

Agenda Item No:

Report author: Mike Ross

Tel: 39 51479

**Report of:** Head of Land and Property

**Report to:** Chief Officer Economy and Regeneration

**Date:** September 2016

**Subject:** Land at Breary Lane, (former Rosemont Flats), Bramhope, Leeds 16

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Adel and Wharfedale	
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input 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 site of the former Rosemont Flats was formerly used as a Sheltered Housing scheme operated by Environments and Housing. The property has been declared surplus to operational requirements, vacated and the buildings are in the process of being demolished to leave a secure cleared site. It is proposed to market the site with a covenant restricting the future use to over 55's housing only. Informal offers will be invited by a date to be agreed.

## Recommendations

2. It is recommended that the Director of City Development gives approval to declare the property surplus to Council requirements and to market the site with a restriction that it be used for over 55's housing only. Offers will be invited by a specified date and any offers received will be reported back for consideration.

## 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 land at Breary Lane, Bramhope, Leeds, LS16 surplus to Council requirements and to offer it for sale on the open market by inviting offers by a specified date.

## **2 Background information**

- 2.1 The subject land, as shown on the attached plan, is vested with Environments and Housing and was formerly occupied by a sheltered housing scheme comprising 24 flats. The flats did not meet current standards and the cost of renovation was not considered to be economically viable. The flats have been vacated and following an options appraisal, declared surplus to operational requirements by the Director of Environments and Housing on 18 March 2016. Approval was also given that the cleared site be sold on the open market with a restrictive covenant for the provision of over 55's accommodation. The buildings are in the process of being demolished to leave a cleared site suitable to be re-developed.
- 2.2 The site measures approximately 0.18 Ha (0.45 acres) and slopes down from Breary Lane from where vehicular access is taken. Mature trees are located around the west, north and east boundaries of the site.
- 2.3 Informal planning advice and Technical Information will be included with the marketing details to guide potential purchasers which will indicate potential alternative uses for the site.

## **3 Main issues**

- 3.1 It is proposed and recommended that the site be declared surplus to Council requirements and in accordance with the approval given by the Director of Environments and Housing marketed by inviting offers for the freehold interest, subject to a restrictive covenant limiting the future use to housing for the over 55's only, with offers reported back to the Director of City Development for consideration.
- 3.2 Options relating to the future re-development of the property were considered in the report to the Director of Environments and Housing as detailed below:
  - 1. Re-development of the site by the Council.
  - 2. Site to be sold with restrictions and Council leaseback/purchase arrangement.
  - 3. Site to be sold with a covenant for re-provision of over 55's housing.
  - 4. Site to be sold with no restrictions on future use.
- 3.3 It was recommended and approved that option 3 be pursued.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 Ward Members were consulted by letter and e-mail on 11 August 2016. Two Ward members responded on 11 August 2016 confirming their support for over 55's housing on the site.

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

- 4.2.1 As part of the report to the Director of Environments and Housing an Equality and Diversity/Cohesion and Integration screening document was completed which found that the proposed disposal for over 55's housing was a positive opportunity to provide improved and sustainable homes specifically designed for older people.

- 4.2.2 Marketing details can be made available in large print, computer disk, Braille and audio cassette. They can also be made available in a number of languages.

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

- 4.3.1 The disposal of the site will generate a capital receipt to support the Council's Capital Programme that covers a wide range of Council Policies and City Priorities.

- 4.3.2 The re-development of the subject site supports the Best Council Plan 2015-20 priorities of:

1. Promoting sustainable and inclusive economic growth,
2. Delivering the better lives programme, as well as
3. Contributing to the breakthrough projects of Housing Growth and Making Leeds the best place to grow old.

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

- 4.4.1 If the property is sold the Council will cease to be responsible for the current and future maintenance liabilities of the property.

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

- 4.5.1 Under Part 3, Section 3E(g) of the Council's Constitution (Officer Delegation Scheme (Executive Functions)) the Director of City Development has authority to discharge any function of the Executive in relation to Asset Management.

- 4.5.2 The Chief Officer Economy and Regeneration, Head of Asset Management and Head of Land and Property have authority to take decisions in relation to Asset Management as delegated in the Director of City Development's sub delegation scheme.

- 4.5.3 The proposal constitutes a significant operational decision and is therefore not subject to call in.

- 4.5.4 The proposed method of marketing, with a restriction on the future use of the site for over 55's housing only, will have a reducing effect on the value of the site and offers may be received that, if accepted, mean that the Council will not achieve 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 A purchaser may not be identified and the property may remain vacant for longer than expected. The site will be advertised on the open market and providers of over 55's housing will be targeted to reduce the risk of a purchaser not being identified.

- 4.6.3 Offers may be submitted for unacceptable uses in which case the Council could not proceed to select a purchaser. This risk will be addressed by the inclusion of informal planning advice and technical information about the site in the marketing particulars, which will guide potential purchasers in the preparation of their offers.

## **5 Conclusions**

- 5.1 The proposal to declare the property surplus to Council requirements and market it for over 55's housing should be progressed to generate a capital receipt in support of the Council's capital programme and to provide sustainable homes specifically designed for older people in accordance with the approval granted by the Director of Environments and Housing.

## **6 Recommendations**

- 6.1 It is recommended that the Director of City Development gives approval to declare the property surplus to Council requirements and to market the site with a restriction that it be used for over 55's housing only. Offers will be invited by a specified date and any offers received will be reported back for consideration.

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

- 7.1 None

---

<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.