

## Property Disposal Programme

**EXECUTIVE MEMBER:** Councillor Gillian Troughton, Portfolio Holder for Finance and Human Resources.

**LEAD OFFICER:** Fiona Rooney, Interim Director of Resources and Strategic Commissioning.

**REPORT AUTHOR:** Martyn Morton, Property Programmes Manager.

### WHAT BENEFITS WILL THESE PROPOSALS BRING TO COPELAND RESIDENTS?

The proposal will allow for the disposal of surplus land. This will make land available to the community to purchase and is likely to lead to unused areas of land being improved. For the Council, capital receipts will be received which are essential in supporting the capital programme going forward.

### WHY HAS THIS REPORT COME TO THE EXECUTIVE?

(eg Key Decision, Policy recommendation for Full Council, at request of Council,etc.)

Contract procedure rules allow the Section 151 Officer and Legal Services Manager to decide when property should be sold. Subsequent approval of terms is a separate procedure and, dependent on value, could be either those officers, the Executive or Council. Given the number of properties to be disposed of now it was considered preferable to seek the Executive's endorsement to those properties being marketed prior to the sale process starting.

<p><b>RECOMMENDATION:</b> That the properties listed in the appendix to this report be approved for disposal.</p>
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## 1. INTRODUCTION

- 1.1 The Council has held a number of surplus parcels of land around the Borough for some time. Attempts to sell the parcels have had mixed results and the majority of properties in this category have remained unsold for several years. Although minimal there are cost implications from retaining land and these include the cost of holding third party insurance, low level ground maintenance to ensure safety and regularly monitoring the land to avoid fly tipping and trespass. Until now no sustained disposal programme has been necessary.

- 1.2 Financial pressures are now changing however, the sale of our assets and the capital receipts made from those sales are vital to the capital programme 2015/16 and beyond. This will require a structured and targeted campaign and this report is to consider such an approach to increasing capital receipts.
- 1.3 It is currently forecast that in 2015/16 the maximum use of our current capital receipts reserve will be £2,475,000 made up of spend on various projects across the Council. This will comprise up to £575,000 from the remaining capital receipt of Council house sales, a budget that will be expended by 2017/18 at the current rate of expenditure. The remaining amount, up to £1,900,000, will be from the general capital receipts budget which had an opening credit balance of £2,200,000 at the start of the year. This budget is replenished from the sale of property assets and there is a further £545,000 to be injected from sales that have completed or are expected to complete over the next two financial years. Even so, at the current rate of use it will be sufficient to support the 2015/16 Capital Programme as well as pre-planned works into 2016/17 and 2017/18. But any additional bids, and they are clearly inevitable so far in advance, will not be affordable after mid 2016/17 if no further capital receipts are realised. Obtaining these receipts from the sale of property is a slow and unpredictable process with many influencing factors beyond the Councils control. It is therefore considered prudent to commence an exhaustive exercise of available surplus assets to sell, to replenish the capital budget before a shortfall arises.
- 1.4 It is intended that all of Copeland's land holdings that are not actively engaged in the operation of core functions be reviewed to identify if there are ways in which those assets can be used to improve capital and/or revenue streams by sale or other means. Obtaining the maximum capital receipt will be achieved best by staggering the release of surplus assets onto the market. This will also assist in resourcing the project effectively.

## **2. DISCUSSION**

- 2.1 It is proposed that the various lands shown in the appendix to this report be disposed of first. The appendix sets out how the disposal will be achieved in terms of method and problems to be overcome prior to marketing. In all cases disposal will be by advertisement and by way of formal open market competitive tender. If this does not deliver offers around the open market value of the property then consideration will be given to sale through an auction.
- 2.2 In all cases the Council must ensure that it obtains the best price that can reasonably be obtained. If any property is sold at auction a reserve price will be placed on the property to ensure that best price is achieved.
- 2.3 It is anticipated that further groups of properties will be submitted to future Executive meetings for approval.

### **3 ALTERNATIVE OPTIONS TO BE CONSIDERED**

None proposed. Land banking continues to be an option to see if land values increase over coming years. *However this could potentially mean there are insufficient receipts to support future capital programmes.*

### **4 CONCLUSIONS**

Members are asked to approve in principle the disposal of the lands described in the Appendix to this report. Approval of the terms of each disposal will be obtained in accordance with contract procedure rule 32 and this may mean a further report to the Executive or Council depending on the value of the transaction.

### **5 STATUTORY OFFICER COMMENTS**

- 5.1 The Monitoring Officer's comments are: This report is presented to ensure that members have no objections to the specified areas of land being disposed of. In all cases steps will be taken to ensure that the best price is obtained in accordance with section 123 of the Local Government Act 1972.
- 5.2 The Section 151 Officer's comments are: The proposals set out in this report and particularly relating to the generation of Capital receipts are consistent with the projections contained in the Capital Programme Budget for 2015/16, a report on which is considered elsewhere on the agenda.
- 5.3 EIA comments: None.
- 5.4 Policy Framework:
- 5.5 Other consultee comments, if any:

### **6. RESOURCE REQUIREMENTS**

The project is largely an exercise to raise capital rather than to incur expenditure, however there will be costs involved. These are anticipated to be minimal compared with the intended capital receipt and they are:

- Staff time for surveying, legal and other professional fees over one year, approx. £20,000; and
- Incidental expenditure on items to bring assets up to a marketable condition approx. £10,000.

**7. HOW WILL THE PROPOSALS BE PROJECT MANAGED AND HOW ARE THE RISKS GOING TO BE MANAGED?**

- 7.1 The Project Manager for all capital schemes will be the Property Programme Manager, who will be responsible for the overall delivery of the project and ensuring the project is kept within timeframes, budget and anticipated receipts. The Interim Estates Officer will be responsible for the day to day supervision of the project and act as first point of call for the site supervisors.
- 7.2 The Legal Services Manager will oversee any contractual and/or legal issues.
- 7.3 The Senior Communications Officer will support in the communication of the projects with the local media as and when this is necessary.

**8. WHAT MEASURABLE OUTCOMES OR OUTPUTS WILL ARISE FROM THIS REPORT?**

- 8.1 Increased capital receipts.

**List of Appendices**

Appendix: Details of properties to disposed of.

**List of Background Documents:**

Terrier plans and notes.

# APPENDIX

## **The properties in the first group are:**

Site of the former Haverigg Community Centre

Land at Bank Yard Road, Parton

Plot 1 at Walkmill Close, Moresby Parks

Plot 2 at Walkmill Close, Moresby Parks

Plot 3 at Walkmill Close, Moresby Parks

Land at St Paul's Avenue, Frizington

Land adjacent to 66 High Street, Cleator Moor

Land at Thompson Close, Cleator Moor

Land at Harras Moor/Red Lonning, Whitehaven

A summary of each property follows:

## SITE OF THE FORMER COMMUNITY CENTRE, HAVERIGG



**DESCRIPTION:** Approximately 300 sq. metres (0.07 acres) of land previously the site of Haverigg Community Centre

**RECENT HISTORY:** This site has previously been offered for sale in early 2014 but this failed to proceed. The land is unused.

**TENURE FOR SALE:** Freehold with vacant possession.

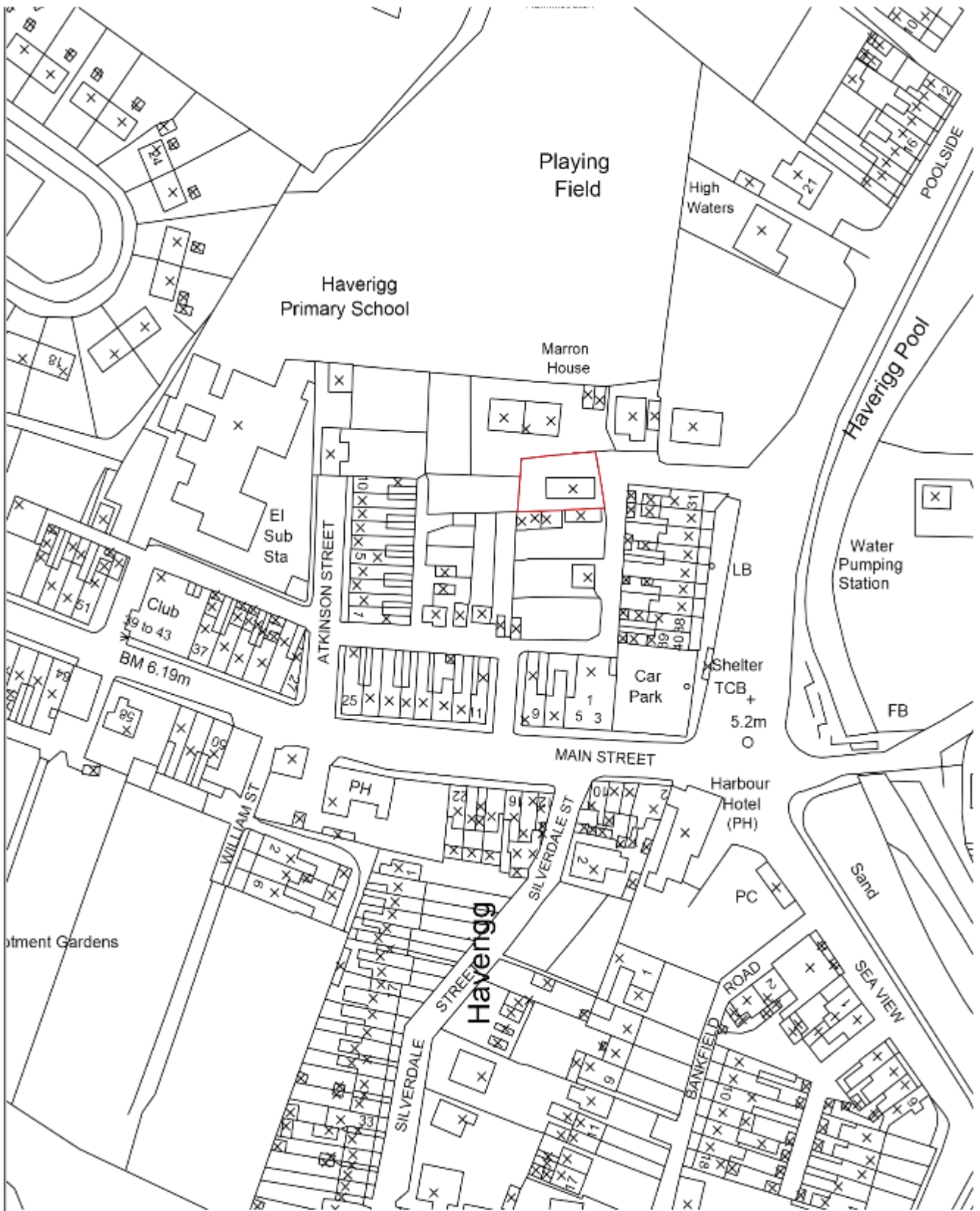
**PLANNING OPPORTUNITY:** It is identified in the Local Plan as an area suitable for development, any planning application to be upon its own merits.

**ACCESS:** The highway access is a private road belonging to Cumbria County Council from Poolside, and is unadopted. The second approach is identified in the County Council Highway classification as pedestrian only, and is also unadopted. This may be a concern to resolve before sale.

**LEGAL:** There are no onerous covenants affecting the land although there is a fencing covenant of minor significance.

**APPROACH:** Resolve what access rights can be passed to a new owner.

Advertise the site for sale by sealed offer in the first instance and by auction if that is unsuccessful.



Former Community Ctr, Haverigg (1:1250)



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Scale @ A4 1:1250	Designed by N/A	Drawn by JW	Checked by BV	Revision REV: 1	Date 03/06/2013
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Project No.  
SFCCH - JW

Drawing No.  
SFCCH - JW - 001

## LAND AT BANK YARD ROAD, PARTON



**DESCRIPTION:** Approximately 4700 sq. metres (1.15 acres) of open land overlooking the coast

**RECENT HISTORY:** This site has previously been offered for sale in 2013 but this was unsuccessful. The land is unused.

**TENURE FOR SALE:** Freehold with vacant possession.

**PLANNING OPPORTUNITY:** It is allocated in the Local Plan as an area for residential development.

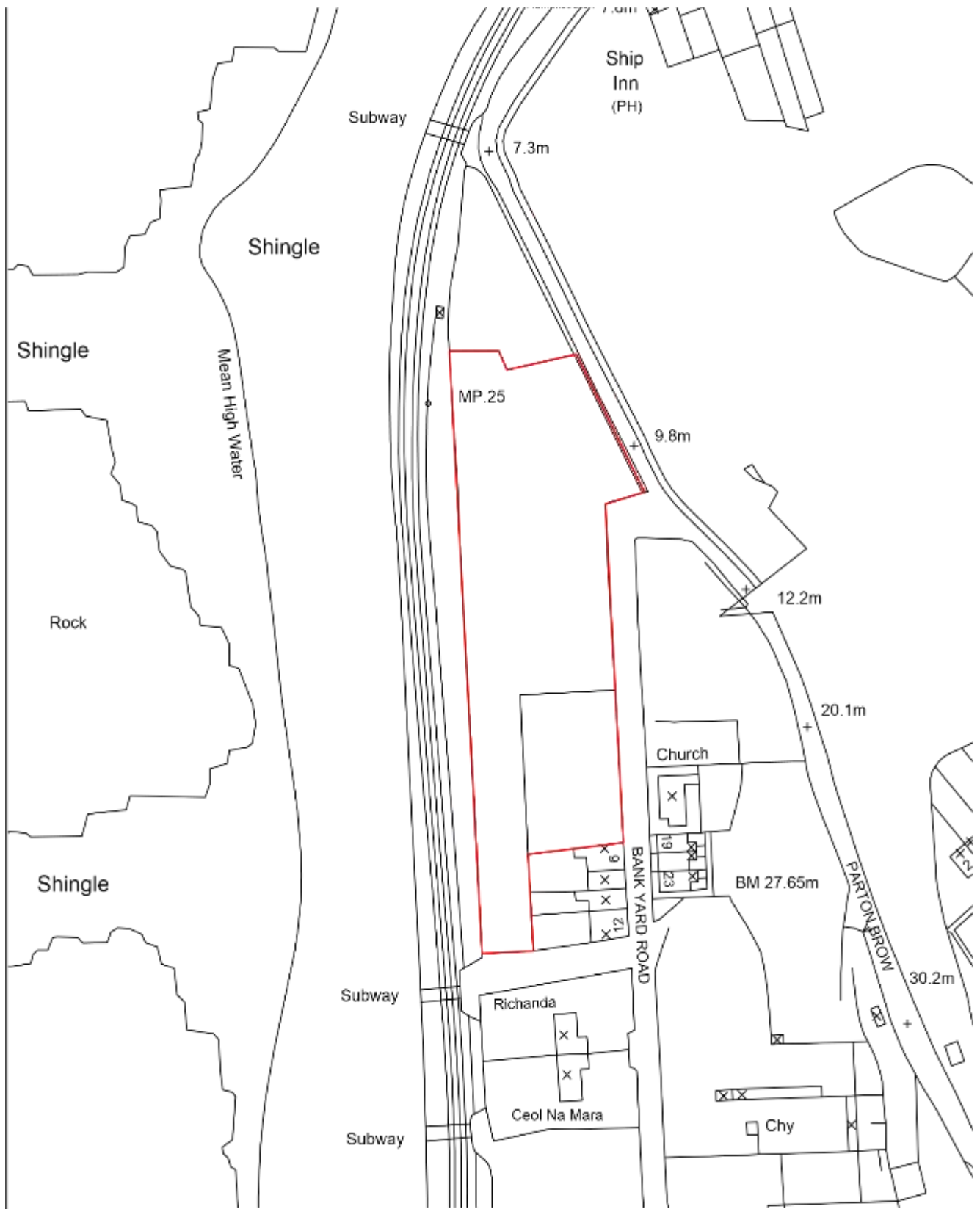
**ACCESS:** The site has direct access to the public highway.

**LEGAL:** The presence of any onerous covenants affecting the land still requires to be investigated although there is a fencing covenant of minor significance.

**APPROACH:** Resolve any legal issues arising from the deeds.

Advertise the site for sale by sealed offer in the first instance and by auction if that is unsuccessful. In view of its coastal location, national advertising should be considered





Land at Bankyard Rd, Parton (1:1250)



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## PLOT 1, WALKMILL CLOSE, MORESBY PARKS



**DESCRIPTION:** Approximately 0.33 hectares (0.82 acres) of residential development land located at Moresby Parks Estate, two miles from Whitehaven Town Centre

**RECENT HISTORY:** This site has previously been offered for sale in April 2014 but this failed to secure a result. The land is unused.

**TENURE FOR SALE:** Freehold with vacant possession.

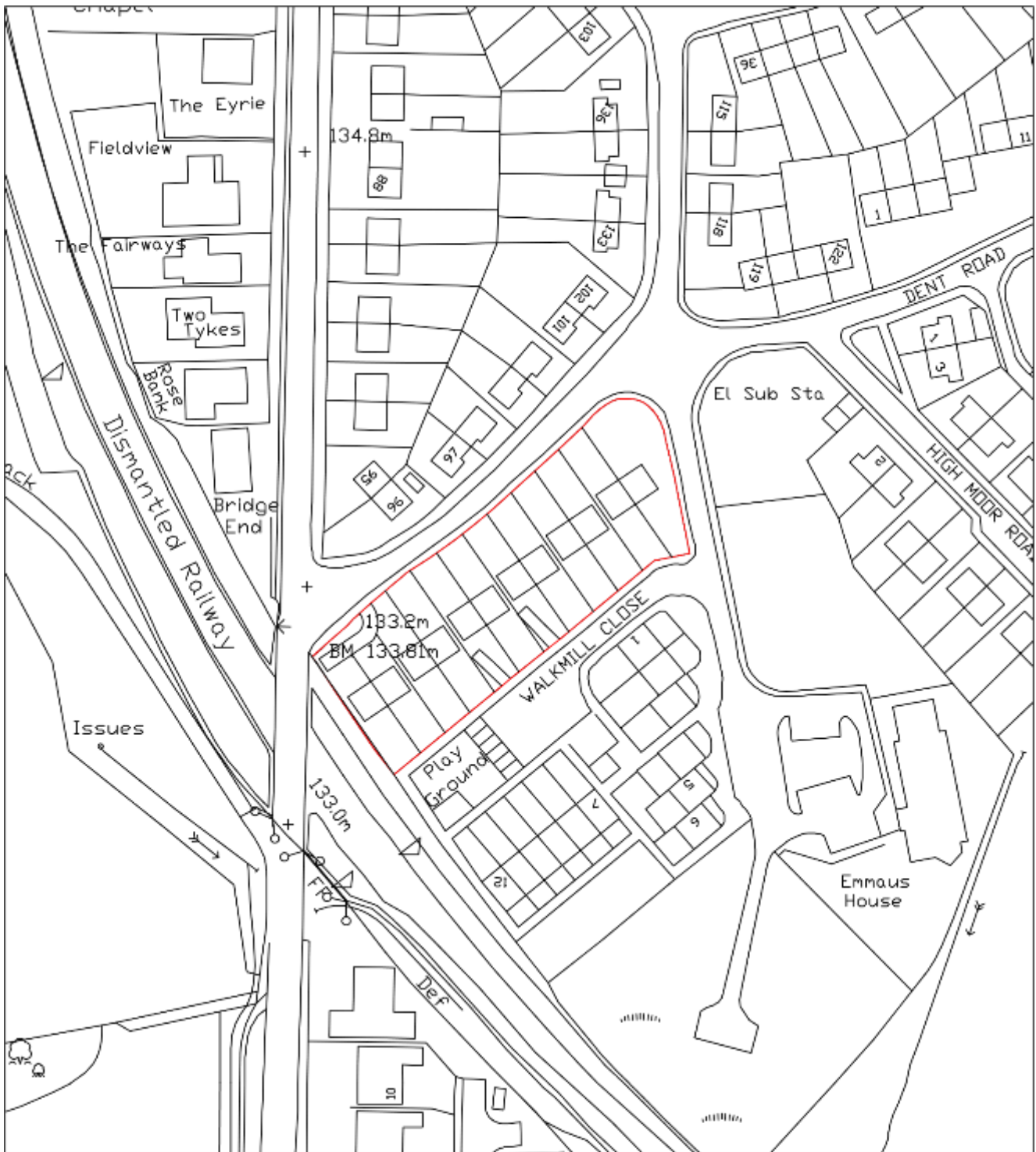
**PLANNING OPPORTUNITY:** It is identified in the Local Plan as an area suitable for residential development, any planning application to be upon its own merits. Note plot 1 has a lapsed planning consent for six pairs of two storey semi-detached homes.

**ACCESS:** The plot is accessed off Moresby Parks Road, via Moresby Parks to Walkmill Close, an adopted highway.

**LEGAL:** The land is not registered and this will need to be resolved before sale. This will also reveal any covenants affecting the land.

**APPROACH:** Register the land and resolve any issues that arise from first registration.

Advertise the site for sale by sealed offer in the first instance and by auction if that is unsuccessful



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<p>C/O Capita Symonds The Capita Building Kingmoor Business Park Carlisle CA6 4SJ</p>	<p>↑</p> <p>Plot 1 Land at Moresby Parks Whitehaven</p>

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## PLOT 2, WALKMILL CLOSE, MORESBY PARKS



**DESCRIPTION:** Approximately 0.1 hectares (0.25 acres) of unused land comprising a residential development site located at Moresby Parks Estate, 2 miles from Whitehaven Town Centre

**RECENT HISTORY:** This site was offered for sale in April 2014 but this failed to secure a result. The land is unused.

**TENURE FOR SALE:** Freehold with vacant possession.

**PLANNING OPPORTUNITY:** It is identified in the Local Plan as an area suitable for housing development, any planning application to be determined upon its own merits.

**ACCESS:** The plot is accessed off Moresby Parks Road, via Moresby Parks to Walkmill Close, which are adopted roads.

**LEGAL:** The land is not registered and this will need to be resolved before sale. This will also reveal any covenants affecting the land.

**APPROACH:** Register the land and resolve any issues that arise from first registration

Advertise the site for sale by sealed offer in the first instance and by auction if that is unsuccessful.



**Land at Walkmill Close, Moresby (1:1250)**


  
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Drawing No. LWCM - JW - 001					

### **PLOT 3, WALKMILL CLOSE, MORESBY PARKS**



**DESCRIPTION:** Approximately 0.42 hectares (1.04.acres) of unused land being a residential development site located at Moresby Parks Estate, 2 miles from Whitehaven Town Centre.

**RECENT HISTORY:** This site was offered for sale in 2014 but this failed to proceed. The land is unused.

**TENURE FOR SALE:** Freehold with vacant possession.

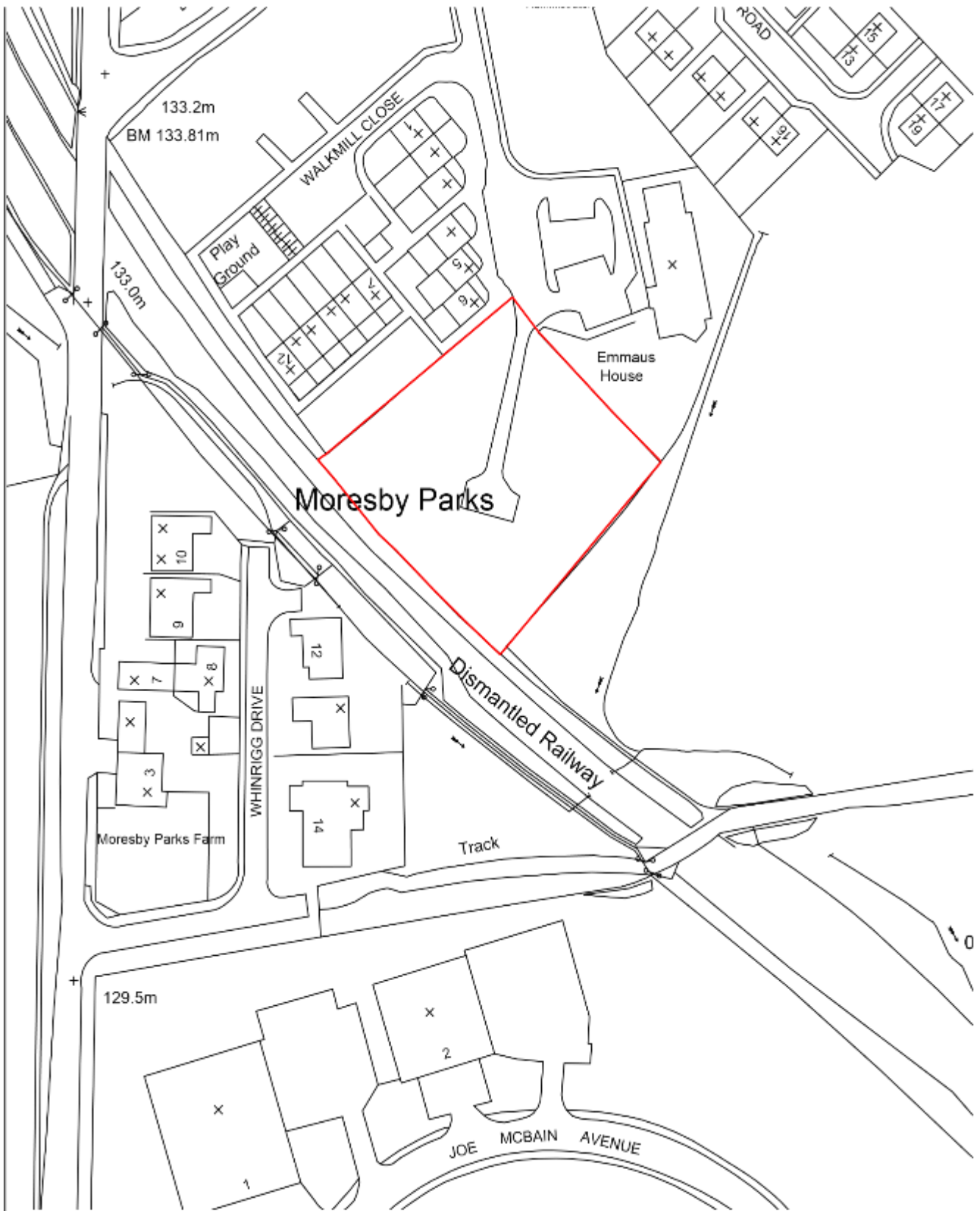
**PLANNING OPPORTUNITY:** It is identified in the Local Plan as an area suitable for housing development, any planning application to be upon its own merits.

**ACCESS:** This land is accessed off Moresby Parks Road, via Moresby Parks to Walkmill Close, all adopted highways.


**LEGAL:** The land is not registered and this will need to be resolved before sale. This will also reveal any covenants affecting the land.

**APPROACH:** Register the land and resolve any issues that arise from first registration.

Advertise the site for sale by sealed offer in the first instance and by auction if that is unsuccessful.



Land adj Emmaus House (1:1250)

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	Drawing No. LEH - JW - 001					

## LAND AT ST PAUL'S AVENUE, FRIZINGTON



**DESCRIPTION:** Approximately 0.07 hectares (0.17 acres) of unused land comprising a residential infill plot with outline planning permission. It is located within the Frizington settlement boundary.

**RECENT HISTORY:** This site was offered for sale in July 2013 but this failed to secure a result. The land is currently unused.

**TENURE FOR SALE:** Freehold with vacant possession.

The deeds have been checked and the above land does belong to Copeland BC. However it has not been registered however which will be required prior to sale

**PLANNING OPPORTUNITY:** It has previously gained outline planning permission for residential development in 2006 although this has now lapsed.

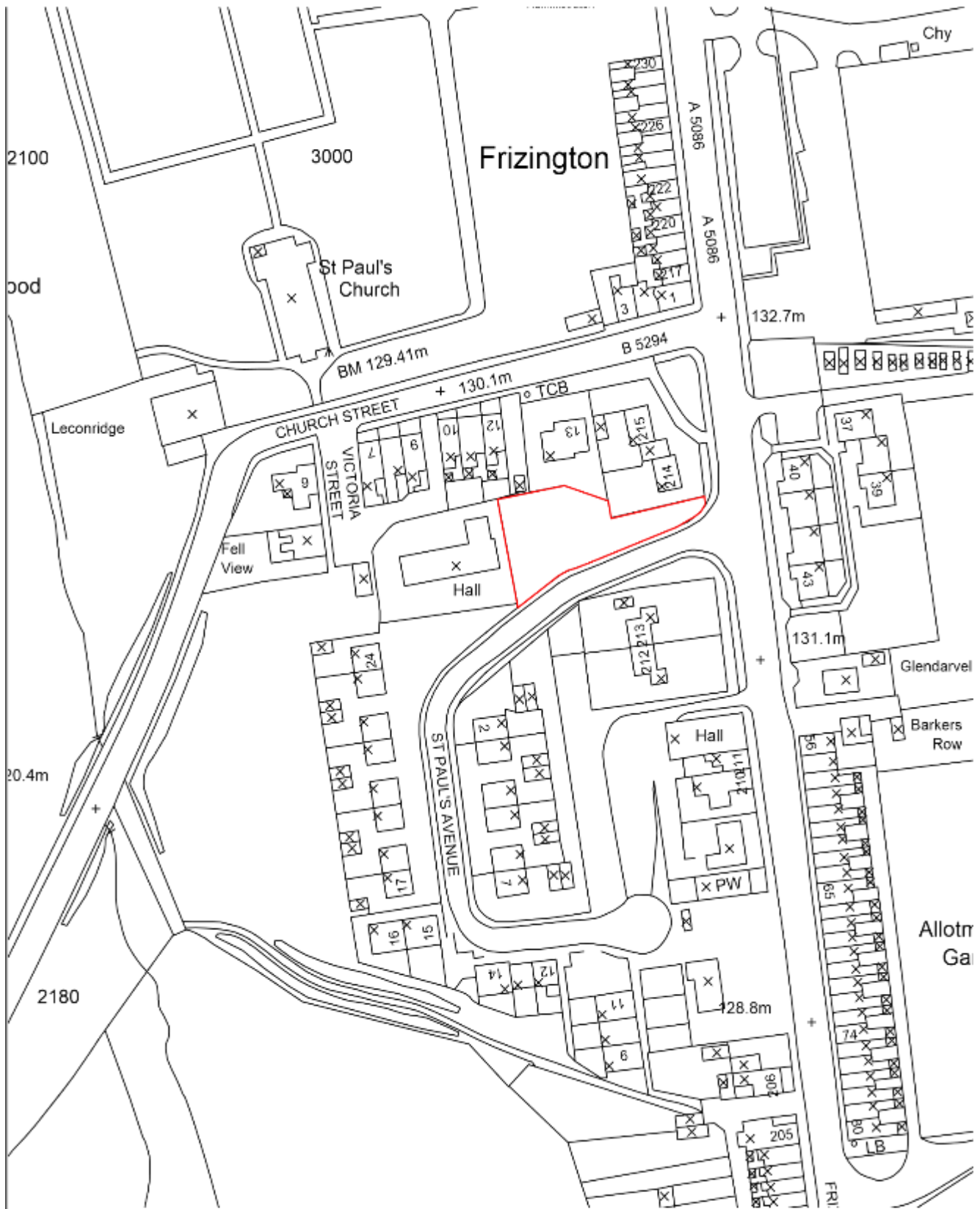
**ACCESS:** The land is served by an adopted estate road

**LEGAL:** Investigation of the deeds is required.

**APPROACH:** Undertake research of the deeds to ensure there are no covenants that would affect 'Best Value' from being achieved upon sale.

Advertise the site for sale by sealed offer in the first instance and by auction if that is unsuccessful.





Land at St Pauls Ave, Frizington (1:1250)



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LSPAF - JW

Drawing No.  
LSPAF - JW - 001

## LAND ADJACENT TO 66 HIGH STREET, CLEATOR MOOR



**DESCRIPTION:** Approximately 1000 sq. metres (0.25 acres) of land adjacent to existing shops and flats.

**RECENT HISTORY:** This site was offered for sale in early 2014 but it failed to sell. The land is maintained as open grass land but has no operational function.

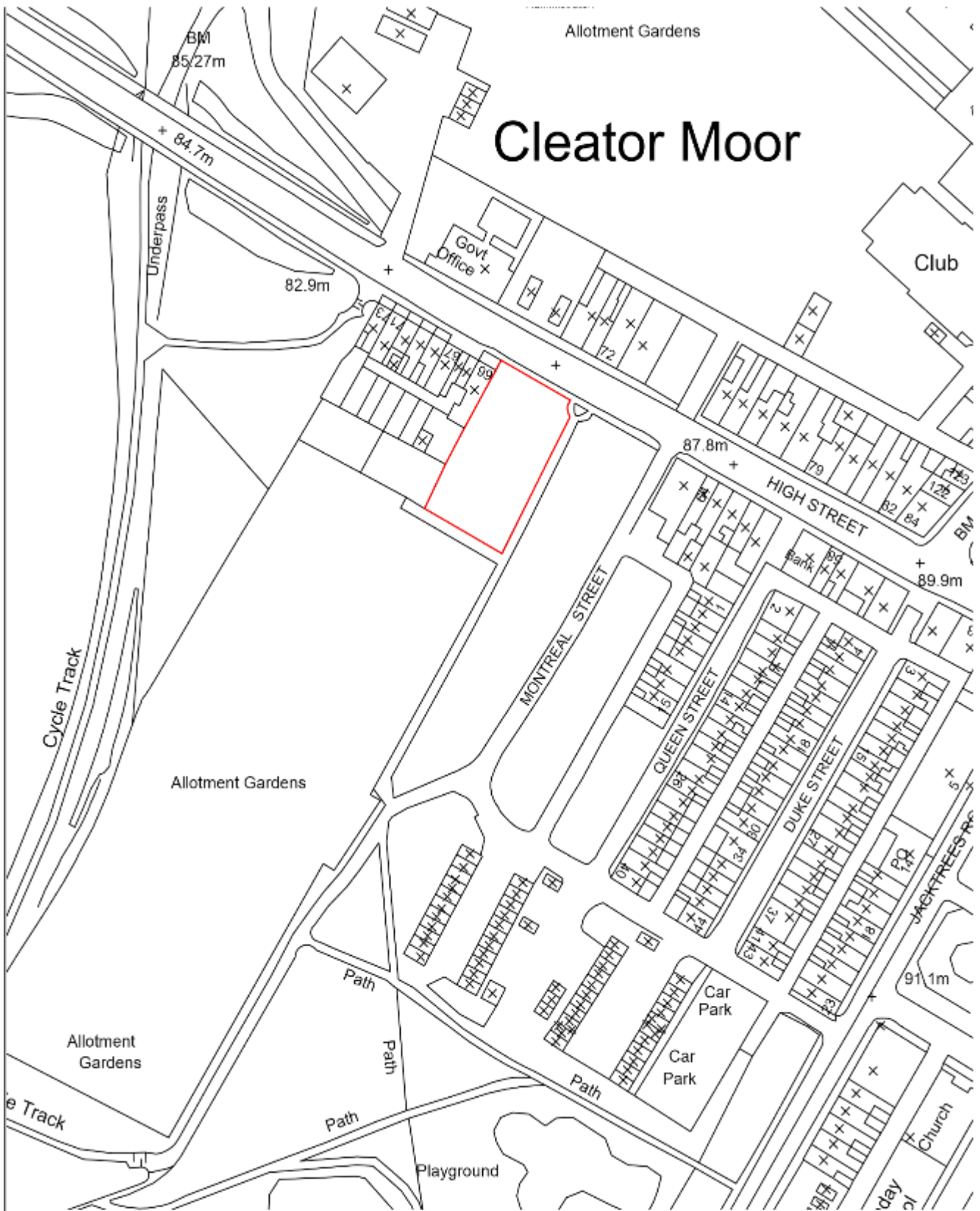
**TENURE FOR SALE:** Freehold with vacant possession.

**PLANNING OPPORTUNITY:** The land is identified in the Local Plan as an area suitable for development, any planning application to be upon its own merits. There is adjacent land in Copeland ownership which can be considered for car parking or access if necessary to ease the application through; this has already been highlighted by planning officers.

**ACCESS:** The subject property fronts High Street, an adopted highway. A footpath adjoins which separates this land from the remaining Copeland Borough Council holding. This is not adopted but may be a public right of way.

**LEGAL:** The local Parish Council have a lease for a small area of the land as a garden onto High Street which is considered to be outside the saleable area. There are no other known legal issues affecting the land.

**APPROACH:** If the proposed development requires off road parking or access to secure development consider utilising the adjacent land.



Land at High St, Cleator Moor (1:1250)

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Project No. LHSCM - JW					
Drawing No. LHSCM - JW - 001					

## LAND AT THOMPSON CLOSE, CLEATOR MOOR



**DESCRIPTION:** Approximately one hectare (2.5 acres) of land adjacent to existing housing.

**RECENT HISTORY:** This site has previously been offered for sale in 2014 but this failed to produce a result. The land is currently unused.

**TENURE FOR SALE:** Freehold with vacant possession.

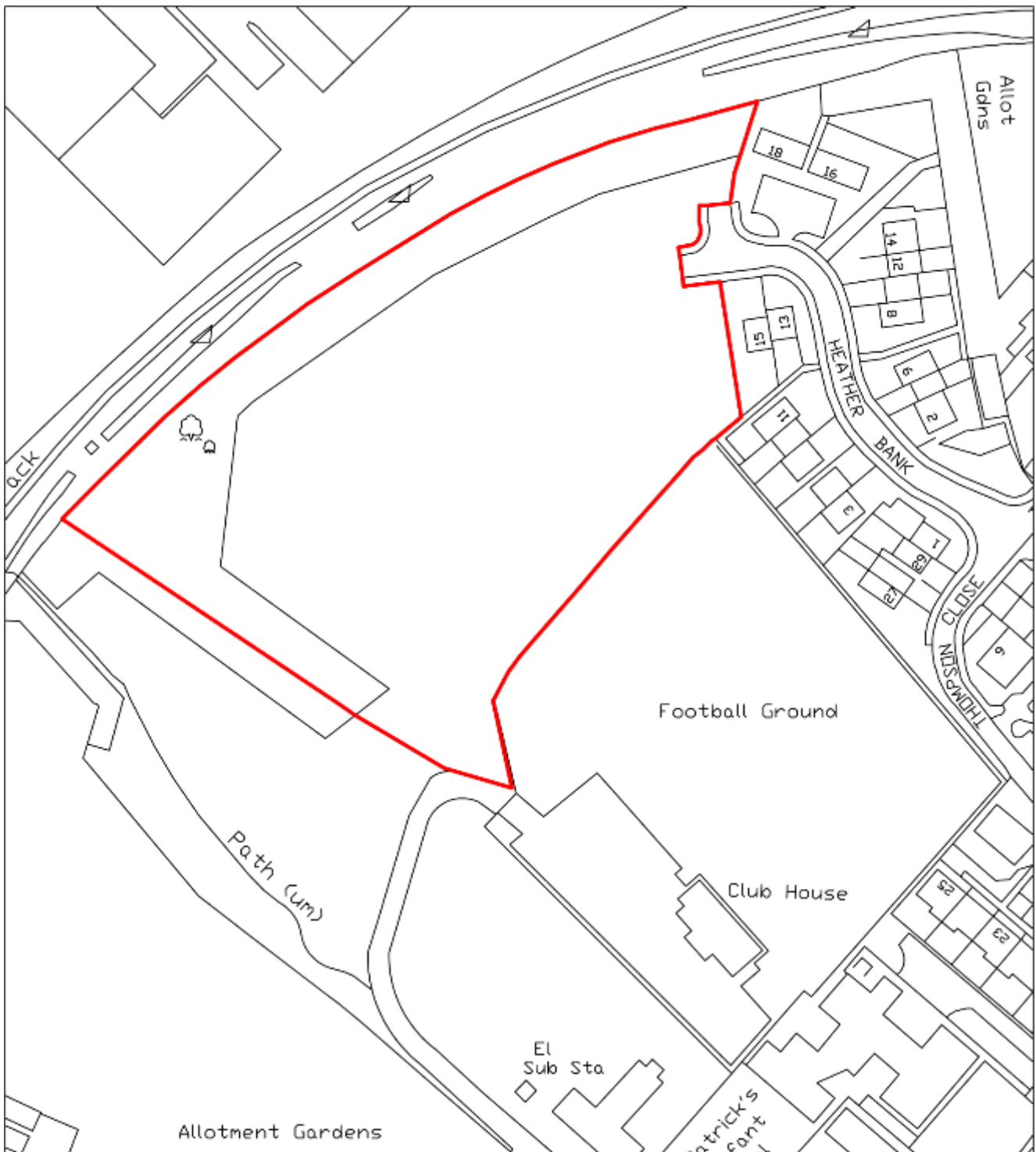
**PLANNING OPPORTUNITY:** It is identified in the Local Plan as an area suitable for residential development, Housing Potential, along with adjoining land in third party ownership.


**ACCESS:** The highway access is a private road belonging to Home Group Ltd and is unadopted. This land was sold by Ennerdale Rural District Council subject to a right of way for Copeland Borough Council as its successor, however the detail will still require to be resolved prior to sale.

**LEGAL:** There are no onerous covenants affecting the land although the abovementioned right of way will need to be resolved and fencing covenants are required with a purchaser to sort out unfenced boundaries.

**APPROACH:** Resolve right of way arrangements that can be passed to a new owner.

Advertise the site for sale by sealed offer in the first instance and by auction if that is unsuccessful.



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<p>C/O Capita Symonds The Capita Building Kingmoor Business Park Carlisle CA6 4SJ</p>	<div style="text-align: center;">  </div> <p><b>Land off Heather Bank Cleator Moor</b></p>

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## LAND AT HARRAS MOOR AND RED LONNING, WHITEHAVEN



**DESCRIPTION:** Approximately 15 hectares (37 acres) of residential development land currently used as grazing and a playing field.

**RECENT HISTORY:** This site has not previously been offered for sale as it was withheld pending a proposed joint scheme with Cumbria County Council which owns adjoining land that is also earmarked for residential development.

**TENURE FOR SALE:** Freehold with vacant possession.

**PLANNING OPPORTUNITY:** It is partially identified in the current Local Plan as an area suitable for residential development whilst the remainder is without any planning status. Any application for the latter will be upon its own merits and residential may be a possibility. However a larger area of the site is identified as residential allocation in the emerging Local Plan, which favours the site, however the Red Lonning playing field is removed from residential status and proposed to be 'urban greenscape protection' which will reduce the value of that area significantly.

**ACCESS:** The site has several highway accesses of which the following are adopted:

- Standings Rise
- High Grove
- Highfields
- Caldbeck Road
- Red Lonning

Caldbeck Road continues into the subject site however it is not adopted from the point where it enters Copeland owned land.

**LEGAL:** There are covenants affecting some parts of the land and their full impact requires research prior to sale. New fencing and services covenants will have to be put in place if the recommendation below is approved.

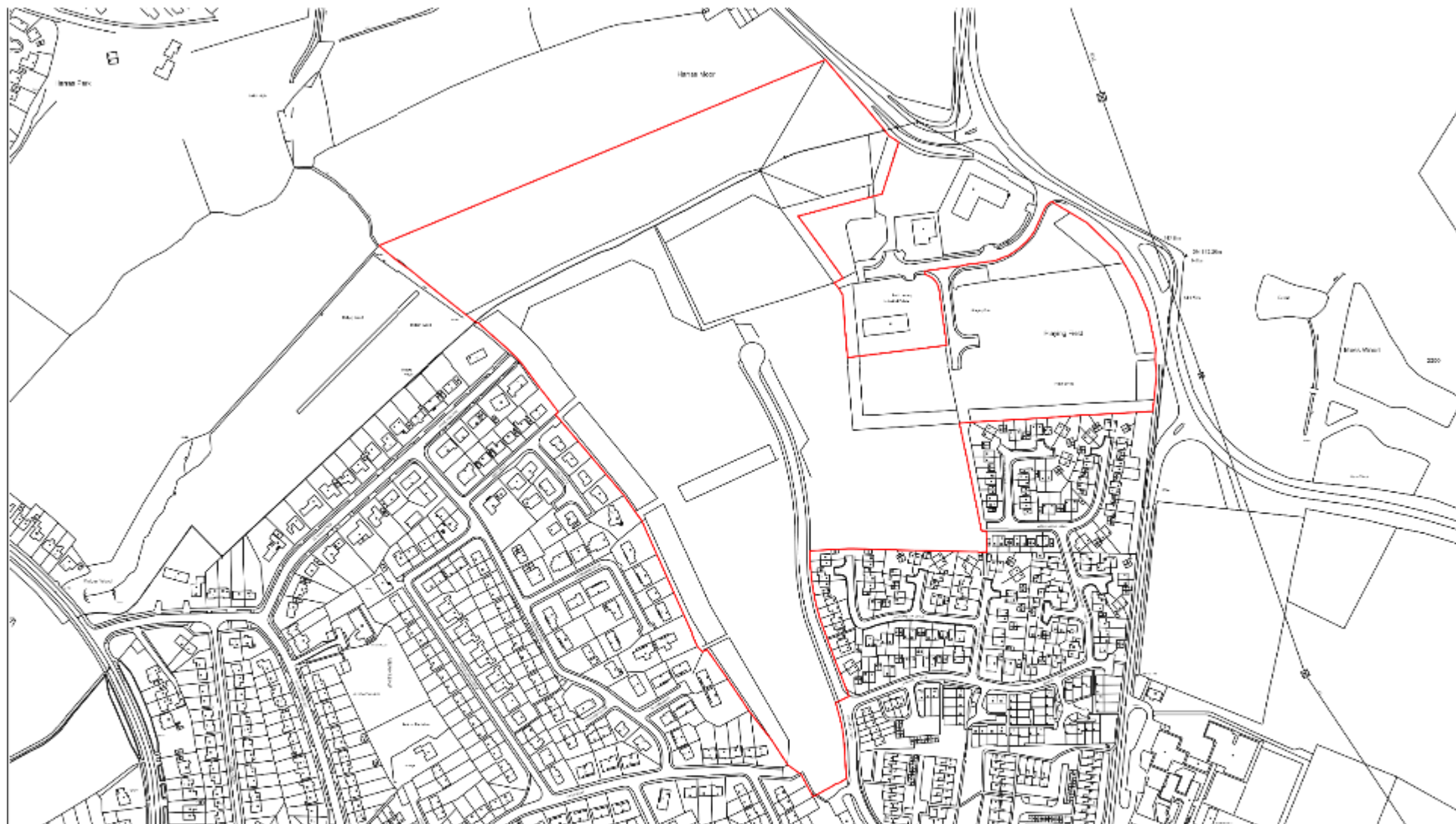
**LIKELY RECEIPT:** is dependent upon the cost of services and infrastructure to be installed. However marketing the whole is deemed to be impractical in one exercise as set out below

**APPROACH:** Resolve any issues around covenants affecting the site to ensure they have no significant impact upon saleability or the likely receipt.

Apply for planning consent for residential development of the Red Lonning playing field whilst the 2003 version of the Local Plan is still enforced. This does contradict the emerging Local Plan but, from a commercial point of view it is the appropriate way to maximise receipts. If successful this area will need to be marketed as an early phase whilst the planning consent remains valid.

A sale of the whole will limit drastically the number of potential bidders, and there is little demand for such large development sites currently. Breaking the site up into phases and releasing them over a period of time to suit demand will help to preserve the overall capital receipt, and also give more local house builders the opportunity to bid. The recommended development plot to be advertised for sale on this occasion is identified on plan.

Advertise the site for sale by sealed offer in the first instance and by auction if that is unsuccessful.



Land at Harras Moor (1:3000)

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Property / Project Title

Land at Harras Moor

24

Drawing Title

Red Lining Site

Scale @ A3  
1:3000

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Checked by  
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Revision  
REV: 1

Date  
08/11/2013

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