

**Property Sub-Committee – 5<sup>th</sup> June 2019**

**Recommendations by Mark Deaville - Cabinet Member for Commercial**

**Site:**

Land off Falkland Road, Lichfield, Staffordshire as shown edged in red on the attached plan

**Location/Electoral Division**

Lichfield

**Proposed Transaction**

Transfer of land to Lichfield & Hatherton Canal Restoration Trust

**Recommendations**

The Transfer of the land off Falkland Road, Lichfield to Lichfield & Hatherton Canal Restoration Trust for nil consideration to facilitate the continued restoration of the canal in the Lichfield area

**Decision Level/Authority/Officer Delegation Scheme number**

Property Sub Committee decision – Transaction at undervalue

**Details**

**1.Current Use and Owner/Occupier/Lessee etc**

The land was originally acquired for highways purposes however this has not been taken into the adopted highway and is deemed to be surplus to requirements

**2.Proposed Use**

It is understood that Lichfield & Hatherton Canal Restoration Trust intend to use the land to facilitate the continued restoration of the canal in the Lichfield area

**3. Proposed Purchaser/Lessee/Lessor/tenant etc...**

Lichfield & Hatherton Canal Restoration Trust

**4. Estimated Value/Cost/Rental Income**

No valuation has been undertaken

**5. Proposed transaction sale price/outline terms**

Transfer of the land for nil consideration

**6. Implications of transaction for County Council (Risks)****(a) Strategic: To include contribution transaction makes to outcomes listed in the Strategic Plan \***

None

**(b) Financial:**

**Capital costs/income**

**Revenue costs/income**

**Change in Property running costs**

Insurance and maintenance costs will be the responsibility of Lichfield & Hatherton Canal Restoration Trust following completion of the Transfer.

**(c) Operational:**

None

**(d) Legal:**

Formal approval of Persimmon Homes Limited and Lichfield District Council to be obtained prior to completion of the Transfer to comply with the terms of the former s278 and CPO/Crichel Downs as referred to in the 'Background' below.

To ensure that the land is only used for the restoration of the canal, there will be a restriction in the Transfer to Lichfield & Hatherton Canal Restoration Trust to confirm that the land can only be used for restoration of the canal and also a provision to confirm that if Lichfield & Hatherton Canal Restoration Trust intend to dispose of the land then this must first be offered back to Staffordshire County Council for £1.

**7. Background Information:**

***NB Please ensure that reference is made to any issues which may affect any transaction eg restrictive covenants***

- (a) site history/details of negotiations etc
- (b) Consultations carried out/required
- (c) Alternative options for site
- (d) Reasons for recommended option
- (e) Rationale for acceptance of lower offer (where applicable)
- (f) Relevance of Section 123 of the Local Government Act 1972/General Disposal consent Order 2003
- (g) Resource/VFM Analysis

Staffordshire County Council acquired the land for a previous phase of the Lichfield Southern Bypass.

The previous phases of the Lichfield Southern Bypass have been completed and the land has not and does not need to be taken into the highway. It is therefore deemed to be surplus to requirements.

Lichfield & Hatherton Canal Restoration Trust intend to use the land to facilitate the continued restoration of the canal in the Lichfield area.

Staffordshire County Council acquired the land from Persimmon Homes Limited under the terms of a s278 Agreement and Lichfield District Council under The Staffordshire County Council (Lichfield Southern Bypass proposed Freight Railway Underbridge) CPO 2008.

Both parties have been notified that the land is now surplus to requirements and have informally confirmed that they support the proposed transfer to Lichfield & Hatherton Canal Restoration Trust. Formal approvals are to be obtained prior to completion of the Transfer.

A specific valuation hasn't been undertaken due to the nature of the site and limited potential use, however the transaction is at a nominal undervalue, but at less than £2m. Any nominal value forgone is done on the basis of supporting the restoration of the former Lichfield and Hatherton Canal.

**8. Community Impact (eg, reference to particular communities or service users affected by the proposal)**

The land is currently undeveloped. The proposed restoration works on the land in the surrounding area will benefit the local community.

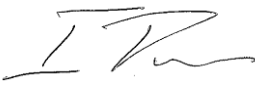
**9. Comment by Local Member**

To be reported to committee

**10. Comments by SLT Members**

None

**11. Proposal supported by the Head of Commercial and Property**

**Signed** 

**Date** 23/5/19

**12. Valuer/Officer advising on this transaction**

**Signed N.J. Dawson**

**Date 21/05/2019**

\*3 priority Outcomes for the people of Staffordshire are:

- To be able to access more good jobs and feel the benefits of economic growth
- To be healthier and more independent
- To feel safer, happier and more supported in their community.