

# Disposal of Woodland North of Leeds Road (ELE)

Date: 30 April 2024

Report of: Land and Property

Report to: Chief Officer Asset Management & Regeneration

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

## Brief summary

The subject site was included in an Equalisation Agreement dated 30 July 2021; this agreement directed that the council would sell the site once acceptable terms could be agreed. The required notices have been served on the Council and terms provisionally agreed. Those terms are set out in the confidential appendix that accompanies this report and these can be recommended for acceptance.

## Recommendations

The Chief Officer Asset Management & Regeneration is recommended to approve the terms for the transfer of the subject site in accordance with the Equalisation Agreement that the Council is bound; the terms are set out in a confidential appendix that accompanies this report.

### What is this report about?

- 1 This report is to recommend that the subject site is sold on the terms as set out in the confidential appendix which have been provisionally agreed between the parties.
- 2 By way of background, the subject site was included in previous Executive Board reports relating to the East Leeds Extension; most notably in January 2020 and February 2021. In January 2020, it was recommended and resolved that the council enter into formal one to one negotiation for its land ownerships in the East Leeds Extension with National Volume House Builders. In February 2021, it was recommended and resolved that the council enter in to (1) Equalisation Agreement and (2) Option Agreements in relation to its various land ownerships.
- 3 In July 2021, the necessary agreements were completed. In the Equalisation Agreement, the subject site (of this report) i.e., the Woodland is specifically considered, and the method of its transfer set out.
- 4 In accordance with the Equalisation Agreement, the necessary notices have been served on the council to begin the process of the transfer of the subject site – subject to agreeing the final terms of that transfer.
- 5 This report seeks to now conclude matters by seeking approval to those final terms of the transfer. These terms are set out in the accompanying confidential appendix and can be recommended for acceptance.

## What impact will this proposal have?

- 6 The proposal as set out in this report will help to support the delivery of house building in the East Leeds Extension by way of its use for a drainage solution and greenspace with linking footpaths. The principle of its disposal has already been decided, subject to finalising terms. Terms have now been provisionally agreed (as set out in the confidential appendix) and these can be recommended for acceptance.

## How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 7 The proposal as set out in the report will support the above 2 indicated pillars as its onward use by the purchaser will enable it to be brought forward for wider greenspace use supporting Health & Wellbeing. It will also be used for a drainage solution to assist in housing delivery and as such growth.

## What consultation and engagement has taken place?

Wards affected: Crossgates and Whinmoor

Have ward members been consulted?  Yes  No

- 8 Ward Members (Cllr J Gibson, Cllr J Lennox & Cllr P Grahame) were updated on 21.02.2024. No objections were raised.

## What are the resource implications?

- 9 The recommendation in this report will raise a capital receipt; its implementation will require officer time for those officers working on Est Leeds Extension in both Asset Management and Legal Services.

## What are the key risks and how are they being managed?

- 10 There is a risk that the sale does not complete but this is very minimal in terms of likelihood and impact. If this does not occur, then the site will remain with the council.

## What are the legal implications?

- 11 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.
- 12 The Chief Officer Asset Management and Regeneration, Head of Asset Management and Deputy 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.
- 13 The proposal constitutes a Significant Operational Decision and is therefore not subject to call in.
- 14 The Deputy Head of Land and Property confirms that in their opinion the terms offered to the Council represent the best consideration that can reasonably be obtained under Section 123 of the Local Government Act 1972 (or under the Housing Act 1985).
- 15 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.

## **Options, timescales and measuring success**

### **What other options were considered?**

16 None, the subject site was included in a completed legal arrangement – the Equalisation Agreement – and as such the principle of its sale has been decided.

### **How will success be measured?**

17 Completion of the sale of the subject site.

### **What is the timetable and who will be responsible for implementation?**

18 As soon as possible by Mary Stockton.

## **Appendices**

- One confidential appendix
- Plan – 19100/1Y

## **Background papers**

- None