

Report of: Property Services

Report to: The Chief Asset Management and Regeneration Officer

Date: 14 July 2014

Subject: 152-154 Pudsey Road, Bramley, Leeds

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Farnley and Wortley	
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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:	10.4(3)	
Appendix number:	1	

Summary of main issues

1. The purpose of this report is to seek approval to declare Site of 152-154 Pudsey Road, Bramley surplus to requirements and to also seek approval to negotiate the sale on a one to one basis with the tenant of the site.
2. The site was let by way of a 60 year lease from 1950 on a nominal fixed rent, the tenant is currently holding over upon the previous terms and has asked if he can purchase the Council's freehold interest in the site.

Recommendations

3. It is recommended that approval be given to declare surplus the site of 152-154 Pudsey Road Bramley and approve the terms for the sale of the freehold interest as set out in the confidential appendix.

1 Purpose of this report

- 1.1 The purpose of this report is to seek approval to declare surplus the site of 152-154 Pudsey Road, Bramley as identified on the attached plan, and to dispose of the property on a one to one basis with the tenant of the site.

2 Background information

- 2.1 The subject site which measures approximately 370sqm(0.09acres), was leased by way of a 60 year lease from 1950 originally to George Kirk paying a fixed rent of £18pa for the purpose of the erection of a House and shop to be used as a greengrocer. The shop unit erected upon the site however has been built with a small flat to the first and second floors.
- 2.2 The Council had the right to place a Police Call Box on part of the site, this is no longer upon the site.
- 2.3 The lease was subsequently transferred to the current tenant in 1958. The current tenant has approached the Council to enquire whether it would sell the freehold interest in the site rather than enter into a new lease , since the Council's tenant is not in occupation , and sublets the premises to a 3rd party.
- 2.4 The subject site forms half of a small block of shops comprising of 4 units in total, 2 single storey units and 2, 3 storey units, the other half of the block are privately owned. The properties are constructed of brick and are currently used as a launderette and bookmakers, the building that the bookmaker's occupy is the single storey unit which was erected upon the site approx. 30 years ago without the consent of the Council.
- 2.5 Due to the limited size of the site it would be impossible to redevelop the site in isolation, other than by a change of use to the existing building's, however these are currently occupied by businesses who would seek compensation from their landlord if their lease was not renewed.

3 Main issues

- 3.1 The site is developed for retail purposes ,the current business's that occupy the site are a bookmakers and launderette together with a flat above the launderette's which is currently being utilised as additional storage by the launderette and forms half of a parade of 4 shop units. The current ground lease which was originally granted in 1950 for 60 years expired in 2010 and the Council's current tenant wishes to acquire the Council's freehold interest.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Ward Members were consulted on 3rd March 2014, 2 members supported the disposal whilst the 3rd has not replied despite a reminder email being sent out on the 18th March 2014.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 There are no equality issues arising from the proposal.

4.3 Council Policies and City Priorities

- 4.3.1 The disposal of the site will generate a capital receipt, it will allow the tenant to inward invest in the site and help support the future of businesses occupying the site.

4.4 Resources and Value for Money

- 4.4.1 The sale of the site will generate a capital receipt. There will only be a minimum rental lost as the tenant only pays a small nominal rent.

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 disposals of land).
- 4.5.2 The Acting Chief Asset Management Officer has authority to take the decisions requested in this report under functions 1 and 10 (d) of the Director of City Development's sub delegation scheme.
- 4.5.3 The proposal constitutes a significant operational decision and therefore 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 terms of the sale will be reported back to panel for the approval by The Acting Chief Asset Management Officer in accordance with the powers delegated by the Director of City Development.

4.6 Risk Management

- 5** The risks associated with the proposed disposal to the tenant are considered to be small as the tenant has approached the Council to acquire the freehold in the site, the tenant has the funds available to him and wishes to acquire the site prior to mid May 2014.**Conclusions**

- 5.1 It is concluded that there is no justifiable reason to retain the site since the Council does not own the other 2 shops in the parade.

6 Recommendations

- 6.1 It is recommended that approval be given to declare surplus the site of 152-154 Pudsey Road Bramley and approve the terms for the sale of the freehold interest as set out in the confidential appendix.

7 Background documents¹

- 7.1 None

¹ 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.