



EXECUTIVE MEMBER DECISION

REPORT OF:	Executive Member for Finance and Governance Executive Member for Environmental Services
LEAD OFFICERS:	Director of Growth and Development Director of Environment and Operations
DATE:	23/6/2020

PORTFOLIO/S AFFECTED:	Finance and Governance	Environmental Services
WARD/S AFFECTED:	Blackburn Central	Audley and Queens Park

SUBJECT: Disposal of land at Cromwell Street, Blackburn.

1. EXECUTIVE SUMMARY

The Council owns a variety of property assets across the Borough. As part of the ongoing strategic review of Council assets, this former garage colony has been identified as one which when combined with the adjoining dated play area to the west, could realise a capital receipt which would better serve the Council than continuing with ongoing management of sites with a history of fly tipping and nuisance activities.

It is recommended, therefore, that the Council dispose of the premises by way of auction.

2. RECOMMENDATIONS

That the Executive Members approve the disposal by auction of the site referred to in this report on the terms recommended.

3. BACKGROUND

Over the years the former garage site and play area have proved resource intensive to manage. The former, modest income stream from these ageing garages has ceased as the garages were demolished in recent years.

The site has suffered from fly tipping and anti-social behaviour over the years.

Now is believed a suitable time to dispose of the property for the Council to realise a capital receipt and focus its resources on other property assets, particularly those which are better at promoting inward investment type users and employment creation.

4. KEY ISSUES & RISKS

Although there have been public nuisance issues including fly tipping on this site over recent years, demand is still anticipated from local business, builders and investors in normal market conditions, notwithstanding there are site constraints.

5. POLICY IMPLICATIONS

The disposal method accords with the Council's approved policy for disposal.

6. FINANCIAL IMPLICATIONS

The Council would receive a capital receipt.

7. LEGAL IMPLICATIONS

Under S.123(2) of the Local Government Act 1972 the Council is obliged to obtain best consideration reasonably obtainable. Auction is a means of disposal of Council land under the Council's disposal policy and experience has shown that most properties at auction sell at or above the guide price.

Disposal of Open Space Notices will be displayed on site later prior to auction pursuant to s.123 s.2A Local Government Act 1972 advising where a plan of the site can be inspected and where any objections should be delivered in writing.

The Council will be selling its long leasehold interest. Title indemnity insurance may be provided by Council, if after Legal Services have checked Council's interest and implications of any covenant restrictions on proposed sale this is believed necessary.

A purchaser may also consider taking out their own Title indemnity insurance, particularly if advised to do so by their own solicitor.

8. RESOURCE IMPLICATIONS

Legal and surveyor resources are required to complete the transaction.

The purchaser will be asked to make a reasonable contribution towards the Council's legal, surveyor and auctioneers fee as a condition of the auction.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 ☒ Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 ☐ In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. (*insert EIA link here*)

Option 3 ☐ In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. (*insert EIA attachment*)

10. CONSULTATIONS

Although the site falls just within the Central Ward boundary, both Central Ward and Audley & Queens Park Ward Councillors have been consulted and asked for comments.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

VERSION:	1
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CONTACT OFFICER:	Nicholas Garsrud
DATE:	23/6/2020
BACKGROUND PAPER:	Site plan.