

Agenda Item No:

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Report of: Head of Land and Property
Report to: Director of City Development
Date: 23 August 2016
Subject: Gardener's Cottage, Lotherton Lane, Aberford, Leeds, LS25 3EB

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Harewood	
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. This report is to seek approval to sell Gardener's Cottage for sale on the open market by auction.
2. Gardener's Cottage has been declared surplus by Parks & Countryside, and the Council has no further use for it.

Recommendations

3. It is recommend that the cottage be:
 - Declared surplus to the Council's requirements,
 - ii) Be sold by auction.

1.0 Purpose of this report

- 1.1 The purpose of this report is to recommend that Gardener's Cottage, Lotherton Hall be sold by auction.

2 Background information

- 2.1 The cottage was formally used to house Parks' employees, and is at present home for a secure tenant. The tenant has expressed his wish to move out as soon as an alternative property becomes available that suits his present needs. Gardener's Cottage is in need of complete renovation.
- 2.2 The house is now surplus to the Council's requirements and no operational use has been found. It was declared surplus to the requirements of Parks & Countryside on 16 December 2014 by the Chief Officer Parks & Countryside, subject to the present secure tenant finding alternative suitable accommodation. The tenant has now found alternative accommodation and will vacate the Cottage no later than the 4 September 2016.
- 2.3 The cottage is part of a group of miscellaneous Council properties that have been identified as low efficiency buildings which are to be sold as they have high maintenance costs, the sale monies is to be ring fenced and used to modernise other services tenants' houses. The proposal was included in the HILS (Housing Investment Land Strategy) report on 10 March 2016 and approved.
- 2.4 The cottage is located on the edge of Lotherton Hall Estate. The cottage is not listed, nor within the curtilage of the Listed Lotherton Chapel or Lotherton Hall. The Cottage, however, falls within the registered area of Lotherton Park and Garden, any re-development of the cottage must be sensitive to the surrounding area.
- 2.5 Planning Services has advised that in principle there would be support for redevelopment of the Cottage or replacing the building, given its lack of architectural quality provided the design was sensitive and in keeping with the surrounding area. Due to a large number of trees surrounding the site, any redevelopment will be limited to a single dwelling house.

3 Corporate Considerations

3.1 Consultation and Engagement

- 3.1.1 Ward Members were consulted by Asset Management prior to the report to AMB advising them of the proposed sale.
- 3.1.2 Ward Members were consulted 11 August 2016 by email advising them of the imminent sale of Gardener's Cottage. Councillor Rachel Procter advised that she would consult Planning Services in relation to the proposal and then send a response, numerous telephone messages have been left at the Conservative office asking for a response, no response has been received. Councillor Ryan Stephenson responded saying he had no comments on the proposed sale. Councillor Robinson responded advising he had no issues with the proposed sale.

3.2 Equality and Diversity / Cohesion and Integration

- 3.2.1 There are no equality issues arising from this proposal.

3.3 Council Policies and City Priorities

3.3.1 The disposal of Gardener's Cottage will contribute to the Council's aim of managing its property portfolio efficiently.

3.4 Resources and Value for Money

3.4.1 The disposal of Gardener's Cottage will generate a receipt and the monies from the sale will be ring fenced and used to upgrade other Service Tenants' houses that are in need of modernisation. The Council's maintenance responsibility will cease.

3.5 Legal Implications, Access to Information and Call In

3.5.1 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.

3.5.2 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.

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

3.5.4 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).

3.6 Risk Management

3.6.1 The risks associated with the proposed disposal are considered below:

3.6.2 If Gardener's Cottage is not sold quickly after the tenant vacates, the maintenance responsibility and associated costs be the responsibility of the Council.

4 Conclusions

4.1 It can be concluded that the Council has no further use for Gardener's Cottage and it should be declared surplus and disposed of.

5 Recommendations

5.1 It is recommend that Gardener's Cottages be:

- i) Declared surplus to the Council's requirements and,
- ii) Offered for sale by auction (with the auction reserve being agreed by the Head of Land & Property on behalf of the Director of City Development).

6 Background documents¹

6.1 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.