

## **Delegated Decision**

### **Proposed disposal of Asset 183 and Asset 701 – North Chadderton Lower School and land adjacent to North Chadderton School, Broadway**

Report of: Tom Stannard, Director of Economy and Skills

Officer Contact: Matt Gilray, Regeneration Officer – Strategic Property Partnerships and Investment

Ext. 1663

**February 2017**

#### **Reason for Decision**

The purpose of the report is to seek approval to advertise the intention to dispose of a plot of land identified as potentially being Public Open Space.

#### **Recommendations**

It is recommended that authority is given to advertise the proposed disposal of land which could potentially be considered Public Open Space.

Delegated

[February 2017]



## **Proposed disposal of Asset 183 and Asset 701 – North Chadderton Lower School and land adjacent to North Chadderton School, Broadway**

### **1 Background**

- 1.1 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.
- 3.2 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.
- 3.3 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.

### **2 Current Position**

- 2.1 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 (Appendix One).
- 2.2 The area comprises a total of 17,401.5 sq.m (4.3 acres) or thereabouts and currently forms the site of the former North Chadderton Lower School and some adjacent land.
- 2.3 A previous Cabinet report (ref D1717) from April 2014 gave permission to market and dispose of six strategic regeneration sites, including North Chadderton Lower School and adjacent land.
- 2.4 The school has been demolished and the site comprises approximately 2.57 acres. This land is a brownfield site and is suitable for residential development. The land adjacent to the school, circa 1.73 acres is not a registered park and is unclassified in the Local Development Framework, however it could be considered Public Open Space and therefore the Council need to advertise its intention to dispose of it accordingly.
- 2.5 The site plan at appendix 1 shows the area, the former school site edged blue and the whole site including the adjacent open space, edged in red.

### **3 Options/Alternatives**

3.1 The Council could choose any of the following options;

- Do nothing.
- Advertise the potential disposal of the land opposite the school (Appendix 1 edged in red) as Public Open Space.

#### 4 Preferred Option

4.1 In order to ensure that the Council's assets are managed effectively, it would be preferable for the Council to advertise the potential disposal of Public Open Space. (Appendix 1 edged in red)

#### 5 Consultation

5.1 The advertising of the proposed disposal will offer the opportunity for full community consultation to take place with any objections being considered by the Council prior to any sale being progressed.

5.2 All Chadderton North Members have been consulted regarding the proposal and no objections have been raised.

#### 6 Financial Implications

##### 6.1 Revenue Implications

6.1.1 Cost associated with the advertisement of the land for disposal would be no more than £500 and be charged against current resources within the Economic Development service.

6.1.2 A future report will be needed once results of the advertisement are received and future disposal plans will be implemented.

(Jamie Kelly – Accountant)

##### 6.2 Capital Implications

There are no capital implications at this stage in the approval process.

#### 7 Legal Services Comments

##### 7.1 7.1. Public Open Space

7.1.1. Where land owned by the Council comes within the definition of public open space according to the statutory definition in section 336(1) of the Town and Country Planning Act 1990 then 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. In addition, the Council must consider any objections to the proposed disposal which may

be made in response to the notice before making a decision either for disposal or retention of the land having regard to those objections.

7.1.2. The Council's Land and Property Protocols state 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.

7.1.3. 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.

7.1.4. This report is a first stage report.

7.2. The Council's Land and Property Protocols have been observed (Rebecca Boyle).

## 8. **Cooperative Agenda**

8.1 None.

## 9 **IT Implications**

9.1 None.

## 10 **Property Implications**

10.1 The proposal is in compliance 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.

## 11 **Environmental and Health & Safety Implications**

11.1 None.

## 12 **Equality, community cohesion and crime implications**

12.1 None.

## 13 **Equality Impact Assessment Completed?**

13.1 No.

## 15 **Key Decision**

15.1 No.

## 16 **Forward Plan Reference**

16.1 N/A

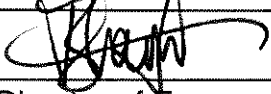
**17 Background Papers**

17.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act :

None.

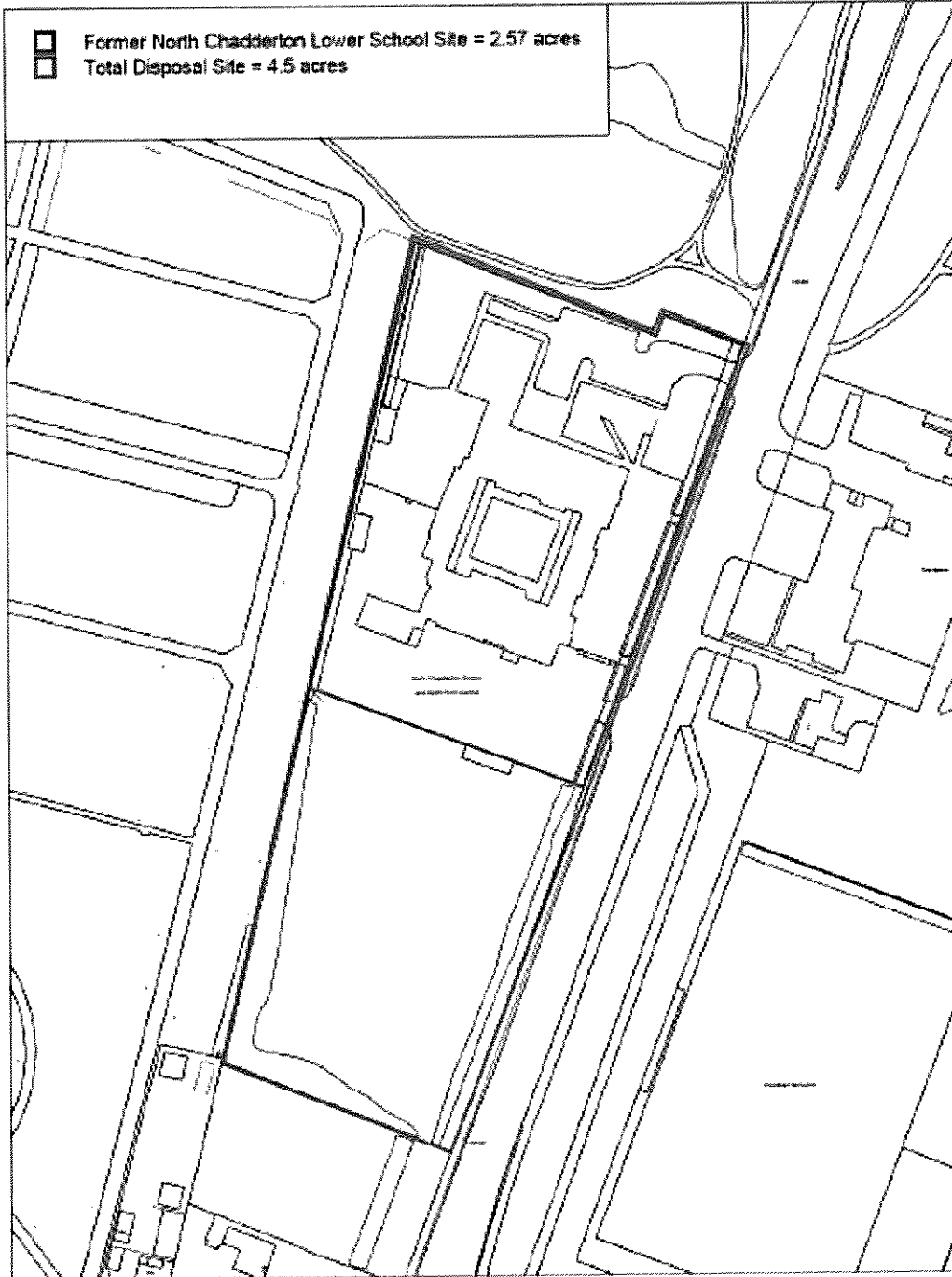
**18 Appendices**

18.1 Appendix One - Plan

Signed  _____ Director of Economy and Skills	Dated <u>13 June 2017.</u>
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**Appendix 1 Asset 183 & Asset 701 North Chadderton School & Adjacent Land.**

**Former North Chadderton Lower School**



Drawn by:	LB
Division:	
Drawing No:	
Date: 31.01.14	Scale: 1:1500

Neighbourhoods Directorate  
 Oldham MBC  
 Civic Centre  
 West Street  
 Oldham  
 OL1 1UT



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