

Report of the Portfolio Holder for Resources and Personnel Policy

LAND SALE ADJACENT TO THE CREMATORIUM SITE1. Purpose of Report

To update Members following the recent advertising of the proposed sale of 11 acres of land previously declared surplus by the Bramcote Bereavement Services Joint Committee in 2020 as per the Council's land disposal policy.

2. Recommendation

Cabinet is asked to;

- 1) Consider any interest in the land made by third parties (contained in confidential appendix 2) and;**
- 2) to confirm the previous resolution made by full Council on the 13 October 2021, that:**
 - a) The surplus land at the Crematorium (as per Appendix 1) be sold to the developer of the neighbouring Coventry lane development site in line with the Council's land disposal policy and,**
 - b) a delegation be made to Broxtowe's Deputy Chief Executive and s.151 officer, in consultation with the Chair and Vice Chair of the Bramcote Bereavement Services Joint Committee and the leader of the Council, to progress all key approvals relating to the subsequent sale of the land,**

3. Detail

In October 2021 Full Council approved the sale of surplus land at the Crematorium by private negotiation to a local housing developer. The surplus land is allocated in the adopted local Plan as part of a larger residential development site accessed off Coventry lane. The Council's owned land is landlocked and access is controlled by the developer of the neighbouring land.

The Council's 2017 approved land disposal policy requires that the potential sale of land or property be brought to the public attention for a period of not less than 21 days before progressing to realisation. This is intended to allow any interested party to register their interest in acquiring the land or to make any other relevant representations. The formal advertisement process has recently been undertaken and ended on the 25 January 2023. Further information about the advertisement replies and the land disposal process can be found in confidential appendices 2 & 3.

The developer secured outline planning approval for the wider site (including the surplus Council owned land) in 2022 and submitted a reserved matters application for 179 new homes in July 2022. This application will be considered by planning committee in February 2023.

The Council has also negotiated the purchase of 51 affordable homes on the site which will contribute significantly to the Council's Housing Delivery plan to build 200 new homes by 2029.

The proposed sale of the surplus land will generate a substantial capital receipt (see confidential appendix 2) which has been assessed by an independent valuer as representing the market value of the site. The proceeds (net of fees) accrued from the land sale are to be divided evenly between Erewash and Broxtowe Councils general funds.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

The equal share of the proposed sale of the surplus land owned by Bramcote Crematorium would generate a substantial one-off capital receipt for the Council's General Fund. It is prudent to not recognise this provisional capital receipt as part of financing of the Capital Programme for 2023/24 to 2025/26 at this stage.

5. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

As this land is considered surplus land it needs to be disposed in accordance with the Council's Land Disposal Policy and adhere to the requirements of the policy as well legal requirements.

Unlike private and commercial landowners, a local authority is in the position of a trustee in relation to the land that it holds on behalf of the community and has a statutory duty to sell land at the best price reasonably obtainable. The Council will only be able to demonstrate that it achieved the best consideration by obtaining an independent valuation of the land.

As the land is not classed as Public Open Space Section 123 Local Government Act 1972 does not apply.

6. Human Resources Implications

The comments from the Human Resources Manager were as follows:

Not applicable

7. Union Comments

The Union comments were as follows.

Not applicable

8. Data Protection Compliance Implications

Not applicable,

9. Equality Impact Assessment

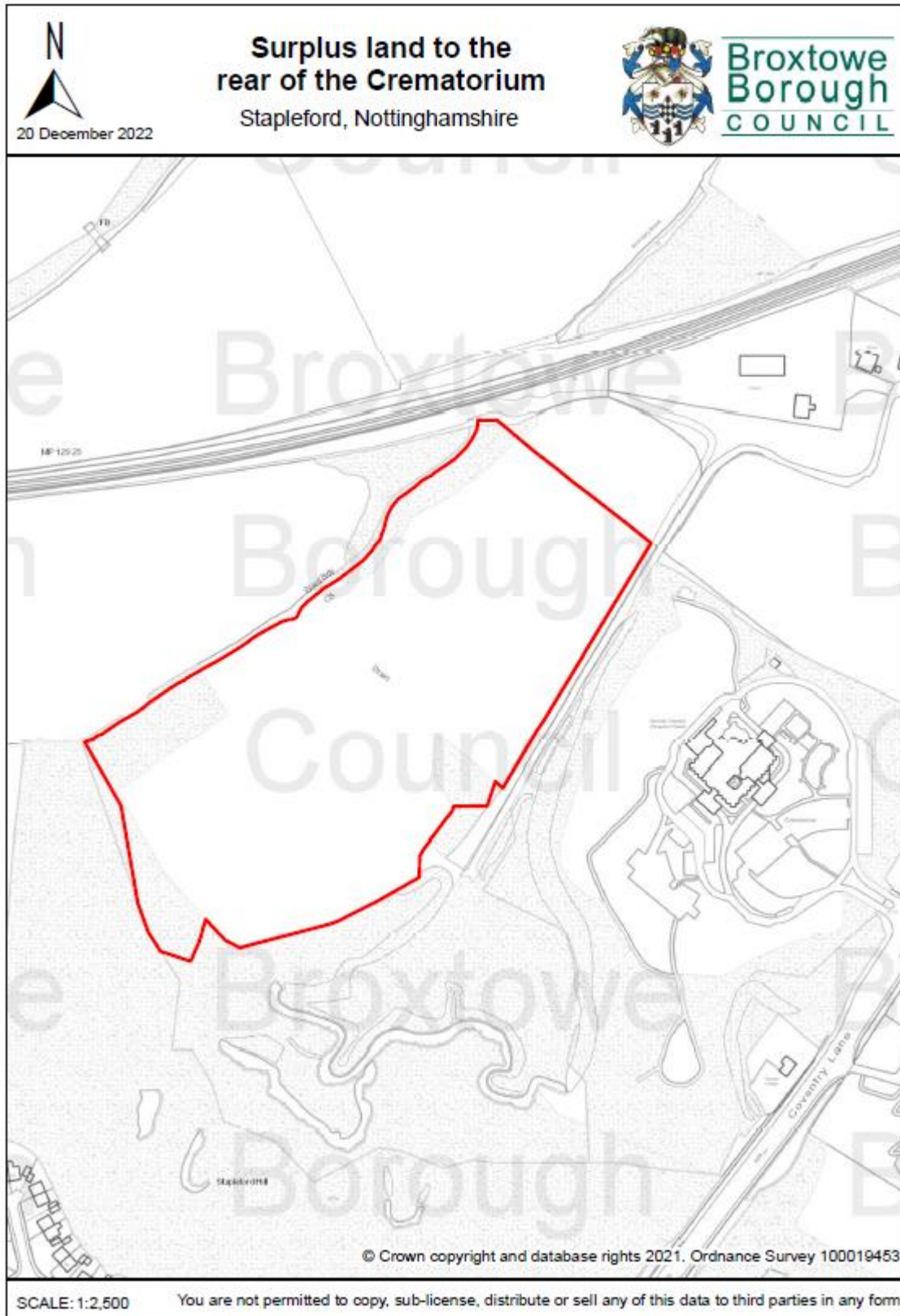
Not required as this is not a change to policy,

10. Background Papers

Nil

APPENDIX 1

Surplus land to be sold



Reserved matters application

