

CHESHIRE EAST COUNCIL

Cabinet Member for Procurement, Assets and Shared Services

Date of Meeting: 17th January 2011
Report of: Assets Manager
Subject/Title: Disposal of land at Brook Street, Crewe
Portfolio Holder: Councillor Peter Mason

1.0 Report Summary

- 1.1 The purpose of this report is to consider the proposed disposal of two plots of land at Brook Street, Crewe. Both Plots are shown on the plan for identification purposes (plan to follow).

2.0 Recommendation

- 2.1 To approve the sale of land at Brook Street, Crewe to Alchemy Dental Practice on terms and conditions to be determined by the Assets Manager and the Borough Solicitor.

3.0 Reasons for Recommendations

- 3.1 Both plots are considered as surplus to the operational requirements of the Council. The disposal of both plots would help combat antisocial behaviour and fly tipping currently occurring on the land. Alchemy Dental Practice has recently secured freehold ownership of the adjacent land and wish to acquire the land with a view to redevelop the whole site to provide secure car parking. The proposal includes resurfacing, the installation of floodlights and security cameras.

4.0 Wards Affected

- 4.1 Crewe South

5.0 Local Ward Members

- 5.1 Cllr David Cannon
Cllr Dorothy Flude
Cllr Betty Howell

6.0 Policy Implications

- 6.1 Climate change - Health

7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)

7.1 Not applicable.

8.0 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)

8.1 The sale of the land will result in a Capital Receipt for Cheshire East Council.

9.0 Legal Implications (Authorised by the Borough Solicitor)

9.1 S.123 of the Local Government Act 1972 provides that a council may dispose of an interest in land provided that it is for the best consideration reasonably obtainable.. In disposing to an individual by way of negotiation rather than open market testing the Council will need to demonstrate that it has done so.

10.0 Risk Management

10.1 The disposal of both plots will improve the area generally and will eliminate any future Cheshire East Borough Council liability.

11.0 Background and Options

11.1 Plot (1) is within the ownership of Cheshire East Borough Council and is subject to unauthorised car parking, fly tipping and antisocial behaviour. The land is shown on the attached plan for identification purposes and is approximately 78m2 in size. Crewe & Nantwich Borough Council previously declared the land surplus and had received offers of interest from Alchemy Dental Practice and also PAD Developments in 2006. At that time, PAD Developments benefited from Option Agreements on three adjacent plots (formerly numbers 29, 31 and 33 Brook Street). These are shown on the attached plan for identification purposes.

Given the advantageous position enjoyed by PAD Developments at that time it was decided to progress negotiations with the developer. The developer then submitted a planning application for a residential scheme. The developer later withdrew from the land transaction due to the expiration of the Option Agreements. A decline in demand for residential properties also affected the developers ability to proceed with the acquisition at that time.

Alchemy Dental Practice is freehold owner of 199 to 205 Edleston Road and in 2009 they acquired freehold ownership of the adjacent plots formerly subject to Option Agreements in favour of PAD Developments. Alchemy Dental Practice now wishes to purchase plot (1) as they plan to incorporate the land within the car park redevelopment planned for the adjacent land. A meeting has recently taken place with the owner of number 25 Brook Street regarding the sale of plot (1) in which they were given the opportunity to declare an interest in acquiring the land. The outcome of that meeting was that they were not interested in acquiring the land and they were supportive of the planned disposal in favour of

Alchemy Dental Practice. It is considered that land would have limited appeal and value to the open market and thus a sale to Alchemy is recommended.

Alchemy Dental Practice also wish to acquire plot (2) which is currently accessed via Edleston Road Car Park and is within the ownership of Cheshire East Borough Council. The land is shown on the attached plan for identification purposes and is approximately 77m² in size. This area of land is not subject to a Car Parking Order therefore generates no income for the Borough Council. The Car Park Management Service see no benefit in incorporating the land within the adjacent public car park and thus fully support the disposal of the land in a manner in which would alleviate the ongoing problems of antisocial behaviour and fly tipping. Alchemy will incorporate the plot within their site and do not require the grant of any access rights over the adjacent public car park to derive benefit from the use of the land. It is thus considered appropriate to sell the land to Alchemy rather than offer the land for sale on the open market with the grant of associated access rights which would unnecessarily encumber the public car park.

The background papers relating to this report can be inspected by contacting the report writer:

Name: Patrick Tansey

Designation: Senior Valuer

Tel No: 01270 686141

Email: patrick.tansey@cheshireeast.gov.uk