

<b>REPORT TO:</b>		Cabinet	
<b>DATE:</b>		29 July 2015	
<b>PORTFOLIO:</b>		Cllr Gareth Molineux - Resources	
<b>REPORT AUTHOR:</b>		Ian Hoole – Estates Manager	
<b>TITLE OF REPORT:</b>		Sale of Land at Yorkshire Street, Huncoat	
<b>EXEMPT REPORT (Local Government Act 1972, Schedule 12A)</b>	<b>No</b>	Not applicable	
<b>KEY DECISION:</b>	<b>No</b>	If yes, date of publication:	N/A

### 1. **Purpose of Report**

1.1 To seek approval to the sale of Council-owned land at Yorkshire Street, Huncoat.

### 2. **Recommendations**

2.1 It is recommended that Cabinet:

1. Agrees in principle to dispose of the land at Yorkshire Street in Huncoat (shown edged red on the attached plan) at market value, subject to consideration of any objections received after public notice of the proposed disposal has been given in accordance with section 123 (2A) Local Government Act 1972; and
2. Delegates authority to the Head of Regeneration and Housing:-
  - I. To consider any objections received in response to the public notice and, following consultation with the portfolio holder, to determine whether to proceed with the proposed sale of the site; and
  - II. To agree the terms of the proposed sale.

### 3. **Reasons for Recommendations and Background**

3.1 The land at Yorkshire Street, Huncoat, shown edged red on the attached plan, has been reserved for several years as a site for a proposed community centre. On 30<sup>th</sup> November 2010 Cabinet agreed to reserve the land for community centre use until November 2012.

- 3.2 The land contains 0.28 hectares (0.7 acres) or thereabouts. The site is grassed and fairly flat and level. It was the site of the former Highbrake Terrace which was acquired by a compulsory purchase order in 1973.
- 3.3 Regrettably, no funds have been raised to develop a community centre on the land and the site is now recommended for disposal.
- 3.4 The most likely use of the land is as a residential development plot for up to 12 houses. Due to the small size of the plot, from a planning perspective, there will be no need to insist upon a proportion of the site being used for the provision of affordable housing.
- 3.5 With the Cabinet's approval, it is intended to market the land for sale on the open market in order to generate the best financial offer. However, the land is currently allocated as public open space. Before marketing the land can begin, the Council is statutorily obliged to advertise its intention to dispose of this land and to consider any objections that it may receive.
- 3.6 Assuming that the Cabinet still wishes to dispose of the site after the public consultation period has ended (approximately one month), there are a number of options open to the Council in order to generate a realistic financial offer. The land could be sold at auction subject to placing a reserve on the sale price. Alternatively, the land could be advertised for sale for a limited time subject to seeking informal tenders. However, it is recommended that the most appropriate mechanism would be to place the land on the open market for an unlimited period of time pending receipt of a satisfactory offer.

**4. Alternative Options considered and Reasons for Rejection**

- 4.1 The site has been considered by Globe Enterprises Limited as a potential development site but no financial offer was forthcoming.
- 4.2 The site has subsequently been valued and a prospective bidder is believed to have been informed of the Council's valuation figure. However, no financial offer has been made.
- 4.3 Although the site has a number of potential uses, the general consensus is to place the site on the market and allow the open market to determine what the land is worth.

**5. Consultations**

- 5.1 The Chief Executive, the Regeneration and Property Manager and the Chief Planning Officer have all been consulted about the proposed sale and have no objections to these proposals.

**6. Implications**

<b>Financial implications (including any future financial commitments)</b>	Disposal of the land will reduce the Council's maintenance liabilities for the land as well as
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<b>for the Council)</b>	generate a capital receipt.
<b>Legal and human rights implications</b>	There are believed to be no human rights implications arising from the proposed sale.
<b>Assessment of risk</b>	<p>There is a possibility that the Council may receive objections to potential loss of this public open space.</p> <p>The merits of any such objections must be considered before a final decision is taken to dispose of the site.</p> <p>The site is close to the railway level crossing and vehicles on Station Road. However, as the land was used for residential purposes previously and with careful design and planning, any risk of accidents can be minimised.</p>
<b>Equality and diversity implications</b> <i>A <a href="#">Customer First Analysis</a> should be completed in relation to policy decisions and should be attached as an appendix to the report.</i>	<p>No equality or diversity issues have been identified.</p> <p>Any issues arising as a result of the public notice will be carefully considered.</p>

**7. Local Government (Access to Information) Act 1985:  
List of Background Papers**

7.1 *Cabinet report 30<sup>th</sup> November 2010*  
[http://www.hyndburnbc.gov.uk/downloads/Item\\_11\\_-\\_Proposed\\_Community\\_Facility\\_Yorkshire\\_Street\\_Huncoat.pdf](http://www.hyndburnbc.gov.uk/downloads/Item_11_-_Proposed_Community_Facility_Yorkshire_Street_Huncoat.pdf)

7.2 *Minutes of Cabinet held on 30<sup>th</sup> November 2010*  
[http://www.hyndburnbc.gov.uk/downloads/Cabinet\\_minutes\\_301110\\_2\\_.pdf](http://www.hyndburnbc.gov.uk/downloads/Cabinet_minutes_301110_2_.pdf)

**8. Freedom of Information**

8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.

Date: 01 July 2015

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Title: Land at Yorkshire Street, Huncoat.

