

Summary Sheet

Council Report

Cabinet/Commissioner Decision Making Meeting – 11th July 2016

Title

Rationalisation of Property Assets – Schedule of Property Disposals

Is this a Key Decision and has it been included on the Forward Plan?

No, but the matter has been included on the Forward Plan

Strategic Director Approving Submission of the Report

Damien Wilson, Strategic Director Regeneration & Environment

Report Author(s)

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Environment & Development Service
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Ward(s) Affected

Swinton

Summary

The purpose of this report is to seek approval for the disposal of a schedule of three low value assets.

1. Recommendations

1.1 That Commissioner Kenny is asked to agree:-

- a) the disposal of the assets by the Assistant Director - Planning, Regeneration and Transport on the basis recommended in Option 2 within Section 4.2 of this report.
- b) that the Assistant Director - Planning, Regeneration and Transport negotiates the terms of the disposal of the assets, as described in this report.
- c) that the Assistant Director of Legal Services completes the necessary documentation for the disposal of the assets described in this report.

List of Appendices Included

Appendix 1 – Site Plans

Appendix 2 – Exempt Finance Addendum to this report

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

Open With Exempt Appendix – Appendix 2.

Title

Rationalisation of Property Assets –Schedule of Property Disposals

1. Recommendations

1.1 That Commissioner Kenny is asked to agree:-

- a) the disposal of the assets by the Assistant Director - Planning, Regeneration and Transport on the basis recommended in Option 2 within Section 4.2 of this report.
- b) that the Assistant Director - Planning, Regeneration and Transport negotiates the terms of the disposal of the assets, as described in this report.
- c) that the Assistant Director of Legal and Democratic Services completes the necessary documentation for the disposal of the assets described in this report.

2. Background

2.1 **Land located off Milton Street and Fitzwilliam Street, Swinton** - This site comprises an irregular shaped area of grass land and measures approximately 290 sq. m / 0.07 acres and is shown edged in red on the attached plan in Appendix 1 Figure 1. The site was previously used as a beer garden in association with the former Travellers Rest public house which is now a home. The subject site has been declared surplus to the service requirements of the Department of Planning, Regeneration and Transport. This site is now vacant after the closure of the public house but an agreement with the brewery remains in place for them to occupy it as a beer garden.

2.2 **Land located To The Rear of 17 East Avenue, Swinton** - The owners of 17 East Avenue, Swinton have requested to purchase an area of land measuring 30 square metres. This land is contained within their existing garden, but is currently owned by the Council. This land is shown edged in red on the attached plan in Appendix 1 Figure 2.

2.3 **Land located To The Rear of 23 Valley Road, Swinton** - The owners of 23 Valley Road, Swinton have requested to purchase an area of land measuring 42 square metres. This land is directly to the rear of their property and is currently landlocked between the surrounding properties and the adjoining sports ground. This land is shown in red in Appendix 1 Figure 3.

3. Key Issues

3.1 **Land located off Milton Street and Fitzwilliam Street, Swinton** - This site can be sold or provided for alternative use by serving one month's written notice on the brewery to terminate the existing agreement.

- 3.2 **Land located To The Rear of 17 East Avenue, Swinton - No 17 East Avenue** is a former Council House purchased in the 1980's. It appears that under the original sale this area of land was not included, leaving this subject area landlocked between No 17 and the adjoining boundary to the adjacent sports ground. The Occupiers of No17 have subsequently encroached on this land and enclosed within their existing garden. In order to hold full title to this garden they have subsequently requested to purchase this from the Council.
- 3.3 **Land located To The Rear of 23 Valley Road, Swinton - No 23 Valley Road** is a former Council House purchased in the 1980's. The land required is currently severely overgrown and no access can be obtained to maintain it by the Council. The Occupiers of No 23 wish to extend their garden and tidy up the area of land.

4. **Options considered and recommended proposal**

4.1 Option 1 – All Sites – there is an option to retain all or some of the sites – the sites are surplus to service requirements and have no beneficial use if retained. Accordingly, this option is not supported for reasons of good estate management and that it will not produce a de-minimus receipt.

4.2 Option 2 –

- a) **Land located off Milton Street and Fitzwilliam Street, Swinton -** Dispose of the site on the Open Market via auction sale. This option will produce a de-minimus capital receipt and is the recommended option to be pursued.
- b) **Land located To The Rear of 17 East Avenue, Swinton and Land located To The Rear of 23 Valle Road, Swinton -** Dispose of these sites to the adjoining owners as private treaty sales. This option will produce two de-minimus capital receipts and is the recommended option to be pursued.

5. **Consultation**

- 5.1 Assistant Directors of Service, Appropriate Ward Members and the Area Partnership Manager for the area, have been consulted and there are no objections to the disposal of the assets.
- 5.2 With regards to Land located off Milton Street and Fitzwilliam Street, Swinton, Councillor K Wyatt confirmed that the new residents of the former Public House are very interested in purchasing the land for garden purposes. Councillor Wyatt further commented that the land formerly housed cottages including the village cobbler's shop and some artefacts may be identified by metal detector. Therefore prior to any future disposal, Councillor Wyatt has suggested someone from the local archaeology group to undertake site investigations and evaluation at no cost to the Council. It is proposed that this will be offered to the archaeology group.
- 5.3 The Finance Manager, Regeneration and Environment (Capital) was consulted on the 11th May 2016.

5.4 Service Manager (Commercial and Governance) Legal and Democratic Services was consulted on the 11th May 2016.

6. Timetable and Accountability for Implementing this Decision

6.1 If agreed the two private treaty sales detailed in Section 4.2 b) of this report will be implemented in July 2016.

6.2 If agreed for the Land located off Milton Street and Fitzwilliam Street, Swinton as stated in Section 4.2 a) of this report:-

- a) One month's written notice will be served on the brewery to terminate the existing agreement for the land.
- b) Full marketing by informal tender will commence in August 2016.
- c) Marketing will be for a minimum period of two months with a defined end date for offers received. Offers will be analysed shortly after the end date and dependent upon the level of offers and any conditions attached, consideration will be taken of the holding costs with any long stop dates for completing the sale. Should the sale not complete within a reasonable and agreed timescale, consideration will be made with regards to other methods of disposal such as auction to mitigate the existing holding costs.

7. Financial and Procurement Implications

7.1 See Exempt Finance Appendix 2 of this Report

8. Legal Implications

8.1 None.

9. Human Resources Implications

9.1 None.

10. Implications for Children and Young People and Vulnerable Adults

10.1 None.

11 Equalities and Human Rights Implications

11.1 None.

12. Implications for Partners and Other Directorates

12.1 None.

13. Risks and Mitigation

13.1 No major risks are envisaged for the proposed asset disposal routes recommended in this report.

14. Accountable Officer(s)

Damien Wilson, Strategic Director Regeneration and Environment
Paul Woodcock, Assistant Director - Planning, Regeneration and Transport

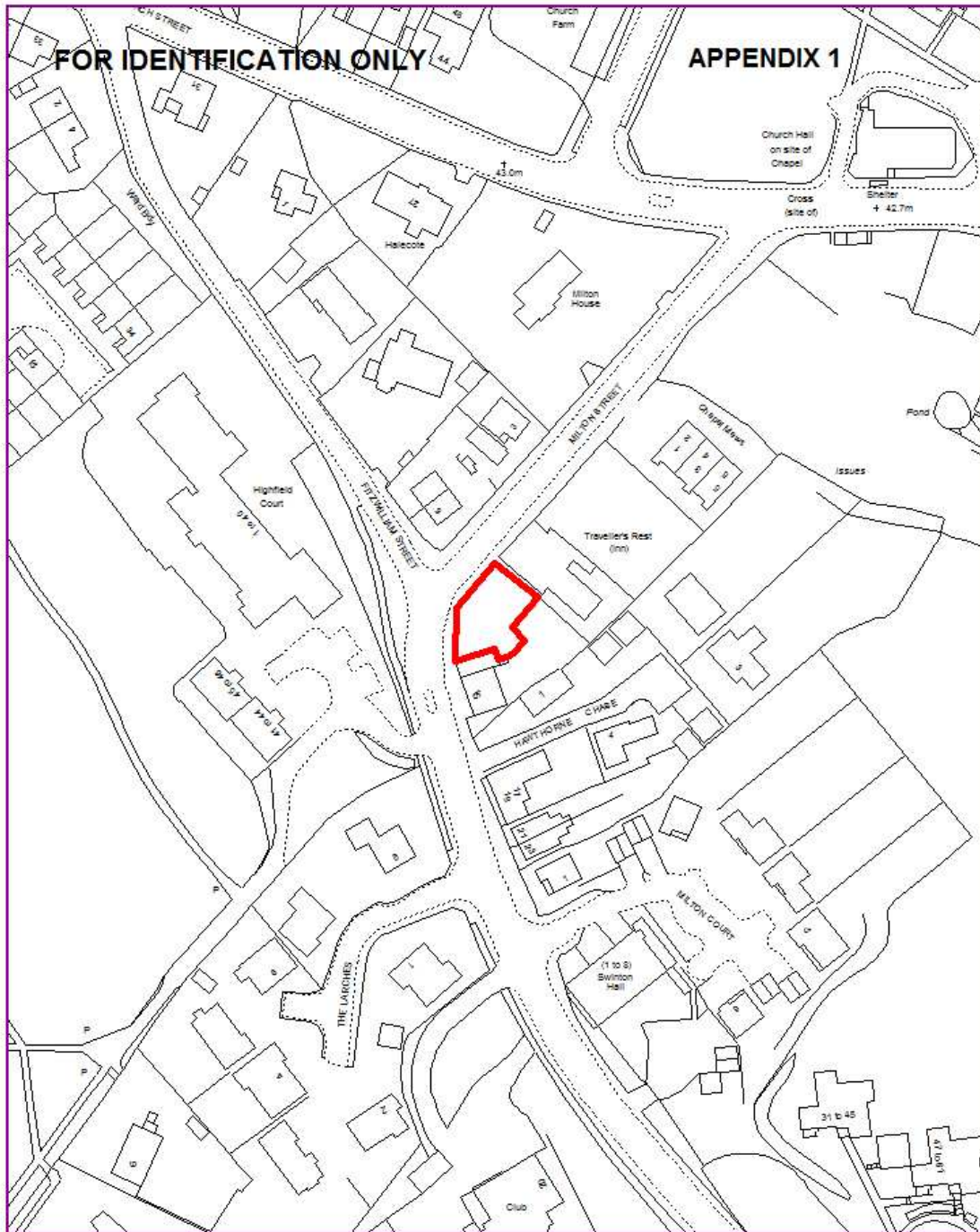
Approvals Obtained from:-

Strategic Director of Finance and Corporate Services:- Jon Baggaley, Finance Manager, Regeneration and Environment and Capital

Director of Legal Services:- Stuart Fletcher, Service Manager, Non-Contentious Team

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Figure 1



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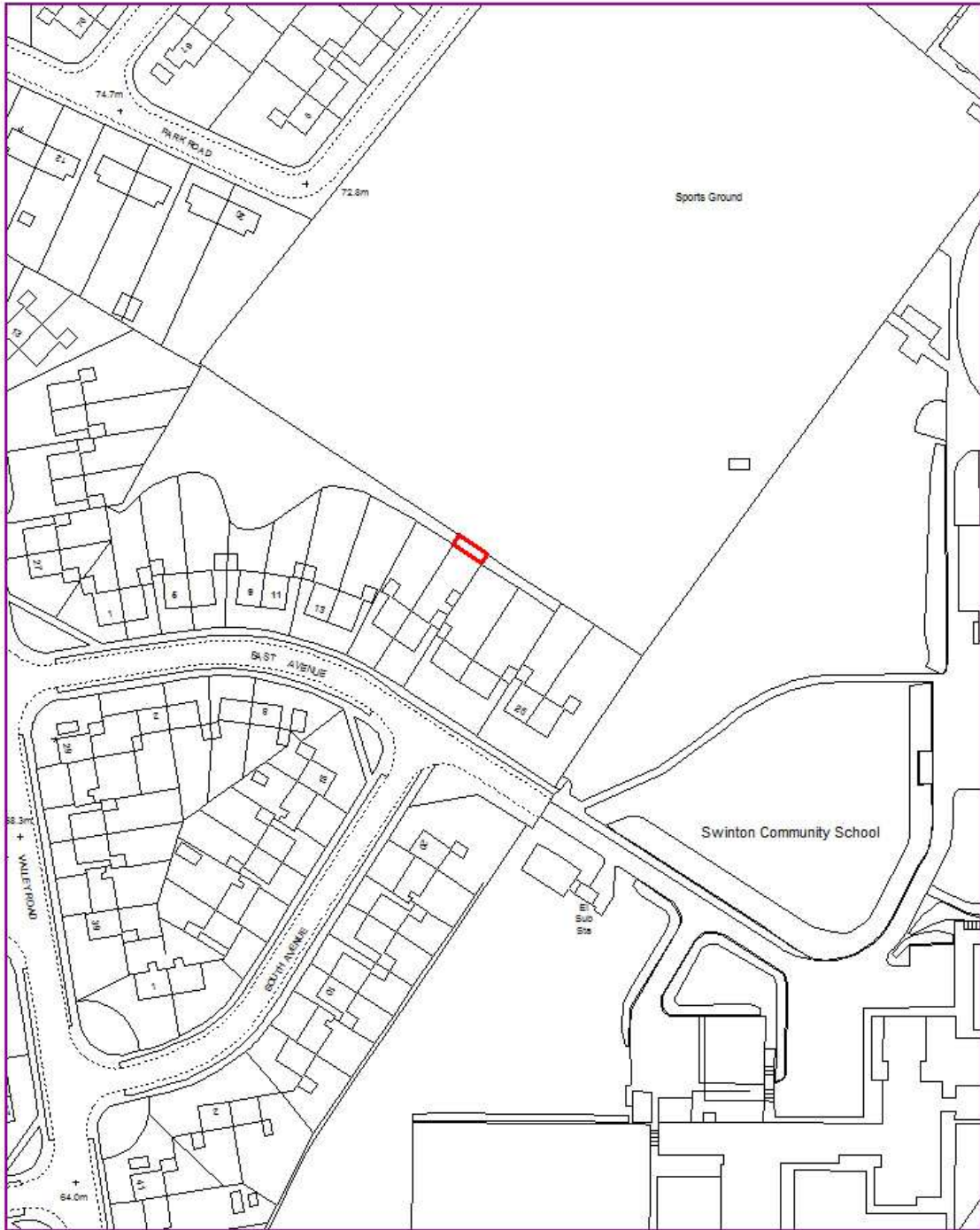
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Land off Fitzwilliam Street/Milton Street
Swinton
Rotherham

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Figure 2



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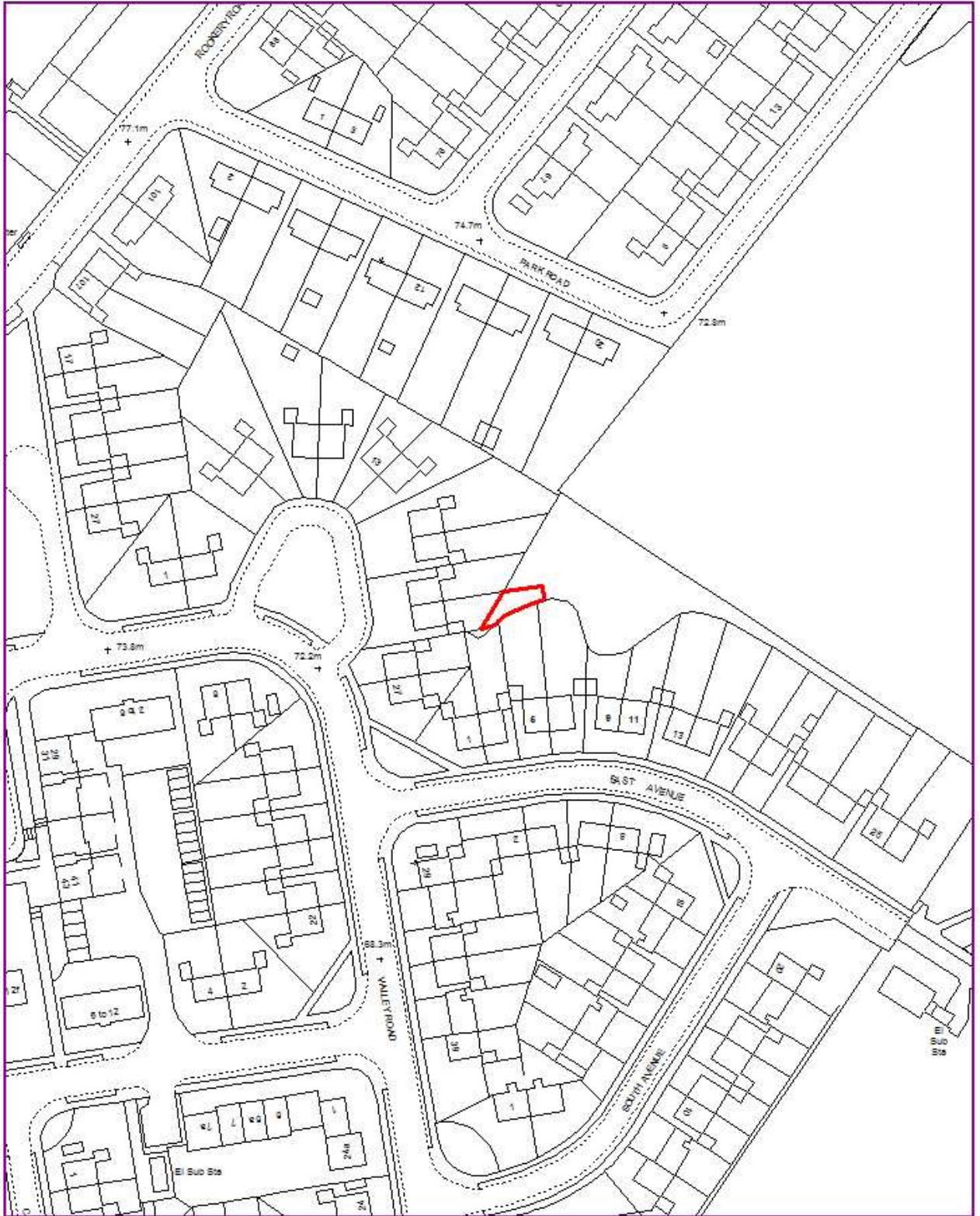
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**LAND ADJ SALE
17 EAST AVENUE
SWINTON
ROTHERHAM**



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Figure 3



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Scale 1:1250

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**LAND ADJ SALE
23 VALLEY ROAD
SWINTON
ROTHERHAM**



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