

Officer Non Key Executive Decision

Relevant Chief Officer	Steve Thompson, Director of Resources
Decision Maker:	
Relevant Cabinet Member for consultation purposes:	Cllr Mark Smith, Cabinet Member for Business, Enterprise and Job Creation
Report Author:	Janette Slater, Asset Management Records Officer
Implementation Date of Decision:	17 July 2020

DISPOSAL - LAND FORMERLY 120 ANSDALL ROAD, BLACKPOOL, FY1 6PZ

1.0 Purpose of the report:

- 1.1 To authorise the sale of the Council's interest in this residential building plot, formerly 120 Ansdell Road, Blackpool, which is currently vacant and unused, by auction or by Private Treaty. Disposal to be covenanted to allow for residential use only.

2.0 Recommendation(s):

- 2.1 To seek formal approval for the disposal of the Freehold interest in the land formerly known as 120 Ansdell Road, Blackpool, FY1 6PZ registered at the Land Registry under title number LA447424.
- 2.2 To seek formal approval to advertise/serve a Public Open Space Notice, if deemed necessary, relating to the disposal of this site and subject to no objections being received which cannot be quashed that authorisation be given to proceed with the disposal of the land.
- 2.3 To authorise the Head of Legal Services to negotiate, draft and enter into all necessary legal agreements, deeds and supplemental documents in accordance with sections 2.1 and 2.2 above.

3.0 Reasons for recommendation(s):

- 3.1 To reduce the annual holding costs for maintaining the site grounds and Heras fencing to the site boundary, so preventing unlawful occupation of the site.
- To stimulate regeneration and investment to bring currently vacant land back into active use.
- 3.3 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No
- 3.4 Is the recommendation in accordance with the Council's approved budget? Yes

3.5 Other alternative options to be considered:

- a) To retain the parcel of land and continue to incur holding costs
- b) After consultation neither, Blackpool Housing Company (BHC) or Blackpool Coastal Housing (BCH) are interested in residential development of the land.

4.0 Council Priority:

4.1 The relevant Council Priority is: "The economy: Maximising growth and opportunity across Blackpool".

5.0 Background Information

5.1 The property was acquired, in lieu of a debt, with the intention of disposing of the site to recover monies owed and is currently sitting vacant. There is an opportunity to dispose of the site, Circa 137 sq m (165 sq yds), as a residential building plot. On 29 January 2020 Outline planning permission (20/0044) was granted for the residential development of one detached dwelling.

5.2 The private land had been subject to a history of fly tipping and as a result re-secured with Heras fencing on 21 May 2019. Notices posted the same day, on fencing along the boundaries to the front and rear of the land, provided full contact details for Blackpool Councils Estates Team and confirmed the boundary structures together with the land beyond them belonged to Blackpool Borough Council. There is no record of any objections, to date, to the re-securing of the site.

5.3 Does the information submitted include any exempt information? No

5.5 List of Appendices:

6.0 Legal considerations:

6.1 Disposal of property in accordance with powers under Section 123(1) Local Government Act 1972.

Restrictive Covenants to be imposed on buyers (and their successors in title) for future use of land as one private residential dwelling, to adhere to obligations and conditions under Planning Permission 20/0044 (or any supplemental planning decisions thereto), and all other registered covenants against the title LA447424.

6.2 Legal transactional options for the disposal of Councils interest:-

- a) Council transfers the Freehold interest in the Property to the Buyers with restrictions/obligations burdening the Buyers under the Transfer Deed for the Buyer to carry out works under Planning Permission 20/0044 (or any supplemental planning decisions thereto) within a set timeframe otherwise the Council has the right 'buy back' the Property; or
- b) Council grants the Buyer a Leasehold interest in the Property with premium payment and with Tenant obligations under the lease for the Buyer to carry out works under Planning Permission 20/0044 (or any supplemental planning decisions thereto) within a set timeframe otherwise the Council has the right to surrender the lease. Should the Tenant comply with the works obligations within the set timeframe then the Council agrees to surrender the lease and transfer their freehold interest to the Buyers simultaneously; or
- c) Council transfers the Freehold interest in the Property to the buyer with restrictive and positive covenants as referred to in section 6.1 above and no works obligations or 'buy back' provisions are imposed. Should the works under the Planning Permission not be completed in accordance with the planning conditions then the local Planning Officer would have the responsibility of pursuing the Buyers or their successors in title for remedial works.

6.3 There is an Equitable Charge dated 4th August 2004 in favour of the Council relating to the debt incurred when demolishing the Property in 1997 for the sum of £43,288.50 (including Legal Costs). On completion of the sale the Buyers will require the Equitable Charge to be fully discharged by the Council.

7.0 Human Resources considerations:

7.1 None.

8.0 Equalities considerations:

8.1 None.

9.0 Financial considerations:

9.1 The land is subject to an Equitable Charge in favour of the Council as outlined in 6.3.

10.0 Risk management considerations:

10.1 If sold by auction the Reserve to be set in line with valuations and professional advice.

11.0 Ethical considerations:

11.1 None.

12.0 Internal/ External Consultation undertaken:

- 12.1 Estates colleagues have made necessary enquiries with Planning, Blackpool Coastal Housing Limited and Blackpool Housing Company Limited.

13.0 Decision of Chief Officer

- 13.1 To seek formal approval for the disposal of the Freehold interest in the land formerly known as 120 Ansdell Road, Blackpool, FY1 6PZ registered at the Land Registry under title number LA447424.

To seek formal approval to advertise/serve a Public Open Space Notice, if deemed necessary, relating to the disposal of this site and subject to no objections being received which cannot be quashed that authorisation be given to proceed with the disposal of the land.

To authorise the Head of Legal Services to negotiate, draft and enter into all necessary legal agreements, deeds and supplemental documents in accordance with sections 2.1 and 2.2 above.

14.0 Reasons for the Decision of the Chief Officer

- 14.1 To reduce the annual holding costs for maintaining the site grounds and Heras fencing to the site boundary, so preventing unlawful occupation of the site.

To stimulate regeneration and investment to bring currently vacant land back into active use.