



**Report of**    **Head of Land and Property**  
**Report to**    **Director of City Development**  
**Date:**        **August 2019**  
**Subject:**     **Land & Buildings at Eastmoor, East Moor Lane, Adel, LS16**

Are specific electoral wards affected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, name(s) of ward(s):	Adel & Wharfedale
Has consultation been carried out?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the decision be open 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:	2

## Summary

### 1. Main issues

- The site of the former Eastmoor Secure Unit is surplus to requirements following construction of the Adel Beck Secure Children's Unit.
- The site was advertised for sale on the open market in 2016, in 2017 a purchaser was selected, however in November 2018, the proposed purchaser withdrew from the sale.
- The site was re-advertised with a revised site boundary that included an additional parcel of land to the south with informal offers being invited by a closing date of the 26<sup>th</sup> July 2019.
- Offers, with associated scheme proposals, were received and have been evaluated. It is recommended that a Preferred Bidder is selected.

### 2. Best Council Plan Implications

- The sale and re-development of the subject site supports the Best Council Plan 2018/19 – 2020/21 Housing priority by creating both new and affordable homes

### 3. Resource Implications

- The sale of the site will realise a capital receipt and remove the responsibility for maintenance of the site and listed buildings from the Council

## **Recommendations**

- a) It is recommended that the Director of City Development approves the sale of the subject site to the selected Preferred Bidder, the details and terms of which are contained within the confidential appendix.

### **1. Purpose of this report**

- 1.1 To present the offers and associated scheme proposals received as a result of the marketing of the subject site and to recommend that the Council's freehold interest be sold to the selected Preferred Bidder under the terms detailed within the confidential appendix.

### **2. Background information**

- 2.1 In July 2013 Executive board approved a recommendation within a report titled 'Housing Investment Land – a Strategic Approach to Delivery' that a disposal programme be developed for Council owned sites in order to contribute towards the delivery of significant housing growth and increase the pace of delivery. The subject site at Eastmoor formed part of this programme as a site appropriate for disposal on the open market. This report was taken as a Key Decision.
- 2.2 In October 2016 the Chief Officer Economy and Regeneration granted approval to advertise the subject site at Eastmoor for sale on the open market. In August 2017 the Chief Officer Economy & Regeneration approved the sale of the site to a selected Preferred Bidder as a result of the marketing exercise.
- 2.3 In September 2018 and February 2019 the Chief Officer of Asset Management & Regeneration, Housing Management and Property & Contracts between them approved a series of recommendations to accommodate the rerouting of the access way to the two existing properties within the site to allow for the whole development to be accessed solely from Eastmoor Lane in line with the Planning Brief for the site. This report was taken as an admin decision.
- 2.4 In November 2018 the selected Preferred Bidder withdrew from the sale of the site for internal reasons.
- 2.5 Following approval from the Chief Officer Asset Management & Regeneration in March 2019, the site was remarketed with a revised sales boundary in June 2019. The revised boundary incorporated an additional 0.94 ha (2.33 acres) of land allocated for housing within the adopted Site Allocation Plan creating a total site area of 4.84 ha (11.98 acres).
- 2.6 Offers have now been received and a Preferred Bidder selected as a result of a robust bid evaluation process.

### **3. Main issues**

- 3.1 Offers and associated scheme proposals have been received for the site. Each have been evaluated in terms compliance with the Planning Brief, Planning Policy, Financial Offer and deliverability.

3.2 The attached confidential appendix and schedule provides a summary of the offers received.

## **4. Corporate considerations**

### **4.1 Consultation and engagement**

4.1.1 Ward Members are very interested in the site and there has been much communication and meetings over recent months and years relating to the disposal and development of the site. Ward Members were contacted most recently on 13<sup>th</sup> August 2019.

4.1.2 Cllr B.Anderson is supportive of the scheme but would like the opportunity to feedback observations prior to the submission of a planning application. This will be accommodated.

4.1.3 Cllr B.Flynn is also supportive of the scheme and would like the opportunity to feedback observations prior to the submission of a planning application and to be kept updated of progress. This will be accommodated.

4.1.4 Cllr C.Anderson has not responded directly but has not raised any concerns following an email briefing.

### **4.2 Equality and diversity / cohesion and integration**

4.2.1 There are no equality, diversity, cohesion and integration issues arising from the proposal to market the site.

4.2.2 Marketing details were advertised as being available in large print, computer disk, Braille and audio cassette, and different languages, if required.

### **4.3 Council policies and the Best Council Plan**

4.3.1 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 sale and re-development of the subject site supports the Best Council Plan 2018/19 – 2020/21 Housing priority by creating both new and affordable homes.

4.3.3 The sale and re-development of the subject site supports the Leeds Inclusive Growth Strategy 'Place' priority of supporting places and communities to respond to economic change by facilitation the building of new houses.

### **4.4 Resources, procurement and value for money**

4.4.1 Sale of the site will realise a capital receipt and remove the responsibility for maintenance of the site and listed buildings from the Council.

### **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 - Asset Management 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 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).
- 4.5.5 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 inviting of best and final offers for the property/land then it is not in the public interest to disclose this information at this point in time as this could lead to random competing bids which would undermine this method of inviting bids and affect the integrity of disposing of property/land by this process. 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 offers 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.

## **4.6 Risk management**

- 4.6.1 See confidential appendix

## **5. Conclusions**

- 5.1 It is concluded that the offer submitted by the Preferred Bidder should be accepted, the terms of which are detailed within the confidential appendix.

## **6. Recommendations**

- 6.1 It is recommended that the Director of City Development approves the sale of the subject site to the selected Preferred Bidder, the details and terms of which are contained within the confidential appendix.

## **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.