

Property Sub-Committee – 6th October 2021

Recommendations by Mark Deaville - Cabinet Member for Commercial Matters

Site Land off Falkland Road, Lichfield, Staffordshire as shown edged in red on the attached plans
Location/Electoral Division Lichfield City South – Colin Greatorex
Proposed Transaction Transfers of land to Lichfield & Hatherton Canal Restoration Trust

Recommendations

The Transfer of the land off Falkland Road, Lichfield in two phases 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 Transfers to comply with the terms of the former s278 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.

To ensure that the site is secure LHCRT have created a bund and started planting under licence in Zone B. There will be a requirement to put the same boundary measures in place on or before the transfer of Zone C.

Further, prior to completion of Zone C, SCC highways need to be satisfied that the Transfer does not impact on the highways drainage in the area.

7. Background Information:

NB Please ensure that reference is made to any issues which may affect any transaction e.g. 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. Attached to this report is an update from LHCRT on their works in the area.

Staffordshire County Council acquired the land from Persimmon Homes Limited under the terms of a s278 Agreement to which Lichfield District Council were also a party.

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.

Cadent need to move a gas main incorrectly located in part of the land so it is intended for the transfer to be completed in two phases. Zone B as soon as reasonably practical and Zone C following the completion of Cadents works.

8. Community Impact (e.g. 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

Local member has been involved in discussions about the project and use of the land. Comments in relation to this decision will be reported to the committee.

10. Comments by SLT Members

None

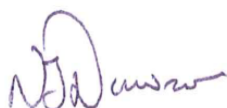
11. Proposal supported by the Assistant Director for Commercial and Assets

Signed



Date 2/8/21

12. Valuer/Officer advising on this transaction



Signed

Date 19/07/2021

Background Documents:

Please list here any previous reports to Members relevant to this transaction/site:
N/A

*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.