

20 July 2015**Agenda Item: 5d****REPORT OF SERVICE DIRECTOR TRANSPORT, PROPERTY &
ENVIRONMENT****DISPOSAL OF LAND AT SANDY LANE, MANSFIELD****Purpose of the Report**

1. To seek approval to enter into a contract for the sale of land at Sandy Lane, Mansfield.

Information and Advice

2. Some information relating to this report is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972. Having regard to the circumstances, on balance the public interest in disclosing the information does not outweigh the reason for exemption because divulging the information would significantly damage the Council's commercial position. The exempt information is set out in exempt appendix.
3. Committee approved the sale of land at Sandy Lane, Mansfield in February 2015 and the proposed purchaser did not perform to the requirements agreed.
4. Furthermore the sale was approved as being on the basis of an unconditional offer; however the purchaser has sought to alter the contract to a conditional one.
5. At present there is an application by a member of the public for registration of a Village Green on the land. The preferred purchaser has confirmed willingness to take the site even though this is still being processed.
6. If the Village Green application were to be successful it would make the land undevelopable.
7. The 3.43 acres of land was originally purchased from the Trustees for the Allotments for the Labouring Poor for the purposes of a new Residential Home. An additional parcel of land (0.17 acres) fronting Sandy Lane was purchased from Mansfield District Council (MDC) to provide suitable access into the site for development purposes.
8. The additional land has covenants in MDC favour restricting the use of the land to the provision of a Residential Home for Older People and a number of self-contained residential flats for occupation by the elderly. The covenant also precludes the use of the land for commercial or business activity
9. Negotiations were entered into with MDC for the release of the covenants on the 0.17 acre of land fronting Sandy Lane. However, MDC were not willing to release the

restriction as it is understood they would prefer to insist any developer will need to provide an adoptable standard road through the NCC site to facilitate opening up their surrounding land for future development.

10. It is proposed to withdraw the offer of sale to the original approved purchaser and offer a sale to the under-bidder who will agree to an unconditional sale on this site.

Other Options Considered

11. An alternative to disposal would be the letting of the property, but the letting potential of the site is not considered likely to deliver a significant income stream, with a high risk of significant void (empty) periods.
12. Consideration was given to sale by auction however, at the time of going to market interest in development land in Mansfield was low and a sale by informal tender was felt to be the best way to market the site.
13. To retain the site but this would incur ongoing costs to the County Council i.e. fly tipping etc.

Reason/s for Recommendation/s

14. The Authority has no strategic or operational requirement for the property.

Statutory and Policy Implications

15. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) To seek approval to enter into a contract for the sale of land at Sandy Lane, Mansfield as detailed in the exempt appendix.

Jas Hundal

Service Director – Transport, Property & Environment

For any enquiries about this report please contact: Gael Gamble 0115 977 2083

Constitutional Comments (SOM 23.06.2015)

16. The recommendation falls within the remit of the Finance and Property Committee by virtue of its terms of reference.

Financial Comments (GB 07.07.2015)

17. The financial implications are set out within the report.

Background Papers and Published Documents

18. None.

Electoral Division(s) and Member(s) Affected

19. Ward(s): Mansfield South

Member(s): Councillor Andy Sissons, Councillor Stephen Garner

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SP: 2889

Properties affected: 06415 - RHOP Sandy Lane