

## Land adjacent to 275 Broad Lane, Bramley, LS13

Date: 13 January 2022

Report of: Land and Property

Report to: Chief Officer Asset Management and Regeneration

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

### **What is this report about?**

#### **Including how it contributes to the city's and council's ambitions**

- This report relates to a section of Council-owned hardstanding adjacent to 275 Broad Lane, Bramley, and seeks approval to declare the site surplus to Council requirements and its disposal by public auction.
- Disposal of this site would divest the Council of ownership and maintenance costs and would generate a capital receipt to help support a wide variety of projects as part of the Best Council Plan. Disposal at auction is likely to produce the highest receipt as opposed to a disposal by one-to-one negotiation.

### **Recommendations**

- a) It is recommended that approval be given to declare surplus land adjacent to 275 Broad Lane, Bramley, and its sale by way of public auction.

### **Why is the proposal being put forward?**

- 1 The site, which measures approximately 0.04 hectares (0.1 acres), is presently laid out as a car park having been previously let to the owner of the adjacent former public house. Following the closure of the public house, the car park has remained unused and the site is surplus to Council requirements.
- 2 The site is unallocated in the Site Allocations Plan, however, planning advice received suggests the site may be suitable for residential development of say one to two houses.
- 3 Given the potential alternative use, it is considered the best consideration that could be obtained for the site would be by a disposal on the open market by way of public auction. Whilst some interest has been expressed by the owners of the former public house, which now operates as a funeral director, it is considered that the highest potential capital receipt that could be raised would be through an open market disposal.

## What impact will this proposal have?

### Wards Affected: Bramley & Stanningley

Have ward members been consulted?

Yes

No

- 4 The sale of the site, which is surplus to Council requirements, will generate a capital receipt which shall support the Best Council Plan. It is most likely that the site will be developed for residential use (potentially one to two houses), which will help contribute to the Best City Priority of Housing in the Best Council Plan.

## What consultation and engagement has taken place?

- 5 Councillors Caroline Gruen, Julie Heselwood, Kevin Ritchie were emailed on 5 January 2022 informing them of the Council's intention to dispose of the site by public auction. All responded by email and no concerns were raised.
- 6 The Council's internal Strategic Development Group was consulted on 19 November 2021 and overall was supportive of the proposal.
- 7 The Council's Housing Growth Team have reviewed the site and confirmed that they do not wish to include the subject site in their programme for build; thus releasing it for sale.

## What are the resource implications?

- 8 The land is currently hardstanding which was last used as a car park with the adjacent business premises (275 Broad Lane) when it was operating as a public house. The public house has since closed and the building is now used as a funeral directors. The demand for additional parking is no longer required. Whilst the land requires minimal maintenance, it is the only section of Council-owned land in the area and serves no operational purpose. The proposal, therefore, represents good estate management by maximising income generation and obviating holding costs.

## What are the legal implications?

- 9 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.
- 10 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.
- 11 The proposal constitutes a Significant Operational Decision and is therefore not subject to call in.
- 12 The Deputy 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).

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

- 13 The main risk is that the land does not sell at auction, however this is unlikely given its location and apparent suitability for development. The land to the east of the site was recently developed for housing, which shows that there is demand in this location for in-fill

residential development plots. It is the Council's experience that other similar in-fill residential sites often prove popular at auction. Should the site fail to sell at auction, the site could be offered by way of offers on the open market or negotiations could be had with the adjacent funeral directors' business to either lease or sell the site to them.

### **Does this proposal support the council's 3 Key Pillars?**

Inclusive Growth       Health and Wellbeing       Climate Emergency

- 14 The proposal could potentially facilitate new housing and making the area more visibly appealing which would support the health and wellbeing of the local residents as well as supporting the inclusive growth pillar. The site is currently brownfield so development would not impact on any green space which supports the climate emergency, and all new houses would be constructed in accordance with the latest guidance on energy efficiency and sustainable development.

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

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

- 15 To sell/lease the site to the adjacent property, however given the alternative use value is likely to be higher than car parking values this method would not realise best consideration.
- 16 Not to sell the land, however this is not recommended as there is no justifiable reason to retain the land.
- 17 To sell the land on the open market by way of offers. Whilst this method would also satisfy best consideration requirements, given that offers may be conditional on planning there is a risk that interested parties may either withdraw or reduce their offer during the process. An auction sale not only meets best consideration requirements but provides a quick receipt to the Council.

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

- 18 Success will be measured by disposal of the site at auction.

#### **c) What is the timetable for implementation?**

- 19 Proposed auction date 27 April 2022. Proposed completion by 26 May 2022.

### **Appendices**

- 20 None.

### **Background papers**

- 21 None.