



EXECUTIVE BOARD DECISION

REPORT OF: Executive Member for Finance and Governance

LEAD OFFICERS: Director of Growth and Development

DATE: 4th July 2019

PORTFOLIO/S AFFECTED: Finance and Governance

WARD/S AFFECTED: Billinge and Beardwood

KEY DECISION: YES NO

SUBJECT: Petition against disposal of Red Rake Garage Site

1. EXECUTIVE SUMMARY Local residents have submitted a petition received 4th April 2019 requesting sale of Red Rake be withdrawn from auction, sale took place on February 19th 2019.

2. RECOMMENDATIONS

That the Executive Board: Acknowledge the local residents petition and respond to the lead petitioner. Note the sale was a legally binding agreement entered into upon fall of the gavel at auction on 19th February 2019.

3. BACKGROUND A petition was received by the Council containing 13 names with 12 signatories from 9 individual residencies from properties fronting Red Rake Garage site, Revidge Road Blackburn requesting the Council withdraw the sale of freehold interest of land known as Red Rake garage site Blackburn.

The petition was received after the auction date of Feb 19th 2019 with legal completion taking place on 2nd April 2019.

4. KEY ISSUES & RISKS The disposal of Red Rake was one of 16 similar garage sites disposed of over an 18 month period arising from a comprehensive review of minor tenancies across the borough. Garage tenants and Councillors were informed of the proposed disposal of Red Rake in advance of the auction and notified that existing rolling monthly tenancies would transfer to the new freeholder upon completion of the sale. Individual letters were sent to tenants three months prior to the auction date, enquiring tenants were informed that the site was to be sold as a whole with the footprint restricted to the garage site only and no additional adjoining land. Further advice and guidance was given to tenants highlighting that other sites had created 'tenants groups' with appointed persons attending auction and successfully purchasing the site on behalf of the current tenants.

5. POLICY IMPLICATIONS None, the site had sold prior to the petition being received.

6. FINANCIAL IMPLICATIONS None as the site is in private ownership and no longer under the ownership and management of the Council.

7. LEGAL IMPLICATIONS

None, the site had sold prior to the petition being received.

Under the Council's constitution this petition is considered an 'ordinary' petition which must be signed by at least 6 persons.

8. RESOURCE IMPLICATIONS None

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 None undertaken in respect of this petition.

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 in the Summary of Decisions published on the day following the meeting.

VERSION: 1

CONTACT OFFICER:	Cindy Rhodes
DATE:	31 st May 2019
BACKGROUND PAPER:	None