

# DECISION NOTICE

Notice is given that the following decision has been taken under the Provisions set out in the Council's Constitution

**Decision maker:** Cabinet Member for Finance and Assets

**Date:** 16 June 2015

**Decision in the matter of:** Disposal of Land adjacent to Audlem Public Hall

- Decision:**
1. That approval be given for the land shown edged in red on the plan attached to the report to be sold to the Audlem Public Hall Management Committee for a consideration of £1 which is less than best consideration.
  2. The transfer will be for a nominal value and the Audlem Public Hall Management Committee will be wholly responsible for the service and the asset save insofar as the Council has residual legal responsibilities under contracts or legislative provisions.
  3. The agreement will secure an overage payment for the Council if there is a future planning permission which enhances the value of the asset or the Audlem Public Hall Management Committee sells the asset within a 15 year period with increase in value/ proceeds of sale returning to Cheshire East.
  4. The existing use has an unrestricted value which is in the region of £3,000 to £5,000 and the Council agrees to forego the capital receipt in this instance to support the promotion of well being as detailed in the report.

**Background:** Approval is sought to the transfer the freehold title of land adjacent to Audlem Public Hall to the Audlem Public Hall Management Committee. The extent of the land owned by the Council is approximately 0.20 acres (or thereabouts). The land is considered surplus and does not perform an operational function for the Council.

Audlem Parish Council has identified the need for improved sport and recreational facilities and are proposing to extend the existing hall to provide improved facilities for the village. This will be a special purchaser arrangement.

The land owned by the Council is the only part of the Council's land available which could be built upon to provide the extension. The land does not perform any operational function, is not considered to be suitable for

marketing for a disposal to a third party, is of minimal value and is considered a liability in terms of insurance and maintenance/repair for the Council.

An objection to the disposal of the open space had been made but the Council intends to restrict any future use of the land within the conveyance, and also to include an overage provision to endure the proceeds of any sale return to the Council.

It is confirmed that the Audlem Public Hall Management Committee have agreed to pay the Councils reasonable costs associated with the transfer.

**Background Documents:**

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

**Approved:**

Signed .....  
Councillor Peter Groves (Cabinet Member for Finance and Assets)

**Date:**

26 June 2015

**Advising Officer:**

Signed .....  
Paul Carter (Senior Valuer)