

## EXECUTIVE MEMBER DECISION FORM

**DECISION TO BE TAKEN BY:** Cabinet Member

**KEY DECISION:** NO

**PORTFOLIO AREA:** Housing and Planning

**PORTFOLIOS AFFECTED:** Finance and Resources

**WARDS AFFECTED:** Upton

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**SUBJECT:** Sale of land at Arrowe Park Road, Upton

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### 1. RECOMMENDATION:

That

1. the public open space land edged red on the attached plan at Arrowe Park Road, Upton (the Site"), be declared surplus to Council requirements;
2. the Corporate Director of Delivery Services/Assistant Chief Executive be authorised to agree a sale of the Site to Lidl GB Ltd. at £820,000 plus fees.
3. the Site is appropriated from primarily residential use to planning purposes pursuant to Section 122 of the Local Government Act (LGA) 1972, and disposed of provided no objections are made.
4. the adopted footpath that runs through the Site is stopped up under Section 247 of the Town and Country Planning Act 1990 if planning consent is granted for the proposed development.
5. if the Site is appropriated as recommended that the Council will advertise the sale of the public open space as required by law
6. any objections to the appropriation and/or disposal be considered and determined by the Corporate Director of Delivery Services/Assistant Chief Executive in consultation with the Portfolio Holder.


### 2. REASONS FOR THE DECISION

To facilitate the sale of land to the discount food operator, Lidl GB Ltd., to enable the Company to assemble a site for the development of a new supermarket and to generate a capital receipt.

### 3. STATEMENT OF COMPLIANCE

The recommendations are made further to legal advice from the Deputy Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been completed. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

### 4. DECLARATION OF INTEREST

<b>Signed:</b>  <b>Executive Member: Janette Williamson</b> <b>Date: 15<sup>th</sup> October 2019</b> <b>Also present:</b>	<b>Signed:</b>  <b>Chief Officer:</b> <b>Date: 16/10/19</b>
<b>Date of Senior Policy Team Meeting(s):</b>	

**A list of background papers on this issue is held with:**

Contact Officer: Tony Simpson

Date: 19.09.2019

**Date of Publication:**

**Date of Expiry of Call-In Period:**