

Agenda Item No:

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**Report of :** Land and Property Services**Report to :** The Director of City Development**Date:****Subject:** The Cottage, Spen Road, West Park, Leeds, LS16

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Weetwood	
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:		
Appendix number:		

## Summary of main issues

1. The Cottage, Spen Road is a vacant former caretaker's house located in the grounds of Lawnswood School adjacent to the rear entrance off Spen Road. This property has been surrendered back to the Council from ESCo, the PFI school operator, as it is no longer required by them. As no alternative Council use has been identified it is proposed to declare the property surplus to requirements and sell it on the open market by way of public auction together with any necessary associated rights of way for access.

## Recommendations

2. It is recommended that the Director of City Development declares The Cottage, Spen Road surplus to the requirements of the Council and offer it for sale on the open market by way of public auction. The reserve price will be agreed by the Head of Land and Property Services prior to the auction in accordance with powers delegated by the Director of City Development.

## **1 Purpose of this report**

- 1.1 The purpose of this report is to seek the approval of the Director of City Development to declare The Cottage, Spen Lane, a vacant former school caretaker's house surplus to the requirements of the Council and to offer it for sale on the open market by way of public auction.

## **2 Background information**

- 2.1 The Cottage, Spen Road, is a vacant former caretaker's house located adjacent to the rear entrance to Lawnswood School as shown edged black on the attached plan together with rights of way for access shown dot hatched. The property was included in the lease of Lawnswood School to ESCo, the PFI contractor which operates the school, but was surrendered back to the Council on 31 March 2011 as it was no longer needed as caretaker accommodation.
- 2.2 This property has been considered as a possible Inclusion Centre for local schools by the North West Leeds Area Inclusion Partnership but due to the costs of converting and maintaining the property it has decided not to pursue its interest.

## **3 Main issues**

- 3.1 The property has been handed over to Civic Enterprise Leeds to manage on behalf of the Council pending its disposal.
- 3.2 No alternative Council use has been identified for the property it is therefore proposed and recommended that it is declared surplus to the Council's requirements and sold by way of public auction, with the reserve price being agreed by the Head of Land and Property Services prior to the auction in accordance with powers delegated by the Director of City Development.
- 3.3 Options relating to the proposal to dispose of this house are considered below:-
- 3.4 Option 1 - Retain the property for Council use. This has been considered but no alternative Council uses have been identified for it. It is therefore not considered appropriate to retain the property.
- 3.5 Option 2 - Dispose of the property by way of auction. This is the recommended option. Due to the nature of the house and its location there is likely to be great interest in its purchase and recent sales of houses by auction has proved successful.
- 3.6 It is recommended that option 2 be pursued.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 Ward Members were consulted on the proposal to sell the property by e-mail and letter on 11 September 2014. All have responded indicating their support to the sale.

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

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

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

- 4.3.1 The sale of this property supports the best council objective and priority of becoming a more efficient and enterprising Council by making the best use of our assets and generating income for the Council. The vacant building and adjacent land will be occupied removing the problems associated with vacant properties.
- 4.3.2 The property will be declared surplus to Council requirements as no operational reason has been identified to justify retention. In these circumstances disposal represents prudent and economic asset management, minimising holding costs associated with managing the property and therefore supports the best council objectives of the Council. The disposal of the property will generate a capital receipt and support both the Departmental objective of generating capital receipts and corporate objectives.

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

- 4.4.1 If the property is sold the Council will cease to be responsible for its current and future maintenance liabilities.
- 4.4.2 A disposal will generate a capital receipt which will support the Capital Programme.

### **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 proposal constitutes a significant operational decision and is not subject to call in.
- 4.5.3 The Head of Land and 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).

### **4.6 Risk Management**

- 4.6.1 Risks associated with the proposal to dispose of the property are considered below:
- 4.6.2 If the property is not sold, the maintenance responsibility will remain with the Council. The building may become a target for vandalism and could become a nuisance and the Council should not delay the sale.
- 4.6.3 The property may not receive acceptable bids at auction and may remain vacant and at risk of vandalism and anti-social behaviour for longer than expected. This is considered unlikely as significant interest is expected in this property. Sales of houses at auction have proved successful and this property is likely to be popular, attract a high level of interest and should sell.

## **5 Conclusions**

- 5.1 The proposed sale should be progressed in order to generate a capital receipt in support of the Council's objectives.

## **6 Recommendations**

- 6.1 It is recommended that The Cottage, Spen Road, West Park, Leeds, LS16 be declared surplus to the Council's requirements and sold on the open market by way of public auction with the reserve price to be agreed by the Head of Land and Property Services prior to auction under powers delegated by the Director of City Development.

## **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.