

Public Report  
Delegated Officer Decision

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**Committee Name and Date of Committee Meeting**  
Delegated Officer Decision – 31 January 2025

**Report Title**  
Disposal of land adjacent to 23 Grange Avenue, Aughton

**Is this a Key Decision and has it been included on the Forward Plan?**  
No

**Strategic Director Approving Submission of the Report**  
Judith Badger, Strategic Director of Finance and Customer Services

**Report Author(s)**  
Jeremy Nicholson  
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**Ward(s) Affected**  
Aughton & Swallownest

**Report Summary**

The purpose of this report is to seek approval for the disposal of a plot of land that the current owners /occupiers of 23 Grange Avenue, Aughton have been renting from the Council for use as a garage plot and driveway.

**Recommendations**

That the Assistant Director for Property & Facilities approves the disposal by agreement of the freehold interest in the land adjacent 23 Grange Avenue Aughton in consultation with the Council's Section 151 Officer and the Cabinet Member for Transport, Jobs, and the Local Economy

**List of Appendices Included**

- Appendix 1 Initial Equality Analysis
- Appendix 2 Location Plan
- Appendix 3 Neighbourhoods Proforma Approval
- Appendix 4 Carbon Impact Assessment

**Background Papers**

None

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

N/A

**Council Approval Required**

No

**Exempt from the Press and Public**

No

## **Disposal of land adjacent to 23 Grange Avenue, Aughton**

### **1. Background**

- 1.1 The Council has been approached by the owners of 23 Grange Avenue, Aughton who wish to purchase an area of land adjacent to their residential property, as shown edged red at Appendix 2. The owners currently lease the land from the Council's Neighbourhoods Service on which they have constructed a garage and use for parking. As such the land is HRA land.
- 1.2 Under the Council's Land Adjacent Policy comments have been sought from Legal Services and the Planning Authority and there are no objections from either for the land to be used as extended garden curtilage with the continuation of the specific use for vehicle parking. The enquirer will be responsible for obtaining satisfactory planning approval, if necessary, before Legal Services complete the disposal.
- 1.3 The land has been declared surplus to requirements by the Assistant Director of Housing based on achieving a disposal value of £2,535. Heads of Terms have therefore been agreed on this basis and also paying the Council's surveyor's fees of £600 and legal fees of £400.
- 1.4 The Neighbourhoods Proforma Approval as attached at Appendix 3 provides the necessary Assistant Director approval for the disposal along with details of Ward Member consultation.

### **2. Key Issues**

- 2.1 The land has no other potential use apart from its continued use as a driveway and garage and due to its location would not serve any relevant purpose for any other nearby resident.
- 2.2 The disposal of this land will generate a small capital receipt for the Council and ensure that the Council will not be responsible for any future maintenance of the site.

### **3. Options considered and recommended proposal**

- 3.1 **Option 1** – The asset is retained by the Council.

Retaining a surplus asset which does not have any identified alternative future operational requirements increases the risk of any potential additional and unbudgeted holding, maintenance, and security costs. This is not the recommended option.

**Option 2** – Disposal of the surplus asset.

- 3.2 The asset is offered for freehold disposal to the adjacent property owner as an extension to their existing curtilage that provides them with off road parking and garaging facility.

This is the recommended option and has Assistant Director approval.

#### **4. Consultation on proposal**

- 4.1 Local Ward Members have been consulted on the proposal and no objections or representations have been received.

#### **5. Timetable and Accountability for Implementing this Decision**

- 5.1 Once the report has been submitted and approved, the Assistant Director of Legal Services will be instructed to negotiate and complete the necessary legal documentation in respect of the disposal to the adjacent property owners.

#### **6. Financial and Procurement Advice and Implications (to be written by the relevant Head of Finance and the Head of Procurement on behalf of s151 Officer)**

- 6.1 There are no direct procurement implications arising from the recommendations detailed in this report.
- 6.2 The capital receipt from the sale of this asset is identified in item 1.3 above.

#### **7. Legal Advice and Implications (to be written by Legal Officer on behalf of Assistant Director Legal Services)**

- 7.1 Other than as already identified and detailed in this report there are no direct legal implications arising from the subject matter of this report.

#### **8. Human Resources Advice and Implications**

- 8.1 There are no direct HR implications arising from this report.

#### **9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 There are no direct implications for Young People and Vulnerable Adults arising from this report.

#### **10. Equalities and Human Rights Advice and Implications**

- 10.1 There are no direct implications for equalities or human rights arising from this report.

#### **11. Implications for CO2 Emissions and Climate Change**

- 11.1 A Carbon Impact Assessment Form is attached in Appendix 4.

## 12. Implications for Partners

12.1. None.

## 13. Risks and Mitigation

13.1 None.

## 14. Accountable Officers

Kevin Fisher, Assistant Director Property & Facilities Services  
Tim Hartley, Strategic Asset Manager, Property & Facilities Services

Approvals obtained on behalf of Statutory Officers: -

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp	Click here to enter a date.
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	31/01/25
Head of Legal Services (Monitoring Officer)	Phil Horsfield	Click here to enter a date.

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