

Land at Wyther Lane, Kirkstall, LS5 3BT

Date: 22nd December 2022

Report of: Land & 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

Brief summary

- 1 This report seeks approval to purchase a small level plot of land to construct a pumping station as part of the Flood Alleviation Scheme (FAS) 2 project to prevent flooding across the wider Aire Valley.
- 2 No other suitable alternative sites have been identified and the owner is a willing seller.

Recommendations

- a) That approval be given to purchase the land by private treaty from the owner identified in the confidential appendix.

What is this report about?

- 1 This report relates to the purchase of a property, for the construction, during 2023/24 of a pumping station in accordance with the FAS 2 programme being driven by Highways Department. Highways are satisfied with the ground conditions of the site.

What impact will this proposal have?

The pumping station will serve to improve water discharge capacity during periods of high rainfall and generally outflow from the River Aire in the locality, thereby contributing largely to the FAS 2 flood defence works being undertaken in the Aire Valley by the Council on behalf of The Environment Agency.

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

- Health and Wellbeing Inclusive Growth Zero Carbon

- 2 The purchase of the property will contribute to the delivery of FAS2, a capital project which will prevent flooding in the local area, support communities and promote sustainable and inclusive economic growth.

What consultation and engagement has taken place?

Wards affected: Armley

Have ward members been consulted? Yes No

- 3 The Ward Members were emailed on 22nd December 2022, informing them of the Council's intention to purchase the site. No comments were received.

What are the resource implications?

- 4 The funding required for the purchase of the property is included within approved capital budget and operational requirements for FAS 2. In these circumstances, its acquisition represents prudent and economic asset management, therefore supports the best value objectives of the Council.

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

- 5 The main risk is that the purchase does not, for whatever reason, proceed to completion. In that instance, either an alternative site would need to be identified for the pumping station or a Compulsory Purchase Order would have to be made to acquire the site.

What are the legal implications?

- 6 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.
- 7 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.
- 8 The proposal constitutes a Significant Operational Decision and is therefore not subject to call in. Appendix 2 to this report has been marked as exempt under Access to Information Procedure Rules 10.4 (3). The information contained in the exempt appendix relates to the financial and business affairs of the Council and other parties. It is considered that 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.
- 9 A valuation of the land has been undertaken by an internal RICS (Royal Institution of Chartered Surveyors) Registered Valuer acting on behalf of the Council. This valuation has been reviewed by Land and Property Officers and is considered to represent an opinion of market value in accordance with Royal Institution of Chartered Surveyors - Valuation (RICS (Royal Institution of Chartered Surveyors)) Global Standards 2019 (Effective from 31 January 2020).

Options, timescales and measuring success

What other options were considered?

- 10 As the economic life of the pumping station to be constructed at the property is 100 years, it would be economically unviable to enter into an occupational lease of that length. In any event, the owner of the land is only prepared to agree a sale not a lease.

How will success be measured?

11 Success will be measured by way of the completion of the purchase of the property which will permit the construction of the pumping station to alleviate the risk of flooding in the Aire Valley.

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

12 Terms have been agreed for the purchase of the property as set out in the confidential appendix and this includes anticipated timings and any related conditions.

Appendices

- Appendix 1 – site plan.
- Confidential Appendix

Background papers

- None