

# CHESHIRE EAST COUNCIL

## Cabinet

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<b>Date of Meeting:</b>	10 <sup>th</sup> March 2014
<b>Report of:</b>	Property Services
<b>Subject/Title:</b>	Declare Land at Altrincham Road, Wilmslow surplus to Highways requirements
<b>Portfolio Holder:</b>	Cllr David Topping

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### 1.0 Report Summary

- 1.1 The purpose of this report is to declare land shown edged red on the attached plan at Altrincham Road, Wilmslow surplus to requirements for Highways purposes in order to proceed with the sale to Mr John & Mrs Marjorie Meacham.
- 1.2 Approval from Director of Economic Growth and Prosperity ( see attached) has already been received for the sale of land at Altrincham Road, Wilmslow (known as Land inside bend Altrincham Road, North Brybour Lodge Wilmslow) to Mr John & Mrs Marjorie Meacham on terms and conditions to be determined by the Property Portfolio Manager and Borough Solicitor.

### 2.0 Recommendations

- 2.1 To declare the land at Altrincham Road, Wilmslow (known as Land inside bend Altrincham Road, North Brybour Lodge Wilmslow) surplus to requirements for highway purposes in order for the sale of the said land to proceed.

### 3.0 Reasons for Recommendations

- 3.1 Highway services have confirmed the land is surplus to operational requirements.
- 3.2 As the land is surplus to operational requirement, the land needs to be formally declared surplus to requirements for highway purposes by the Portfolio Holder in order for the proposed sale to complete.
- 3.3 It is considered that the land has no reasonable beneficial value to any other party other than to the owners of the adjacent land, Mr John & Mrs Marjorie Meacham. It is therefore considered appropriate to sell the land to Mr John & Mrs Marjorie Meacham without offering it to the open market.

3.4 A sale would relieve the Council from any future maintenance liability.

#### **4.0 Wards Affected**

4.1 Wilmslow West and Chorley Ward

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

5.1 Cllr Gary Barton  
Cllr Wesley Fitzgerald

#### **6.0 Policy Implications**

6.1 The land is considered to be surplus to the requirements of Cheshire East Council.

#### **7.0 Implications for Rural Communities**

7.1 N/A

#### **8.0 Financial Implications**

8.1 Cheshire East Council will receive a revenue receipt of £5,500 for the sale of the land. A sale can only proceed if the land is formally declared surplus to requirements.

#### **9.0 Legal Implications**

9.1 The Land is required to be formally declared surplus to operational requirements in order for the land to be disposed of as the land was acquired by the Council for Highways purposes.

9.2 S.123 of the Local Government Act 1972 gives power to any local authority to dispose of land on such terms and conditions that it wishes subject to it securing the best consideration reasonably obtainable.

9.2 The land may be sold to a named party in accordance with the Cheshire East Council's policy, where the sale is considered to be the only reasonable disposal opportunity available in relation to the land in question and best consideration is to be obtained.

#### **10.0 Risk Management**

10.1 There are no perceived risk management issues

## **11.0 Background and Options**

- 11.1 Cheshire East Council (CEC) was approached by Mr John & Mrs Marjorie Meacham to purchase the land outlined in red on the attached plan.
- 11.2 Following this request, Asset Management confirmed with Highways that the land could be sold. Highways have stated the land is surplus to operational requirements.
- 11.3 A value of £5,500 (plus Legal and Surveyor fees) and suitable terms and conditions of disposal have provisionally been agreed with Mr John & Mrs Marjorie Meacham. This constitutes best consideration.

## **12.0 Access to Information**

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

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