



OPEN REPORT GOVERNANCE & RESOURCES COMMITTEE

Governance & Resources Committee – 10 October 2024

ASSET MANAGEMENT PLAN - LAND HOLDINGS REVIEW PHASE 8

Report of Director of Community and Environmental Services

Report Author and Contact Details

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Wards Affected

TBD

Report Summary

This report represents the eighth phase of an ongoing review of the Council's land and property assets in accordance with the Asset Management Plan. This phase of the Land Holdings Review covers 5 sites across the District.

Recommendations

1. That Sites nos. 1 and 2, Land at Clifton Road, Ashbourne and Land at Shawcroft Car Park Ashbourne be sold freehold to neighbouring landowners on the terms outlined in Appendix 1 of this report.
2. That a lease in of land and rights at Site 3, No. 6 Horse & Jockey Yard (part) & 18-20 St Johns Street (part), Ashbourne be agreed to facilitate the installation of new external lighting.
3. That sites nos.4 and 5, Land between 44-48 High Street, Bonsall, Land at Peats Close, Kirk Ireton and Land at Griggs Gardens, Wirksworth be declared as surplus to requirements and to be offered for freehold sale by public auction on the terms outlined in Appendix 1 of this report.
4. That it is noted that the disposal of site nos. 1 and 2 above comprise undervalue transactions permitted under the General Disposal Consent 2003.
5. Responsibility for legal and surveyors' costs in respect of all the transactions above are detailed in Appendix. 1 of this report.

List of Appendices

Appendix 1 Land Holdings Review Phase 8 by Property

Background Papers

Non-applicable

Consideration of report by Council or other committee

Not applicable

Council Approval Required

No

Exempt from Press or Public

No

Asset Management Plan – Land Holdings Review Phase 8

1. Background

- 1.1 The Asset Management Plan (AMP) is intended to set out the Council's strategic approach to the management of its land and property and to provide a framework within which property asset decisions can be made in support of the Council's corporate aims and objectives.
- 1.2 The Asset Management Plan recommends that unused or surplus buildings and land (of area 0.1ha and above excluding parks and pleasure grounds and public open space) be reviewed to establish whether they should be sold or whether they could contribute to the Council's key objectives of economic development and affordable housing or whether they could form part of a Community Asset Transfer.
- 1.3 This the eighth of a number of phases of reports consider the future arrangements for surplus land and buildings across the district.

2. Key Issues

- 2.1 Phase 8 of the Land Holdings Review covers 2 sites in which queries or expressions of interest have been received or an existing occupation requires regularising, 1 site where a lease in is required to instal replacement lighting and 2 disposals of areas of surplus land. Following consideration of planning, legal and estate management factors, together with operational requirements, recommendations are made regarding whether the sites should be retained, allocated for a particular use or sold and the terms which would apply.
- 2.2 An appraisal of each site has taken place comprising advice on any planning constraints, legal restrictions, and maintenance liabilities/costs.
- 2.3 Site nos. 1 and 2 comprise plots of occupied land at Clifton Road and Shawcroft Car Park, Ashbourne.
- 2.4 Site 3 concerns an area of land at Horse and Jockey Yard, Ashbourne.
- 2.5 Site nos.4 and 5 comprise vacant plots of land of 0.057acres (.02ha), 0.083 acre (.03ha) adjacent to existing housing in Bonsall and Kirk Ireton.
- 2.6 The results and recommendations for the eight sites are summarised in Appendix 1 together with plans of each site.

3. Options Considered and Recommended Proposal

- 3.1 Not applicable

4. Consultation

- 4.1 Ward Members and the relevant Town/Parish Council have been consulted on the proposed disposals and any comments received will be reported to the meeting.

5. Timetable for Implementation

- 5.1 On approval instructions will be issued to the Legal department to progress all matters to completion.
- 5.2 It is anticipated that transfers leases and sales will be completed by the first quarter of 2025/26.

6. Policy Implications

- 6.1 In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

7. Financial and Resource Implications

- 7.1 The site index at the start of Appendix 1 indicates the recommended option for each site i.e. by Lease or Freehold transfer. sale or lease in. For the sites that are to be subject to sale on the open market, it is difficult at this stage to assess the level of income accurately.
- 7.2 Receipts from disposals of land or buildings are treated as capital receipts if the individual receipt is £10,000 or more and are credited to the revenue account if less than £10,000.
- 7.3 The disposal of site nos. 1 and 2 comprise undervalue transactions permitted under the General Disposal Consent 2003.
- 7.4 Disposal of sites 1, 4 and 5 would reduce a maintenance liability.
- 7.5 Where appropriate, a contribution or full payment of our legal and surveying expenses will be sought as outlined in Appendix 1 of this report.
- 7.6 Site 4 is proposed for an inward lease with an initial payment of £10,000 and a peppercorn rental for 20 years. The initial payment of £10,000 can be met from an existing budget.
- 7.7 The financial risk of the report recommendations is assessed as low.

8. Legal Advice and Implications

- 8.1 As stated, this report represents the eighth phase of an ongoing review of the Council's land and property assets in accordance with the Asset Management Plan.

8.2 All disposals are subject to a full title check with relevant legal procedures being followed and will contain appropriate restrictions to protect the Council's interest.

8.3 There are 5 decisions recommended to be taken as set out at the beginning of this report. If decisions are taken in line with the recommendations, the legal risk of those decisions being challenged has been assessed as low.

9. Equalities Implications

9.1 None applicable

10. Climate Change Implications

10.1 Included in the appendices for each site.

11. Risk Management

11.1 Financial and legal risks have been assessed above.

Report Authorisation

Approvals obtained from:-

	Named Officer	Date
Chief Executive	Paul Wilson	30/09/2024
Director of Resources/ S.151 Officer	Karen Henriksen	30/09/2024
Monitoring Officer (or Legal Services Manager)	Kerry France	01/10/2024