

Report of : Land and Property Services

Report to : Chief Asset Management and Regeneration Officer

Date: 11 August 2014

Subject: Land at Vickers Street Morley Leeds LS27 0AN

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Morley South	
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 purpose of this report is to seek approval to declare the land at Vickers Street, Morley surplus to Council requirements and to enter into one to one negotiations for sale of the land to the owner of the adjoining property known as Cross Hall Farm.

Recommendations

2. It is recommended that the land at Vickers Street, Morley is declared surplus to Council requirements and that one to one negotiations are undertaken for sale of the land to the owner of the adjoining property known as Cross Hall Farm.
3. In the event that terms are provisionally agreed, then this will be reported to the Director of City Development for approval.

1 Purpose of this report

- 1.1 The purpose of this report is to seek approval to declare the land at Vickers Street, Morley surplus to Council requirements and to enter into one to one negotiations for sale of the land to the owner of the adjoining property known as Cross Hall Farm.

2 Background information

- 2.1 The owner of Cross Hall Farm is currently in occupation of the subject site, and is used for storage of farming implements and as a builder's yard.
- 2.2 The adjoining former Cross Hall Infant School was sold in 2012 and residential conversion thereof is now completed.

3 Main issues

- 3.1 The subject site is shown by black outline on attached plan no. 16824/C. It comprises an area of 113 sq m (1216 sf / 0.028 acres) and was part of a footpath to Fountain Primary School that had been abandoned and was overgrown with rough vegetation.
- 3.2 The adjoining owner has requested to purchase the subject site. It is proposed that negotiations be entered into for the disposal of the land. Further information relating to the current occupation of the land is detailed in the accompanying confidential appendix.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Ward Members were consulted on the proposal on 3 October 2013 and have no objections to the proposal to enter into negotiations for the sale of the subject site.

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 this land will generate a capital receipt which will contribute to the Council's capital and maintenance programme.

4.4 Resources and Value for Money

- 4.4.1 No operational reason has been identified for the Council to retain this land.
- 4.4.2 The sale will alleviate future maintenance issues.

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 therefore not subject to call in.
- 4.5.3 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. The Head of Land and Property 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 This is considered in the attached confidential appendix. The risks associated with the proposal to enter into negotiations are detailed in the confidential appendix.

4.7 Conclusion

- 4.7.1 It can be concluded that negotiations should be entered into for the disposal of the subject site.

5 Recommendations

- 5.1 It is recommended that the land at Vickers Street, Morley is declared surplus to Council requirements and that one to one negotiations are undertaken for sale of the land to the owner of the adjoining property known as Cross Hall Farm.

6 Background documents¹

- 6.1 There are 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.