

## RECORD OF INDIVIDUAL EXECUTIVE DECISION MADE BY AN OFFICER IN RELATION TO LAND/PROPERTY TRANSACTIONS

Decision Maker	Decision Type	Date
Director of Economy	Administrative up to £100k	March 2019

### LAND AT CHURCHILL STREET EAST / SOUTH HILL STREET, GLODWICK [ST.MARYS]

Exempt/Confidential Report		No
Key Decision <sup>1</sup>		No

#### Decision (s) <sup>2</sup>

Authority to advertise the intention to dispose of a plot of land identified as potentially being Public Open Space.

#### Reasons for the decision(s) <sup>3</sup>

In order to assist the efficient running of the disposals process, authority is now sought to advertise the intention to dispose of two plots of land, shown edged red on the attached plan in Appendix One. The area of land comprises 1139sq.m (0.281 acres) and 226sq.m (0.056 acres) or thereabouts. Approximately half of these areas are not maintained by the Council and are naturalised in character. The remaining portion of land is a sloping grassed area, maintained by the Council to a reasonable standard.

#### Options/Alternatives considered <sup>4</sup>

- Do Nothing.
- Advertise the intention to dispose of POS.

<sup>1</sup> If the decision is Key and has appeared on the List of Forthcoming Key Decisions, the title of the decision should be the same as that used in the List.


<sup>2</sup> Brief details of the decision should be inserted. This note must set out the substance of the decision, options considered and the reason for deciding on the chosen option, although care must be taken not to disclose any confidential or exempt information. Please include proposed timescales for commencement and / or completion of implementation as appropriate.

<sup>3</sup> Reasons for the decision must be given.

<sup>4</sup> Options must be given.

**Conflict of Interest declared<sup>5</sup>**

None.

  
.....<sup>6</sup>

**(Director of Economy)**

**Decision made pursuant to:**

- a) **Delegation under the Council's Land and Property Protocols**

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<sup>5</sup> If none, please state none. No Member having a disclosable pecuniary interest or officer having an interest in any matter (whether pecuniary or otherwise required to be declared) should take a decision in relation to that matter. Other interests of a non-disqualifying nature should be recorded here. Any dispensation in place in relation to the matter should also be recorded here. This may include other elected Members, officers, stakeholders and the local community.

<sup>6</sup> The signatory must be duly authorised by Executive Director to make a decision in accordance with the relevant sub-delegation scheme. It is not acceptable for the signature to be 'pp' for the authorised signatory. For Key decisions only, the date of the authorised signature signifies that, at the time, the officer was content that the decision should be taken. However, should representations be received following public availability of reports the signatory will consider the effect which such representations should have on the final decision.

## Delegated Officer Report

(Non - Key Decisions, POS Stage 1, Stage 2 / authority to sell, disposal and acquisitions from £50k-£250k, the taking of or the granting, renewal, assignment, transfer, surrender, review, variation or termination of any leases, licences, easements or wayleaves at considerations from £50k-£250k)

<b>Asset File No:</b>	<b>2220 and 2742</b>
<b>Legal Fees £ :</b>	<b>Not applicable.</b>
<b>Surveyors Fees £ :</b>	<b>Not applicable.</b>
<b>Decision Maker:</b>	<b>Director of Economy</b>
<b>Date of Decision:</b>	<b>March 2019</b>
<b>Subject:</b>	<b>Land at Churchill Street East / South Hill Street, Glodwick [St.Marys]</b>
<b>Report Author:</b>	<b>Bryn Cooke, Head of Strategic Housing and Property Partnerships (0161 770 4134, <a href="mailto:bryn.cooke@oldham.gov.uk">bryn.cooke@oldham.gov.uk</a>).</b>

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<b>Reason for the decision:</b>	The purpose of the report is to seek authority to advertise the intention to dispose of a plot of land identified as potentially being Public Open Space.
<b>Summary:</b>	Under its continuing commitment to good Asset Management Planning, the Council seeks to make best use of its land and property assets. As part of that commitment, it looks to identify areas of land that are surplus to the Council's requirements and dispose of them to produce a capital receipt that can be used to support service delivery.

This process has produced a number of pieces of land that are regarded as surplus to the Council's requirements. All potential disposals will however need to be assessed under the Council's adopted Protocol on Disposal of Open Space.

The site under consideration may potentially be regarded as open space; consequently the relevant procedures should be followed. Under the Local Government Act 1972, the Council is required to advertise the intention to dispose of the land in a local newspaper for two weeks running, and then consider any objections to the disposal which may be made.

In order to assist the efficient running of the disposals process, authority is now sought to advertise the intention to dispose of two plots of land, shown edged red on the attached plan in Appendix One. The area of land comprises 1139sq.m (0.281 acres) and 226sq.m (0.056 acres) or thereabouts. Approximately half of these areas are not maintained by the Council and are naturalised in character. The remaining portion of land is a sloping grassed area, maintained by the Council to a reasonable standard.

***Consultation :***

The matter was discussed with the Cabinet Member for Economy and Enterprise at the portfolio briefing on 7 March 2019 and no objections were raised.

No objections were raised by Ward Councillors.

***Recommendation(s):  
Implications:***

***What are the financial implications?***

**Revenue Implications**

The purpose of this report is to seek authority to advertise the intention to dispose of two plots of land, identified as potentially being Public Open Space. The costs will be no more than £300 and will be funded from existing resources held within the People and Place directorate.

[Jamie Kelly]

**Capital Implications**

The proposal would be full disposal of asset number 2220 and part disposal of asset number 2742 which have net book values of £3,000 and

£546,603, respectively, as at 31 March 2018 in the Council's asset register and balance sheet. The assets are classed as land and buildings.

The full financial implications of this disposal will be outlined in a future report subject to their being no objections as a result of the advertisement. Therefore, there are no capital implications at this stage.

[Jit Kara]

*What are the legal implications?*

In accordance with Section 123(2A) of the Local Government Act 1972, the Council may not dispose of public open space unless before disposing of the land, it gives notice of its intention to do so specifying the land in question to be advertised on two consecutive weeks in a newspaper circulating in the area in which the land is situated. It must then consider any objections raised before making a decision either for disposal or retention of the land having regard to those objections.

The Council's Land and Property Protocol states that decisions to dispose of public open space must be made in two stages. The first stage report is to recommend the disposal of the land in principle subject to the advertising of the proposed disposal and allowing time for objections.

The second stage report will make recommendations for the disposal or retention of the land having regard to any objections which have been received to the proposed disposal.

This report is a first stage report.

The report author has confirmed that the provisions of the Council's Land and Property Protocol have been observed.

[Rebecca Boyle]

*Ward Councillor Comments?*

Ward Councillors were contacted on 4 March 2019 and have not raised any objections.

All three Ward Councillors have suggested that they positively support the proposals.

***Equality and Diversity Impact Assessment attached or not required because (please give reason)***

None. The Council are seeking to sell an area of land only.

What are the **property implications**

The proposal is in accordance with the Council's Land and Property Protocols. Maximising use and value of the Council's corporate portfolio is completely aligned with the Medium Term Property Strategy.

**Risks:**

None.

**Co-operative agenda**

None.

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Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget? Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council? No

**Reason(s) for exemption from publication:** None.

**List of Background Papers under Section 100D of the Local Government Act 1972:**

**There are no background papers for this report**

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<b>Report Author Sign-off:</b>	
<i>Bryn Cooke</i>	<i>BRYN COOKE</i>
<b>Date:</b> <i>20/03/19</i>	

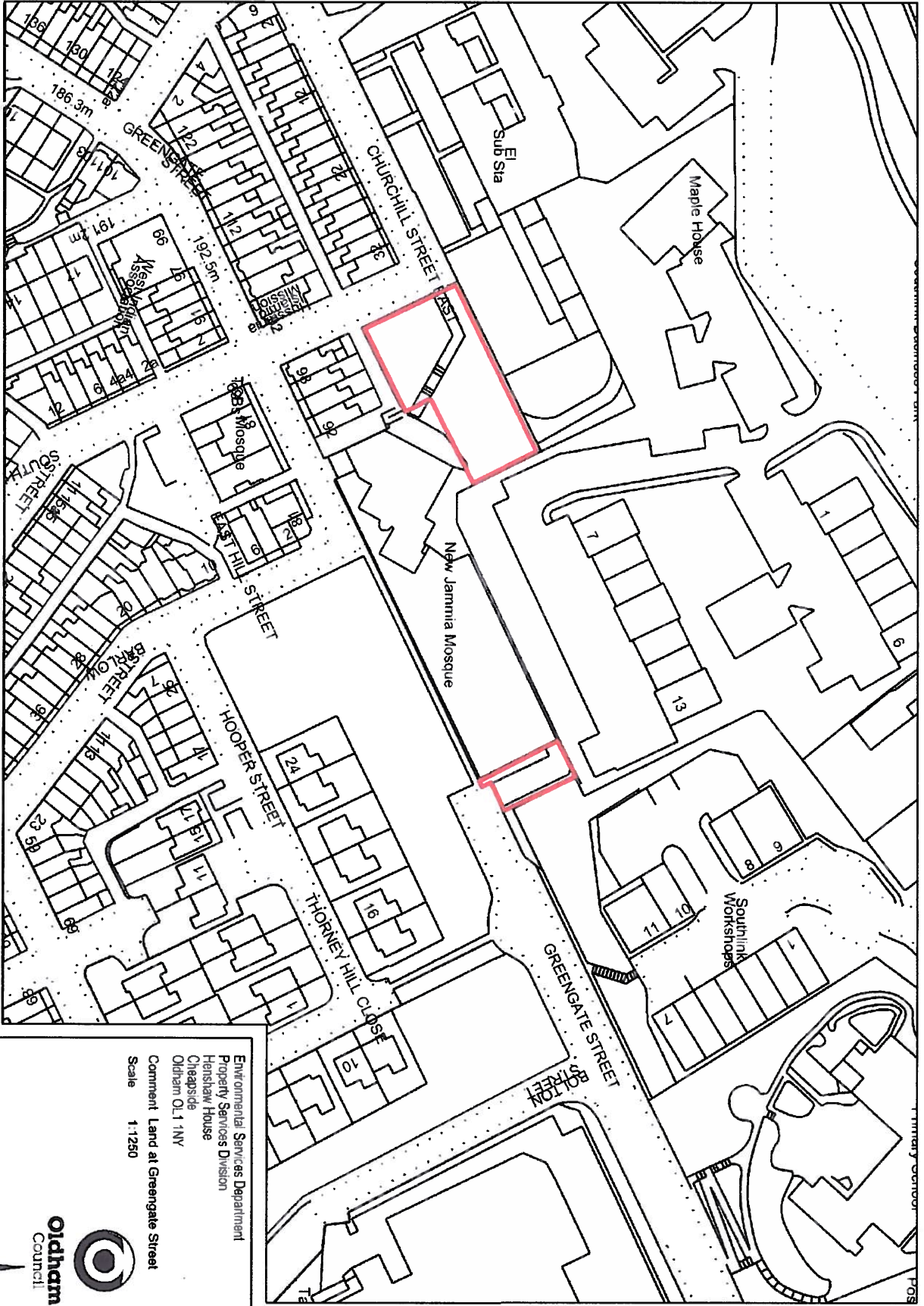
Please list and attach any appendices:-

<b>Appendix number or letter</b>	<b>Description</b>
Appendix 1	Plan showing area of open space to be advertised.

In consultation with Director/Executive Director

Signed : *E. F. [Signature]* Date: *20/03/19*

# Appendix One



This map is reproduced from Ordnance Survey material in the form of a plan or diagram. It is not intended to be used as a substitute for a professional survey. The Ordnance Survey name of the street or road is shown in the map. The Ordnance Survey name of the street or road is shown in the map. The Ordnance Survey name of the street or road is shown in the map.

Environmental Services Department  
 Property Services Division  
 Henshaw House  
 Cheapside  
 Oldham OL1 1NY  
 Comment Land at Greengate Street  
 Scale 1:1250



PGS

