

**Report of :** Head of Property Services  
**Report to :** Chief Asset Management and Regeneration Officer  
**Date:** 24 March 2014  
**Subject:** Land to rear of 20-26 Queen Square, Leeds, LS2 8AF

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	City & Hunslet	
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:	10.4(3)	
Appendix number:	1	

### Summary of main issues

1. The ownership of 21-26 Queen Square was transferred by Leeds City Council to Leeds Polytechnic (now Leeds Metropolitan University [LMU]) in 1992, following the passing of the Further and Higher Education Act 1992.
2. The current owners of 20-26 Queen Square are in the process of agreeing a joint sale to a single purchaser. Legal searches show that none of the subject land had been included in the 1992 transfer, despite various extensions, external staircases and access doors to the rear pre-dating the 1992 transfer.
3. In order to correct the title and to formalise any existing rights, this report now seeks approval to declare land to the rear of 20-26 Queen Square, Leeds, surplus to the Council's requirements and to approve terms, as outlined in the confidential appendix of this report, for its sale on a one to one basis to the owner of 20-26 Queen Square.

### Recommendations

4. It is recommended that approval is given to declare land to the rear of 20-26 Queen Square, Leeds, surplus to the Council's requirements and to approve terms, as outlined in the confidential appendix of this report, for its sale on a one to one basis to the owner of 20-26 Queen Square.

## **1 Purpose of this report**

- 1.1 The purpose of this report is to seek approval to declare land to the rear of 20-26 Queen Square, Leeds, surplus to the Council's requirements and to approve terms, as outlined in the confidential appendix of this report, for its sale on a one to one basis to the owner of 20-26 Queen Square.

## **2 Background information**

- 2.1 The ownership of 21-26 Queen Square was transferred by Leeds City Council to Leeds Polytechnic (now LMU) on 20 August 1992, following the passing of the Further and Higher Education Act 1992.
- 2.2 The current owners of 20-26 Queen Square, which includes LMU, are in the process of agreeing a joint sale to a single purchaser who proposes to convert the premises to residential use. During legal searches, it became clear that none of the land to the rear of the properties (with the exceptions of part of the land to rear of nos. 20 and 21) had been included in the 1992 transfer.
- 2.3 From site inspection, it is clear that the various extensions, external staircases and access doors to the rear of the properties pre-date the 1992 transfer.

## **3 Main issues**

- 3.1 In order to correct the title and to formalise any existing rights, the Council has provisionally agreed terms of the sale of the strip of land, as identified on the attached plan, to the purchaser of 20-26 Queen Square upon the purchaser's acquisition of the properties. The provisionally agreed terms, which are recommended for the approval of the Chief Asset Management and Regeneration Officer, are outlined in the confidential appendix of this report.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 Ward Members were consulted by way of email on 7 February 2014 with regard to the proposal to sell the strip of land to the purchaser of 20-26 Queen Square. Both Councillor Elizabeth Nash and Councillor Patrick Davey replied on the same day to advise that they had no objections to the proposal. No reply was received from Councillor Mohammed Iqbal, so a further email was sent on 19 February 2014 advising that this report would now be submitted and that his Ward Member colleagues had not objected. No subsequent reply has been received.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 This proposal has no specific implications for equality, diversity, cohesion and integration.

### **4.3 Council Policies and City Priorities**

The sale of the land supports the best Council policy of promoting sustainable and inclusive economic growth through facilitating the creation of new houses. The disposal will also support the Council's revenue budgets, which relates to a broad range of corporate policies, plans and strategies.

### **4.4 Resources and Value for Money**

- 4.4.1 The sale of the land will generate revenue and release the Council from future maintenance liabilities.
- 4.4.2 The land is surplus to the Council's requirements and no operational reason has been identified to justify its retention. In these circumstances, its disposal represents prudent and economic asset management, obviating holding costs associated with managing the land and therefore supports best value objectives of the Council.

#### **4.5 Legal Implications, Access to Information and Call In**

- 4.5.1 Under Part 3 Section 3E Paragraph 2(a) of the Council's Constitution (Officer Delegation Scheme (Executive Functions)) the Director of City Development has authority to discharge any function of Executive Board in relation to the management of land (including valuation, acquisition, appropriation, disposal and any other dealings with land or any interest in land) and Asset Management.
- 4.5.2 The Chief Asset Management and Regeneration Officer has authority to take the decisions requested in this report under Executive functions 1 and 10 (specific to the Director of City Development) of the Director of City Development's sub delegation scheme.
- 4.5.3 The proposal constitutes a significant operational decision; it is not subject to call in.
- 4.5.4 The Head of Property Services confirms that the proposed method of disposal set out above is the method most likely to result in the Council achieving the best consideration that can reasonably be obtained under Section 123 of the Local Government Act 1972 (or under the Housing Act 1985).
- 4.5.5 The information contained in the Appendix attached to this report relates to the financial or business affairs of a particular person, and of the Council. This information is not publicly available from the statutory registers of information kept in respect of certain companies and charities. It is considered that since this information was obtained through one to one negotiations for the disposal of the property/land then it is not in the public interest to disclose this information at this point in time. Also it is considered that the release of such information would or would be likely to prejudice the Council's commercial interests in relation to other similar transactions in that prospective purchasers of other similar properties would have access to information about the nature and level of consideration which may prove acceptable to the Council. It is considered that whilst there may be a public interest in disclosure, much of this information will be publicly available from the Land Registry following completion of this transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time. It is therefore considered that this element of the report should be treated as exempt under Rule 10.4.3 of the Access to Information Procedure Rules.

#### **4.6 Risk Management**

- 4.6.1 The risks associated with the proposed disposal are detailed within the confidential appendix attached to this report.

### **5 Conclusions**

- 5.1 The report proposes that approval is given to declare land to the rear of 20-26 Queen Square, Leeds, surplus to the Council's requirements and to approve terms,

as outlined in the confidential appendix of this report, for its sale on a one to one basis to the owner of 20-26 Queen Square.

## **6 Recommendations**

- 6.1 It is recommended that approval be given to declare land to the rear of 20-26 Queen Square, Leeds, surplus to the Council's requirements and to approve terms, as outlined in the confidential appendix of this report, for its sale on a one to one basis to the owner of 20-26 Queen Square.

## **7 Background documents<sup>1</sup>**

- 7.1 None.

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.