

# **Cabinet Member for Procurement, Assets and Shared Services**

## **Agenda**

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**Date:** Monday, 26th July, 2010  
**Time:** 10.00 am  
**Venue:** Committee Suite 1 & 2, Westfields, Middlewich Road,  
Sandbach CW11 1HZ

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to the work of the meeting. Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide three clear working days' notice, in writing, in order for an informed answer to be given.

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For requests for further information

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4. **Cheshire Farms Service - Disposals Programme** (Pages 1 - 18)

To consider a report which seeks approval for the disposal of properties considered surplus to the requirements of the Cheshire Farm Service and Cheshire East Council

**There are no Part 2 Items**

## CHESHIRE EAST COUNCIL

### Cabinet Member For Procurement, Assets and Shared Services

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**Date of Meeting:** 26<sup>th</sup> July 2010  
**Report of:** Borough Treasurer and Head of Assets  
**Subject/Title:** Cheshire Farms Service - Disposals Programme

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#### 1.0 Report Summary

- 1.1 Appendix 1 identifies properties in the use of Cheshire Farms Service that have been released through the implementation of the current management strategy. The properties are considered to be surplus to the requirements of the service and the Council and approval to dispose of the properties is required. Where a property is no longer required for its current use it can be declared surplus and passed to the Assets Manager for disposal. The sale is to be carried out in accordance with the Councils Asset and Facilities Services Code of Practice for the Disposal of Council Property.

#### 2.0 Recommendations

- 2.1 That the Cabinet Member for Procurement, Assets and Shared Services declare surplus to the requirements of the Council the following properties:
- 1 The farmhouse, buildings and land known as Aston By Budworth Estate, Part Holding 5, comprising in area 8.94 acres or thereabouts and known as Walthall Farm;
  - 2 The farmhouse, buildings and land known as Batherton Estate, Part Holding 9, comprising in area 4.06 acres or thereabouts and known as The Hollies;
  - 3 The farmhouse, and land known as Ridley Estate, Part Holding 6, comprising in area 2.05 acres or thereabouts and known as Ridley Hall Farm;
  - 4 The farm buildings and land known as Ridley Estate, Part Holdings 4,5 & 6, comprising in area 5.80 acres or thereabouts and formerly being part of Ridley Hall Farm;
  - 5 The farmhouse, buildings and land known as Sound Estate, Part Holding 4, comprising in area 9.29 acres or thereabouts and known as The Plantation;

- 6 Land forming part of Batherton Estate, Holding 8, comprising in area up to 1.92 acres or thereabouts, solely to facilitate a sale for the purpose detailed within the Appendix;

- 2.1 The Cabinet Member for Procurement, Assets and Shared Services approve the sale of properties detailed in Recommendation 2.1 above upon terms to be approved by the Asset Manager.

### **3.0 Reasons for Recommendations**

- 3.1 The proposal is consistent with the management strategy for the Farm Service and targets for the generation of capital for the reorganisation of the service and wider corporate capital programme.

### **4.0 Wards Affected**

- 4.1 Bucklow  
Doddington  
Cholmondeley

### **5.0 Local Ward Members**

- 5.1 Councillor A Knowles, Councillor J Macrea and Councillor G Walton;  
Councillor D Brickhill, Councillor J Hammond and Councillor R Walker CBE;  
Councillor R Bailey, Councillor M Hollins and Councillor S Davies

### **6.0 Policy Implications including**

- 6.1 **Climate change** – There are no identified implications associated with this proposal.

**Health** - Not applicable

### **7.0 Financial Implications**

- 7.1 The realisation of receipts from these disposals is likely to be completed in the autumn of the 2010/2011 financial year. The combined notional operational value of these properties, net of maintenance costs is approximately £8,400. There will therefore be negligible impact upon the loss of income from rental to the revenue budget in the stated year and their disposal should realise in the region of £2.3 to £2.5 million in capital receipts.

### **8.0 Legal Implications (Authorised by the Borough Solicitor)**

- 8.1 The farms estate is held for the purposes of the Agriculture Act 1970. Section 39 of the Act states that the general aim is, having regard to the general interests of agriculture and of good estate management, to provide opportunities for persons to be farmers on their own account by letting small holdings to them.



- 8.2 Adjustments by acquisitions and disposals can take place as part of the management of the estate. Disposals which result in a net reduction are also lawful but while the estate is held for the purposes of the 1970 Act, the primary objective must be to provide opportunities for farming. If the estate as a whole were to be viewed primarily as an investment to generate income and capital, there would need to be a formal appropriation away from Agriculture Act 1970 purposes.

## **9.0 Risk Management**

- 9.1 Not applicable

## **10.0 Background and Options**

- 10.1 The identification and release of these properties for disposal is an integral outcome of a proactive self funding medium term estate management policy, now in its 10<sup>th</sup> year, which is designed to modernise and improve the structure of the service, generating a significant net capital contribution to the wider corporate capital programme.

Alternative options include the retention and reuse of the said properties for non farming purposes within the service or for use by other services. No such use has been identified within a strategic overview by Assets Service.

## **11.0 Access to Information**

There are no background papers relating to this report.

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## Appendix 1 - Cheshire Farms Service - Disposals Programme

The following comprises a schedule of properties, in the use of the Farms Service, that have been identified as being surplus to the requirements of Cheshire East Borough Council.

### Schedule A

Property	Description	Plan ref	Estimate Of Value
Aston By Budworth Estate, H5, Walthall Fm	Detached 5bd farmhouse, Outbuildings & Paddock (Total 8.94 acres)	1	£500,000 to £550,000
Batherton Estate, H9, The Hollies	Detached 3 bd farmhouse, Outbuildings & Paddock (Total 4.26 acres)	2	£350,000 to £400,000
Ridley Estate, H6, Ridley Hall Fm	Detached 3 bd farmhouse, Outbuildings & Paddock (Total 2.05 acres)	3	£325,000 to £350,000
Ridley Estate, H4, 5 & 6 Ridley Hall Farm	Farm Buildings with planning consent for conversion to 10 residential units (Total 5.80 ac) and extant application for extension of time.	3a	£800,000 to £850,000
Sound Estate, H4, The Plantation	Detached 3 bd farmhouse, Outbuildings & Paddock (Total 9.29 acres)	4	£320,000 to £350,000
Batherton, H8, Land	Land (Total up to 1.92 acres)	5	£15,000
<b>Total</b>			<b>£2,310,000 to £2,500,000</b>

In relation to Plans 1 – 4 the farm, land originally occupied with the above detailed properties was amalgamated with retained farms on the same estates prior to vesting date, as part of the approved management strategy.

The identified properties do not contribute to the operational objectives of the service. Alternative options for the future use of these properties are therefore limited to use by other services and a strategic overview by Assets Service has not identified such a demand. The land referred to in Plan 5 was identified for the potential development of a car park by the adjacent Broad Land Primary School several years ago and will only be required if the outcome of a planning application, to be submitted by the Diocese later in the year, is successful.

The Council's ability to use short term residential tenancies is curtailed by the impact of legislation on the value to CEBC as a result of rights relating to security of tenure and the 'rights to buy.'

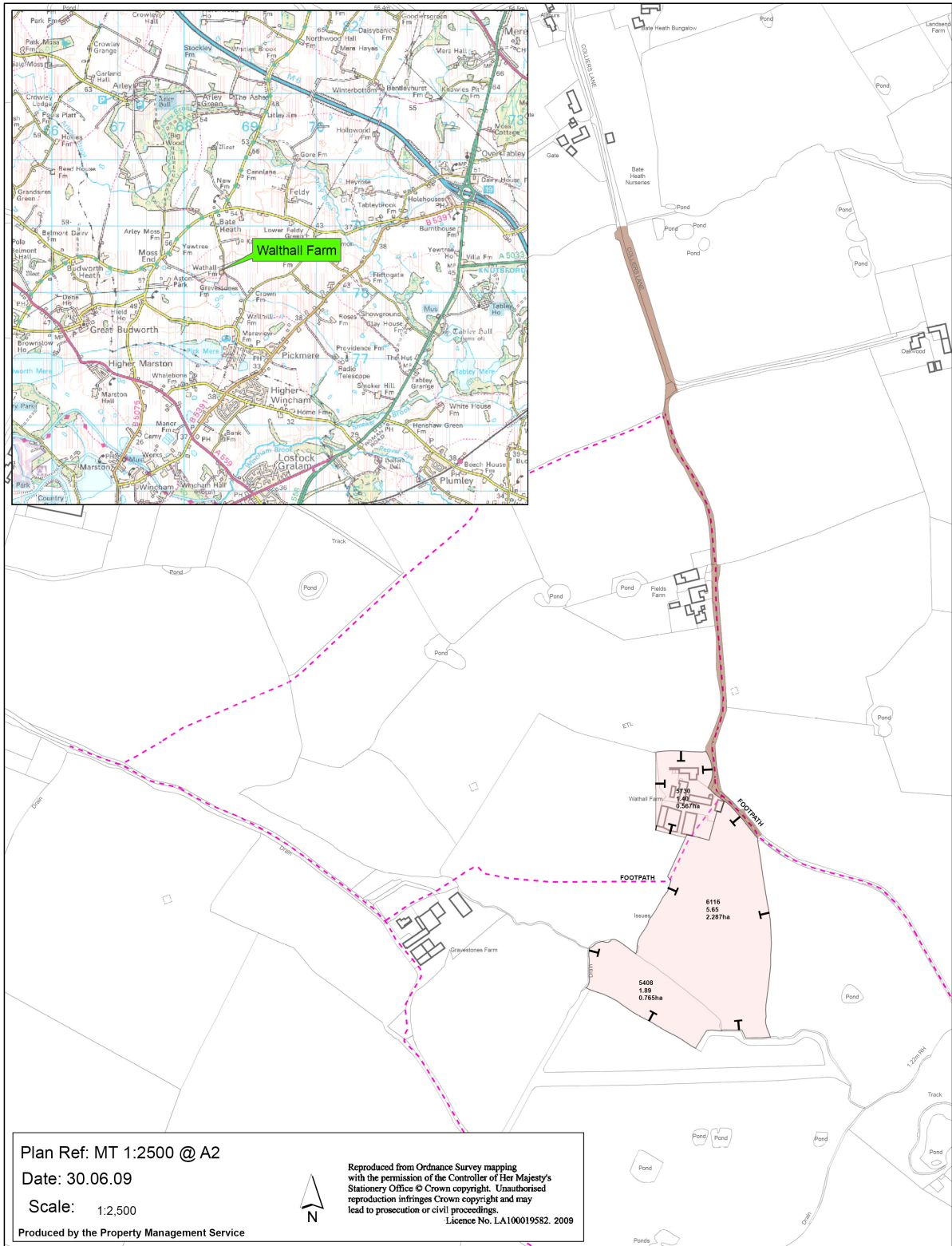
Both Service and Corporate Capital programmes have been approved, incorporating achieving an inherent target of £1.2 million (Gross) from the sale of surplus farm property in the current financial year. Further work is ongoing to identify estate reorganisation opportunities and in so doing bring forward additional property for disposal.

PLAN 1

Cheshire Shared Services

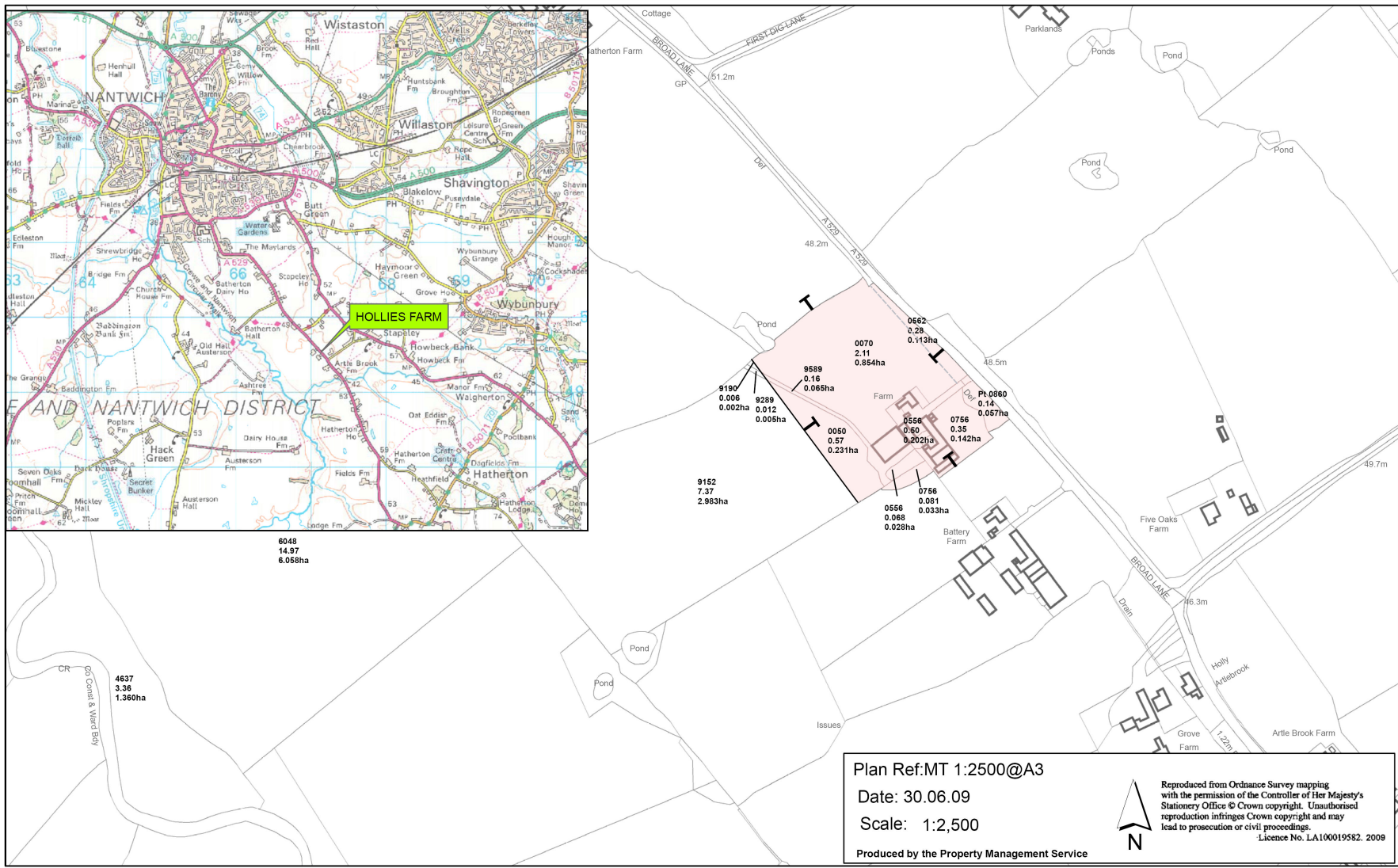


ASTON BY BUDWORTH ESTATE HOLDING 5  
WALTHALL FARM COLLIERS LANE



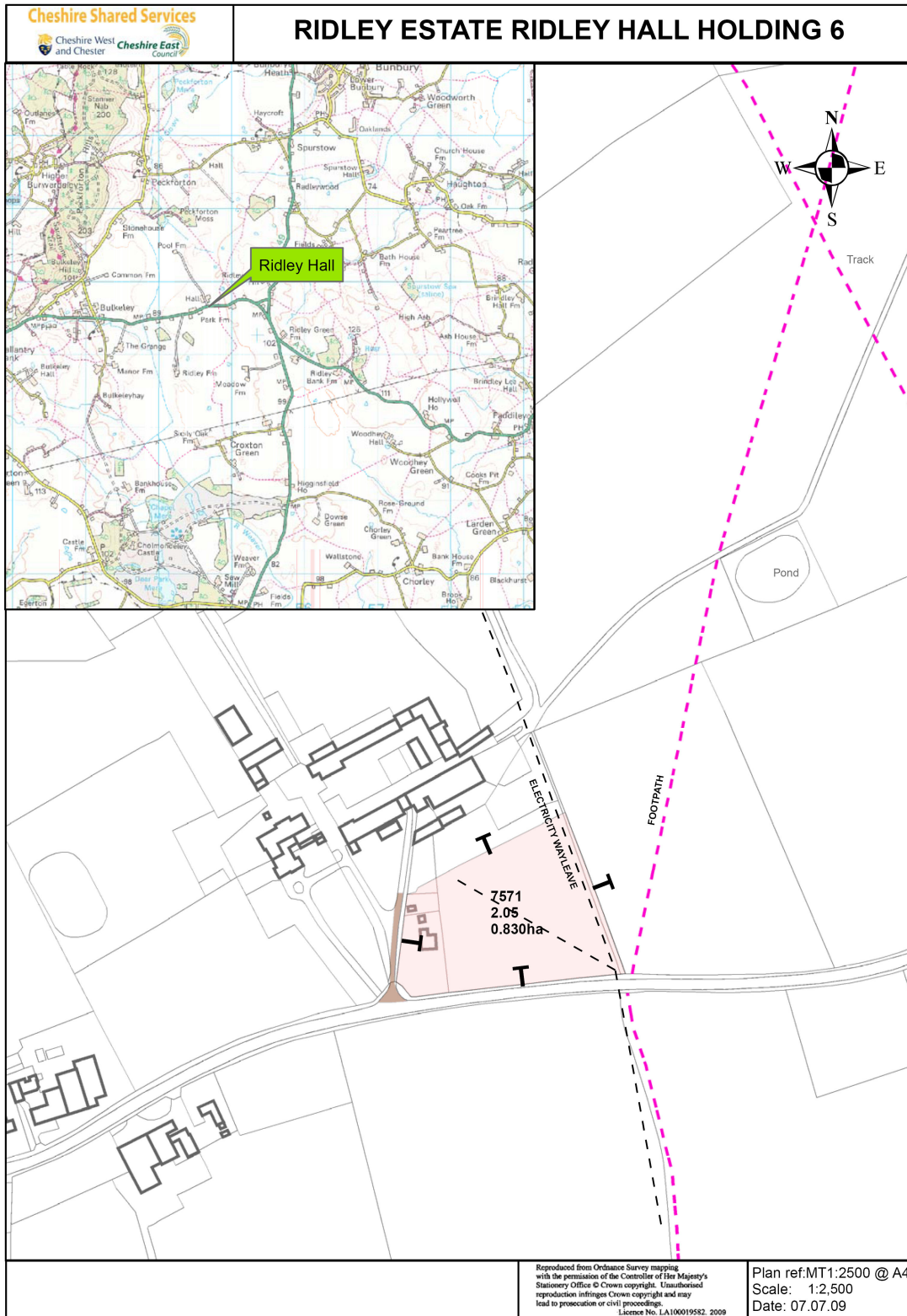
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BATHERTON ESTATE HOLDING 9 HOLLIES FARM



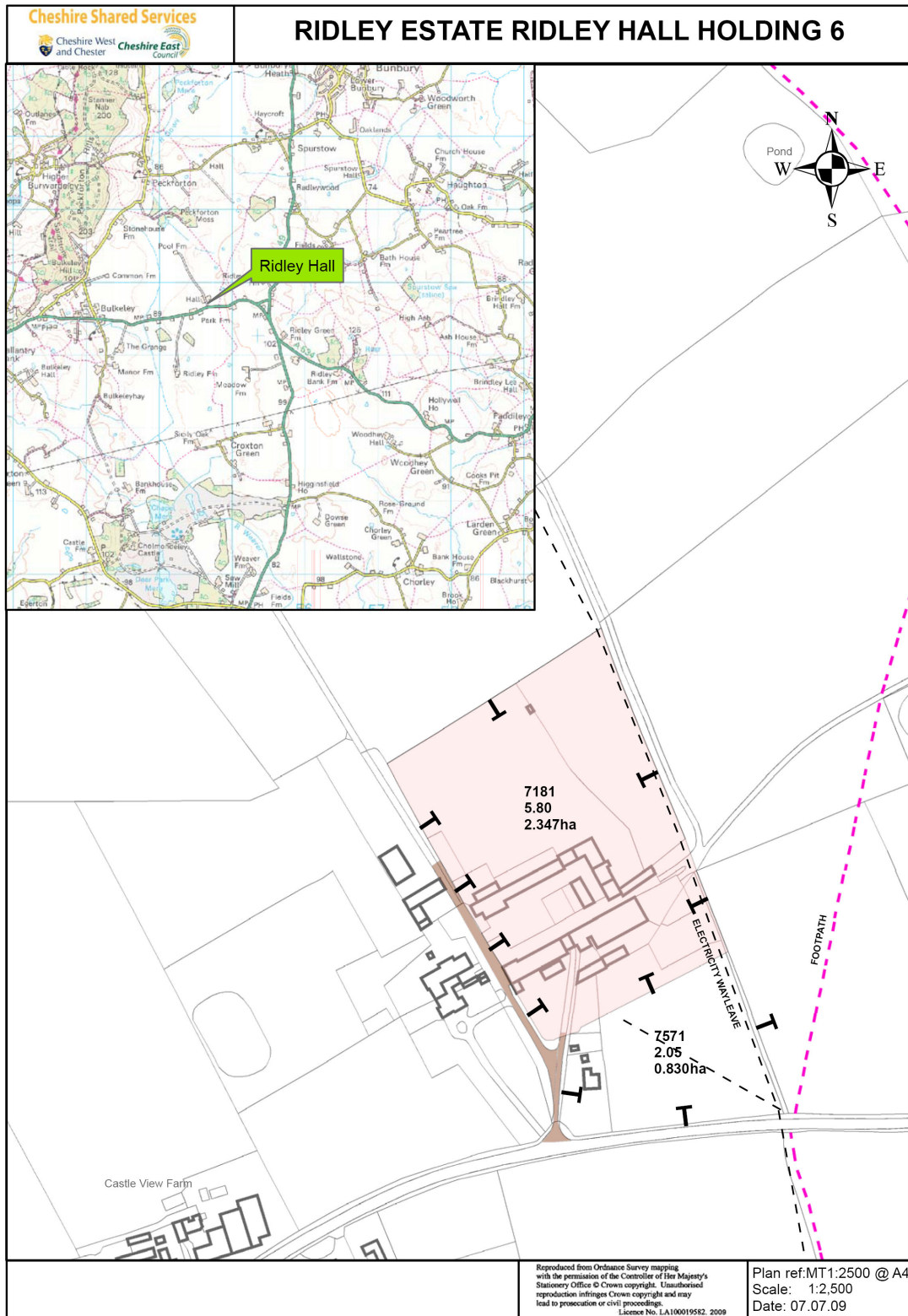
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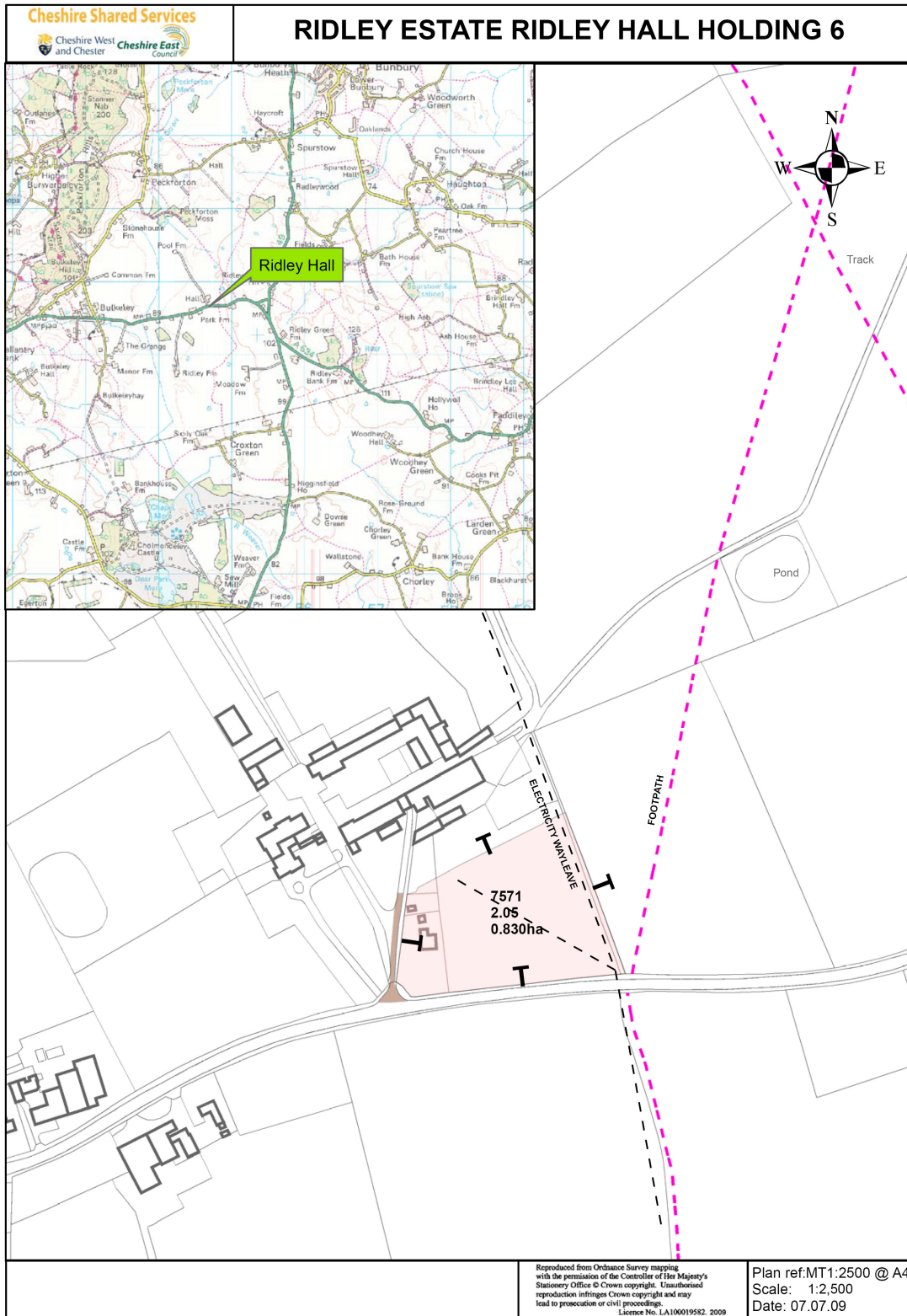


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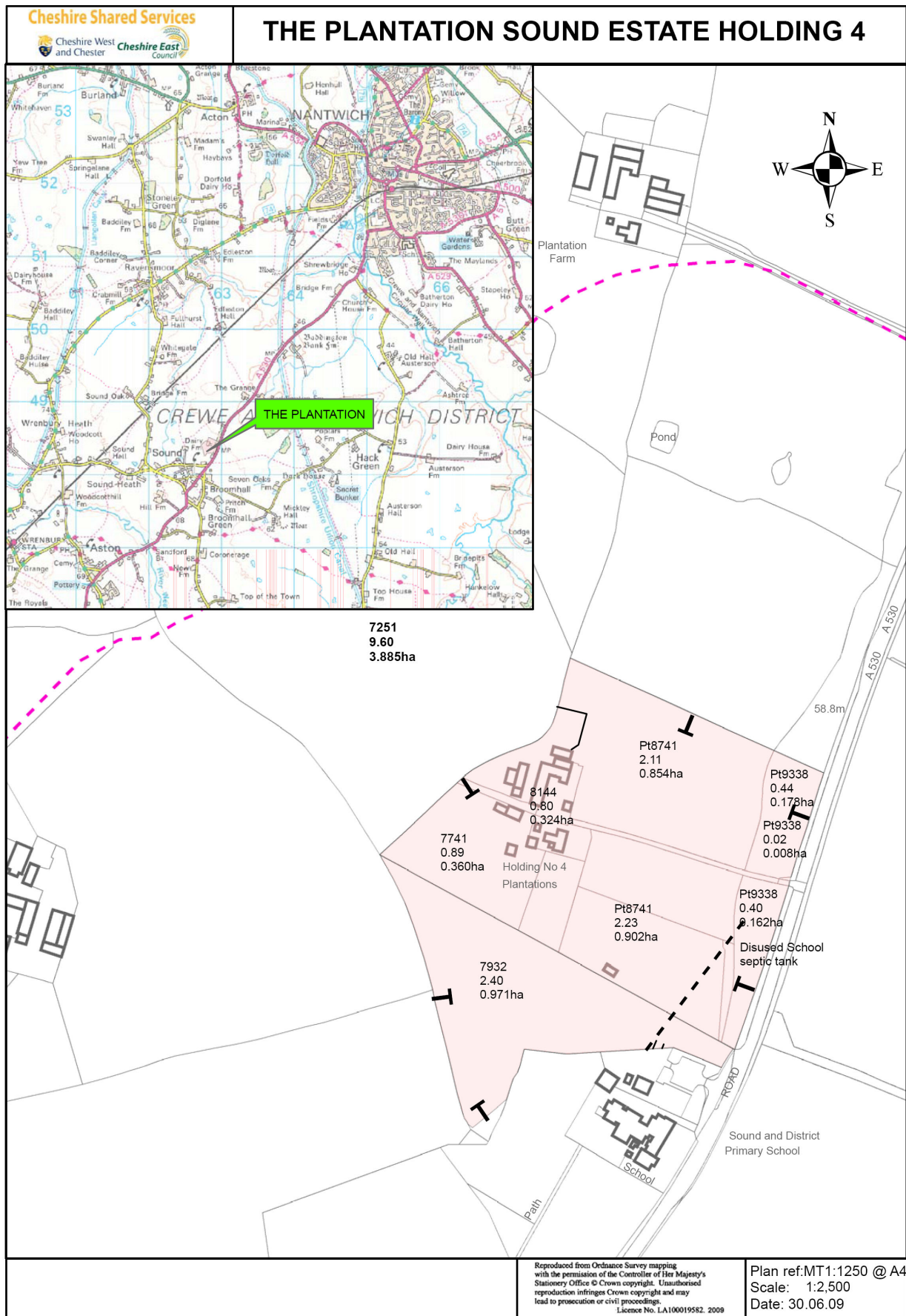




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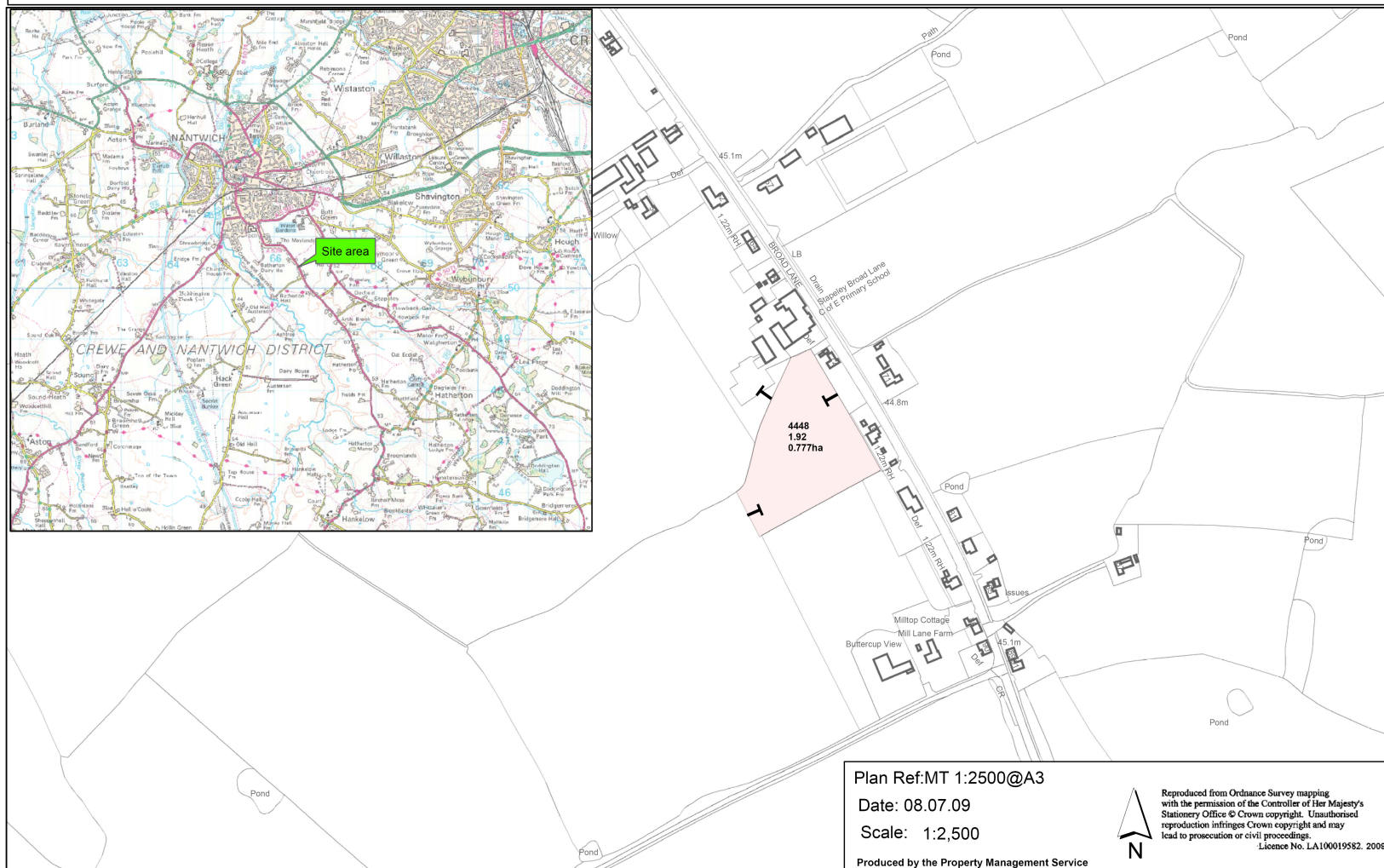
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Cheshire Shared Services



# BATHERTON ESTATE LAND ADJACENT TO STAPELEY BROAD LANE C OF E PRIMARY SCHOOL.



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