

Public Document Pack

# Officer Decision Making

Thursday, 6th December, 2012  
at 12.00 pm

**PLEASE NOTE TIME OF MEETING**

Members Meeting Room

This meeting is not open to the public

## **Decision Maker**

Senior Manager - Property, Procurement and  
Contract Manager

## **Contacts**

Democratic Support Officer

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## AGENDA

Agendas and papers are available via the Council's website

### 1 **\*DISPOSAL OF LAND AT INKERMAN ROAD**

Report of the Property Asset Manager – Property and Procurement to approve the terms and conditions for the sale of the Council's freehold interest of a property in Inkerman Road, attached.

**NOTE:**

Appendix 2 to this report contains confidential information deemed to be exempt from general publication based on Category 3 of Paragraph 10.4 of the Council's Access to Information Procedure Rules. The appendix includes details of a proposed transaction which, if disclosed prior to entering into a contract, could put the Council at a commercial disadvantage. In applying the public interest test it is not considered appropriate to publish this information as it could influence bids for a property which may be to the Council's financial detriment.

Wednesday, 28 November 2012

HEAD OF LEGAL, HR AND DEMOCRATIC SERVICES

|                          |   |
|--------------------------|---|
| <b>DECISION-MAKER:</b>   | SENIOR MANAGER - PROPERTY, PROCUREMENT AND CONTRACT MANAGER |
| <b>SUBJECT:</b>          | DISPOSAL OF LAND AT INKERMAN ROAD                           |
| <b>DATE OF DECISION:</b> | 6 DECEMBER 2012   |
| <b>REPORT OF:</b>        | PROPERTY ASSET MANAGER – PROPERTY AND PROCUREMENT           |

## **STATEMENT OF CONFIDENTIALITY**

Confidential Appendix 2 to this report contains information deemed to be exempt from general publication based on Category 3 of Paragraph 10.4 of the Council's Access to Information Procedure Rules. The appendix includes a table showing all the tenders and the bids received for the property which, if disclosed prior to entering into a contract, could put the Council at a commercial disadvantage. In applying the public interest test it is not considered appropriate to publish this information as it could influence bids for a property which may be to the Council's financial detriment.

## **BRIEF SUMMARY**

This report seeks authority for the sale of the Council's freehold interest of Land at Inkerman Road. The property comprises a cleared parcel of land the sale of which offers the opportunity to realise a capital receipt.

## **RECOMMENDATIONS:**

- (i) Following consultation with Cabinet Member for Resources to approve the sale of the freehold Land at Inkerman Road to the recommended bidder as set out in Confidential Appendix 2.
- (ii) That the Head of Legal, HR and Democratic Services be authorised to enter into any legal documentation necessary in respect of the sale.
- (iii) To note that the capital receipt has already been built into the funding of the current capital programme. Any receipt that differs from the estimates will need to be considered corporately as part of any future prioritisation of resources.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. This freehold property is surplus to requirements and its disposal would realise best consideration and enable the Council to raise a significant capital receipt.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. Do nothing.
3. The subject property could be retained in Council ownership; however as a vacant site this would have a number of disadvantages including:
  - i. Would not generate a capital receipt
  - ii. There are no Council requirements for this property
  - iii. On-going maintenance costs

## **DETAIL (Including consultation carried out)**

4. This land has been vacant for a number of years; part of which had been earmarked for the provision of a new library; however following a review undertaken by the Library Service and in light of a new library being built as part of a S106 obligation at nearby Centenary Quay, it was decided that the site was no longer required.
5. An application for development of the site to provide 11 houses was submitted to Planning Panel and outline planning consent granted on the 29<sup>th</sup> August 2012 enabling the site to be marketed for subsequent disposal.
6. The property has now been marketed and offers were invited by the 13<sup>th</sup> November. Six bids were received and outlined in further detail in Confidential Appendix 2.
7. Approval is sought to sell the property to the recommended bidder and to negotiate and agree the terms of the sale.
8. The contract for the sale of the land is conditional on the purchaser/developer entering into a Section 106 Agreement simultaneously with the completion of the sale of the land to the intent that the purchaser/developer as owner of the freehold interest in the land binds the land with the planning obligations contained in the S106 deed.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

9. There are no revenue implications arising from the sale of the property, as a cleared site it does not bring in any income and is no longer required by the Council.
10. The sale of the site will realise a 100% receipt to the General Fund which has already been built into the funding of the current capital programme. Any receipt that differs from the estimates will need to be considered corporately as part of any future prioritisation of resources.
11. The sale will not complete until 2013/14 financial year.

### **Property/Other**

12. If the sale of the site does not proceed or is delayed, this will result in ongoing maintenance costs for keeping the vegetation on the site cut back. This had previously been an issue as a number of slow worms were found on the site which due to their protected status were subject to a formal relocation process.
13. The offer from the preferred bidder represents best consideration in accordance with the Local Government Act 1972

## **LEGAL IMPLICATIONS**

### **Statutory power to undertake proposals in the report:**

14. Section 123 of The Local Government Act 1972

**Other Legal Implications:**

- 15. The Senior Manager-Property, Procurement & Contract Management has delegated powers to negotiate and approve the terms of the sale as outlined in paragraph 2.8.15 (c) Part 10 of the Officer Scheme of Delegation after consultation with the relevant Cabinet Member. The Cabinet Member for Resources has accordingly been consulted and agreed to this sale.

**POLICY FRAMEWORK IMPLICATIONS**

- 16. The proposal set out in this report is not contrary to any policy implications. The disposal of a council property for a capital receipt supports the Councils capital programme.

|                |         |                           |      |               |
|----------------|---------|---------------------------|------|---------------|
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**KEY DECISION?** Yes

|                                    |      |
|------------------------------------|------|
| <b>WARDS/COMMUNITIES AFFECTED:</b> | none |
|------------------------------------|------|

**SUPPORTING DOCUMENTATION**

**Appendices**

|    |  |
|----|--|
| 1. | Site Plan V2700                              |
| 2. | Confidential Appendix - Informal Tender Bids |

**Documents In Members' Rooms**

|    |      |
|----|------|
| 1. | None |
|----|------|

**Equality Impact Assessment**

|  |        |
|--|--------|
| Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out. | Yes/No |
|--|--------|

**Other Background Documents**

**Equality Impact Assessment and Other Background documents available for inspection at:**

| Title of Background Paper(s) | Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable) |
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# Agenda Item 1

## Appendix 1



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|---|--|---|--------------------------|---|
|  | Capita Symonds Property Services<br>Valuation & Estates<br>One Guildhall Square<br>Southampton<br>SO14 7FP | <b>Date:</b><br>September 2012  | <b>Scale:</b><br>1:1,250 |  |
|   | <b>Plan Title:</b><br>Site Plan: V2700   | <b>Property Address:</b><br>Land at Inkerman Road, Woolston, SO19 9DA |                          |   |

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Document is Confidential

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