioneer.
- 12.3 That authority be given to dispose of the land fronting Borough Road to the owner of Valley Lodge on the basis described in the report

13.0 REASON/S FOR RECOMMENDATION/S

- 13.1 To make the best use of the council's property assets by declaring the land surplus and to seek authority for a disposal through the Council's appointed auctioneer.

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APPENDICES

Location plan

REFERENCE MATERIAL

No reference material has been used in the preparation of this report.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date