

## CHESHIRE EAST COUNCIL

### REPORT TO PORTFOLIO HOLDER – FINANCE

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**Report of:** Property Portfolio Manager  
**Subject/Title:** Bollington Town Hall Complex, Bollington  
**Date of Meeting:** 17 December 2013  
**Portfolio Holder:** Councillor Peter Raynes

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#### 1.0 Report Summary

- 1.1 To consider a request from Bollington Town Council to transfer Bollington Town Hall Complex, 34 Wellington Road, Bollington, Macclesfield, Cheshire, SK10 5JR (shown edged red on the attached plan) as part of the second phase (Appendix B) of the Local Service Delivery -Transfer and Devolutions to Town and Parish Councils process.

#### 2.0 Decision Requested

- 2.1 To transfer the freehold of the Bollington Town Hall Complex, 34 Wellington Road, Bollington, Macclesfield, Cheshire, SK10 5JR (shown edged red on the attached plan) to Bollington Town Council for a nominal value on the terms stated in 3.3 and other terms to be agreed by the Property Portfolio Manager.

#### 3.0 Reasons for Recommendations

- 3.1 On 5<sup>th</sup> September 2011 it was decided by the Cabinet that a number of properties should be transferred to the Town or Parish Council for the area in which the properties are located as a second phase of the Local Service Delivery -Transfer and Devolutions to Town and Parish Councils process.
- 3.2 Bollington Town Hall is transferring to Bollington Town Council as an approved 'Appendix B' property following the Cabinet approval. Bollington Civic Hall has recently transferred as an 'Appendix A' property.
- 3.3 It was reported to Cabinet that every transfer would be on the following terms namely that:
- The transfer would take place for a nominal value (£1) and the Town Council will be wholly responsible for the service and the asset save insofar as the Council has residual legal responsibilities under contracts or legislative provisions.
  - The agreement would secure an overage payment for the Council if there is a future planning permission which enhances the value of the asset or the Town Council sells the asset within an 15 year period with increase in value/ proceeds of sale returning to Cheshire East on a reducing sliding scale.

Cabinet resolved that delegated authority be given to identified officers to finalise standard terms for all the transfers. Standard heads of terms were subsequently approved by the relevant officers and the Strategic Director (Places and Organisational Capacity).

3.4 Remedial works to re-line the existing drainage system at the Town Council offices in Bollington have recently been completed. It is understood by the Council's external Structural Engineering Consultants that the drainage system has been the primary cause of settlement within the premises. These works should result in the sub strata ground return to a stable condition and the current problems with structural cracking should cease. As cracking is noticeable arrangements have been made to fill-in the internal cracks and external pointing, where appropriate. Although no further problems are envisaged, it is intended as a precautionary measure, to install some additional 'tell tales' to enable the situation to be monitored periodically.

3.5 The transfer to Bollington Town Council will be based upon the standard heads of terms.

#### **4.0 Wards Affected**

4.1 Bollington

#### **5.0 Local Ward Members**

5.1 Cllr Peter Hayes  
Cllr Bill Livesley

#### **6.0 Policy Implications including - Carbon reduction - Health**

6.1 The transfer is in line with the council policy of transfer and devolution of asset to Town and Parish councils for a nominal value.

#### **7.0 Financial Implications**

7.1 Annual running costs for Bollington Town Hall are currently forecast at £9,468 for the year 2013-14, with a forecast Room hire income of £9,100, giving an overall net forecast to CEC of £368. The 2013-14 budget is net nil due to the property being a site subject to devolution plus as the building is currently occupied, the room hire charges are forecast to recover costs. Therefore through the proposed transfer, whilst there is no direct revenue budget saving the Council is transferring any risk of holding costs should the occupancy position change in future.

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

8.1 The Council has no power to dispose of property by a freehold transfer unless it secures the best consideration reasonably obtainable or it has Secretary of State consent. Under the Local Government Act 1972 General Disposal Consent (England) 2003 the Secretary of State gave general consent to disposals for less than best consideration if:

(a) The disposing authority considers that the purpose for which the land is to be disposed of is likely to contribute to the achievement of any one or more of the following objects of the whole or any part of its area, or all or any persons resident or present in its area:

- a. The promotion or improvement of economic well-being;
- b. The promotion or improvement of social well-being;
- c. The promotion or improvement of environmental well-being;

(b) the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2m; and

(c) All other conditions and requirements of the Consent are satisfied.

8.2 In transferring assets the Council must behave prudently to fulfil its fiduciary duty

8.3 If there is any open space within the land outlined red on the attached plan, then it will be necessary to advertise the potential disposal of this under the provision of the Local Government Act.

## **9.0 Risk Management**

9.1 The transfer will be subject to the overage provisions as approved by Cabinet.

### **Access to Information**

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

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