

WIRRAL COUNCIL

DELEGATED DECISION

SUBJECT:	POTENTIAL DEVELOPMENT SITE AT HIND STREET, BIRKENHEAD
WARD AFFECTED:	BIRKENHEAD AND TRANMERE
REPORT OF:	CORPORATE DIRECTOR FOR ECONOMIC AND HOUSING GROWTH
RESPONSIBLE PORTFOLIO HOLDER:	CABINET MEMBER FOR HOUSING AND PLANNING
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to seek approval to the acquisition of a development site extending to 2.49 Ha (6.15 acres) located in central Birkenhead for a nominal amount, subject to a clawback/overage agreement.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 The site shown vertically hatched on the attached plan is owned by Homes England and comprises 2.49 Ha (6.15 acres) of open land which originally comprised railway sidings and an Engine Shed.
- 2.2 The Council owns the adjoining site shown horizontally hatched which extends to 0.87 Ha (2.15 acres). This site too is cleared and formerly comprised part of the same Engine Shed along with land which has never been developed due to site level differences.
- 2.3 These two sites when taken together with the remaining land shown on plan within the red edging owned by National Grid may present a major redevelopment opportunity adjoining the Town Centre extending to 7.9 Ha (19.5 acres).
- 2.4 In order to simplify any agreement with any future developer of the neighbouring site as far as possible, Homes England is prepared to sell its interest to the Council to reduce the number of parties to the agreement.
- 2.5 The provisionally agreed terms are as follows:

Vendor

Homes England
Arpley House
110 Birchwood Boulevard
Warrington
WA3 7QH

Tenure

Freehold, to be offered with vacant possession.

Premium

£1.00 (One Pound)

Post Sale Clawback/Overage and Restrictions

The site is currently allocated for employment uses within Use Classes B1, B2 or B8. Post-sale clawback/overage provisions will be triggered by the implementation of any higher value planning use or onward sale within 15 years of the date of transfer.

This will be secured by a positive covenant protected by a restriction on title to be passed on to any successive purchaser of the site during the 15 year term and will be payable on each and every trigger event but subject to any subsequent calculations of clawback taking account of any previous clawback paid.

Fees

Each party is to bear its own fees.

3.0 RELEVANT RISKS

- 3.1 Site security and safety will need to be considered upon purchase to ensure unauthorised access; this will be addressed in due course.
- 3.2 It is likely that given the nature of the site that historic ground contamination may be encountered however this will be appropriately dealt with as part of the redevelopment process.
- 3.3 No increased insurance costs will be incurred upon purchase of this land.
- 3.4 This site will be subject to further reports as development negotiations progress, any risk of development proposals not coming forward will be considered via the project risk management plan.

4.0 OTHER OPTIONS CONSIDERED

- 4.1 None

5.0 CONSULTATION

- 5.1 None

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 6.1 There are no implications for voluntary, community and faith groups.

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

- 7.1 There are no IT or staffing implications arising from this report.
- 7.2 Assembling a larger piece of land to adjoin the existing Council land should be more attractive to any developer of neighbouring land.

8.0 LEGAL IMPLICATIONS

- 8.1 There are no legal implications aside from the need to prepare the appropriate legal conveyancing documentation.

9.0 EQUALITIES IMPLICATIONS

- 9.1 Has the potential impact of your proposal been reviewed with regard to equality?
- No, as there are no implications for equality

10.0 CARBON REDUCTION IMPLICATIONS

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

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

- 11.1 The site is allocated as an Employment Development Site for business uses within Use Classes B1, B2 and B8 under Proposal EM3 (12) in the Wirral Unitary Development Plan (UDP). The site is also identified as being within a Health and Safety Executive Hazard Notification Zone and a Liverpool Airport Safeguard Zone on the Development Management Hazards Map.
- 11.2 Proposals for alternative uses would need to demonstrate that material considerations would outweigh the provisions in the UDP, including compliance with the National Planning Policy Framework and Policy CS17 in the emerging Core Strategy Development Plan. The hazardous substances consent may need to be revoked if a material change in the use of the land to which it relates is to take place.

12.0 RECOMMENDATION

- 12.1 That the Council proceed with the acquisition of the site at Hind Street, Birkenhead from Homes England in order to aid development opportunities and agree an appropriate clawback/overage provision.

13.0 REASON FOR RECOMMENDATION

- 13.1 To enable the site to be acquired and combined with land already owned by the Council with a view to potentially selling it for a greater value to any developer of the neighbouring site.

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APPENDICES

Site plan

REFERENCE MATERIAL

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

SUBJECT HISTORY (last 3 years)

Council Meeting	Date