

WIRRAL COUNCIL

DELEGATED DECISION

SUBJECT:	LAND AT GRASSWOOD ROAD, WOODCHURCH
WARD/S AFFECTED:	UPTON
REPORT OF:	DIRECTOR OF BUSINESS SERVICES / ASSISTANT CHIEF EXECUTIVE
RESPONSIBLE PORTFOLIO HOLDER:	HOUSING & COMMUNITY SAFETY - COUNCILLOR GEORGE DAVIES
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to declare the site in Grasswood Road, Woodchurch a surplus asset and seek authority to dispose of the freehold interest at auction.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 The site is located on Grasswood Road, as shown highlighted on the attached plan and comprises an area of approximately 2513sqm (0.62 acres).
- 2.2 Initially, this site along with the site of the adjacent public house was leased on a 99 year peppercorn lease to Yates Castle Brewery Ltd, who operated the licenced premises. In 2009, the Council agreed to sell the freehold of the site of the public house to Unique Pub Properties Ltd, who were operating the premises at the time, in consideration for the freehold of the adjacent land being transferred to the Council.
- 2.3 At that time, residential development of this site was not permitted due to the Council's Interim Housing Policy (October 2005), based on the former Regional Spatial Strategy. Discussions took place for the land to be used as a community garden, however, this did not materialise and the land has remained disused since reverting back to the Council in 2009.
- 2.4 The Interim Housing Policy was revoked by the Council in October 2012 (Council, Minute 60 refers) and now no longer applies. The site has therefore been identified as part of a larger list of sites which have potential to generate capital receipts and the Assets and Capital Group, at its meeting in May 2017, resolved to pursue a disposal of the property.
- 2.5 It is therefore proposed that the property be offered for sale at auction. Council officers will set a reserve prior to auction based on professional advice from the auctioneer. An indicative anticipated sale receipt has been reported to the Assets and Capital Group.

2.6 The site is open to public access. Accordingly a proposed disposal will need to be advertised in the local press in accordance with the Local Government Act. Agreement to disposal on the terms now proposed would be subject to the outcome of the public advertisement period.

3.0 RELEVANT RISKS

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

3.2 The sale will remove the risk of liability for any future maintenance of the site.

4.0 OTHER OPTIONS CONSIDERED

4.1 As the property is not required by the Council, a sale by auction is considered to be the most appropriate method of disposal. Consequently no other options have been considered.

5.0 CONSULTATION

5.1 Officers have been consulted through the Assets and Capital Group. In addition, the auctioneer will undertake a promotional exercise to advertise the availability of the property at its auction, which will include promotion through its website and auction catalogue.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

6.1 Although funding had been identified to create a community garden on the land back in 2009, this did not materialise and the land remained disused.

6.2 There are no implications arising directly from this report in respect of voluntary, other community and faith groups.

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

7.1 Should the property sell at auction, it will generate a receipt and will also remove any potential liability such as clearing the site 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 property does not sell, no costs will be charged to the Council.

7.2 A sale of this site will divest the Council of the liability of owning this site.

7.3 There are no IT or staffing implications arising from this report.

8.0 LEGAL IMPLICATIONS

8.1 The disposal 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, 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 site is designated a part of a Primarily Residential Area in the Unitary Development Plan, where new housing development can be permitted subject to compliance with UDP Policy HS4 'New Housing Development'. Planning applications would also be assessed against the design and amenity criteria set out in the Development Management Policies in the Proposed Submission Draft Core Strategy, which have been approved by the Council as a material consideration for future planning decisions. Should the property sell at auction, the purchaser(s) will need to secure any appropriate planning consent.

12.0 RECOMMENDATION/S

12.1 That the asset be declared surplus and authority be given to its disposal by auction on the terms described.

13.0 REASON/S FOR RECOMMENDATION/S

13.1 To make the best use of the Council's property assets by declaring the property surplus and to seek authority to a disposal by auction.

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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)