



POLICY AND RESOURCES COMMITTEE

22nd March 2023

REPORT TITLE:	DISPOSAL OF THE FORMER MINISTRY OF DEFENCE LAND ON OLD HALL ROAD, BROMBOROUGH.
REPORT OF:	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

The purpose of this report is to set out a route for the disposal of the former Ministry Of Defence (MOD) land on Old Hall Road Bromborough. The land previously formed part of a portfolio of sites that were bound by an option to purchase in favour of the Wirral Growth Company but under revised arrangements the Council has full unfettered control over the site.

The site has the benefit of an outline residential planning consent which was granted by the Strategic Applications Sub-Committee on 10th November 2022. The use of the MOD land for residential purposes is a change of use from its current employment Unitary Development Plan designation and is aligned with the Council's commitment to use previously used land, where appropriate, to support its Local Plan brown field first aspirations.

The proposal will also play a key part in the Council's ambitious plans for the Borough as set out in the Wirral Plan 2021- 2026, as the redevelopment of brownfield land for new housing development will help to protect Wirral's Green Belt whilst supporting its ambition to create a prosperous inclusive economy where people can get good jobs and fulfil their potential.

As the report is regarding disposal of land which is likely to be sold for more than £500,000, the matter has been referred to the Policy and Resources Committee in line with its Terms of Reference.

The matter affects the Bromborough Ward and is a key decision.

The associated Report of the Director of Regeneration and Place and the full Minutes of the Economy, Regeneration and Housing Committee meeting on 8 March 2023 are appended to this report.

RECOMMENDATIONS

That Policy and Resources Committee is recommended to declare that the former Ministry of Defence, Old Hall Road Bromborough site is surplus to the Council's requirements and that authority be given to the Director of Regeneration and Place to secure its disposal on the best terms achievable.

SUPPORTING INFORMATION

1.0 REASON FOR RECOMMENDATIONS

- 1.1 The recommendations within this report will enable the sale of the MOD site and will facilitate its development for a residential use as per the outline planning consent that has been granted for the land, subject to any subsequent owner securing appropriate reserved matters approval.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Other options have been considered and are included within the minutes of the Economy, Regeneration and Housing Committee and the appended report.

3.0 BACKGROUND INFORMATION

- 3.1 The former MOD land in Bromborough was originally acquired and reclaimed by the Council in 2005 using a combination of European Regional Development Fund (ERDF) and what was then English Partnership grant funding for employment purposes. It later formed part of a portfolio of sites that was to be brought forward for development by Wirral Growth Company. Over the last two years Wirral Growth Company worked up a number of different schemes for the site but given the market failure for employment development across Merseyside, whereby the cost of development is greater than its end value on completion, the projects were unviable without significant grant support. One of the key principles of Wirral Growth Company activity was that profits generated from commercial projects would be recycled back through the company to support sub-commercial projects in other parts of the Borough. Wirral Growth Company applied for outline planning consent for residential use on the site.
- 3.2 On 10th November 2022 the Strategic Applications Sub-Committee granted an outline residential planning consent for up to 248 houses on the land subject to a requirement that any development of the site be accompanied by a section 106 agreement securing amongst other things affordable housing, provision and management of open space enabling highway works and bio-diversity net gain.
- 3.3 The Committee is being asked to give support to declaring the asset surplus to allow it to be sold and re-developed for its consented use.

4.0 FINANCIAL IMPLICATIONS

- 4.1 In accordance with the Council's Constitution the Policy and Resources Committee is charged by full Council to provide a co-ordinating role across all other service committees and retain a 'whole-council' view of performance, budget monitoring and risk management, which includes responsibility for a decision regarding land and property including major acquisition and disposals, which includes reserved decision making concerning any purchase, sale or transfer of a value in excess of, or likely to exceed, £500,000.

5.0 LEGAL IMPLICATIONS

- 5.1 In accordance with Part 3B of Constitution (Committee Terms of Reference), the Policy and Resources Committee has two main areas of responsibility, which is to provide strategic direction to the operation of the Council, including making decisions on policies and co-ordinating spend not reserved to full Council, and to maintain a strategic overview of outcomes, performance, risk management and budgets.
- 5.2 The Policy and Resources Committee is charged by full Council to provide a co-ordinating role across all other service committees and retain a 'whole-council' view of performance, budget monitoring and risk management, which includes responsibility for a decision regarding land and property including major acquisition and disposals, which includes reserved decision making concerning any purchase, sale or transfer of a value in excess of, or likely to exceed, £500,000.
- 5.3 As part of the matter of business that was the subject of the report to Economy, Regeneration and Housing Committee falls under that responsibility reserved to the Policy and Resources Committee, the Economy, Regeneration and Housing Committee's resolution is presented as a recommendation.
- 5.4 As the decision in this matter is the subject of a recommendation from another Committee, the Policy and Resources Committee must take into account the resolution of that Committee and give due regard to the guidance and comments made by its members. The Policy and Resources Committee must not, however, consider itself bound by that Committee's recommendations or otherwise fetter its discretion; its Members must come to their own decision. In doing so, the Committee must satisfy itself that it has been provided with all relevant information or a suitable précis to enable it to comply with its duties and make a lawful decision.
- 5.5 Other legal considerations are as set out in the appended report.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 This report is for information only and does not contain any direct resource implications.

7.0 RELEVANT RISKS

- 7.1 The relevant risks are covered in the original report submitted to the Committee.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 Engagement and Consultation were covered in the original report submitted to the Committee.

9.0 EQUALITY IMPLICATIONS

- 9.1 The Council has a legal requirement to make sure its policies and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment (EIA) is a tool to help Council Services identify steps that they can take to ensure

equality for everyone who might be affected by a particular policy, decision or activity.

- 9.2 A copy of the EIA for Wirral's Economic Strategy were provided in the original report submitted to the Committee.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 Environment and climate implications were covered in the original report submitted to the Committee.

11.0 COMMUNITY WEALTH IMPLICATIONS

- 11.1 Community Wealth implications are covered in the original report submitted to the Committee.

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Senior Democratic Services Officer

APPENDICES:

Appendix 1 Minute Extract

Appendix 2 Full Report

BACKGROUND PAPERS:

Wirral Plan 2021-26

Wirral Unitary Development Plan

TERMS OF REFERENCE

This is a referral report to be considered by the Policy and Resources Committee in accordance with Section B(iv) of its Terms of Reference:

'(b) provide a co-ordinating role across all other service committees and retain a 'whole-council' view of performance, budget monitoring and risk management which includes responsibility for a decision:

... (iv) regarding land and property including major acquisition and disposals, which includes reserved decision making concerning any purchase, sale or transfer of a value in excess of, or likely to exceed, £500,000, unless the Committee has delegated this function in relation to a specified area or business plan as Committee may determine.'

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet sign-off to Partnership Business Plan for Wirral Growth Company	April 2020
Strategic Applications Sub-Committee	10 November 2022

Economy, Regeneration and Housing Committee

8 March 2023