



**7 December 2021**

**Agenda Item: 11**

**REPORT OF THE SERVICE DIRECTOR, INVESTMENT AND GROWTH  
DISPOSAL OF LAND AT WESTDALE ROAD, JACKSDALE**

**Purpose of the Report**

1. To seek approval to the disposal of land at Westdale Road, Jacksdale on terms as detailed in this report and its exempt appendix.

**Information**

2. This report contains an exempt appendix which is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended). Information relating to any individual or the business affairs of a particular person (including the authority holding that information). 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 the exempt appendix.
2. The site is cleared and has a total site area of 5.83 acres with a potential available area for development of just over 3 acres and benefits from a housing allocation for 56 units from the 2002 Ashfield Local Plan Review. The site also has a proposed allocation for c.49 residential units in the Ashfield District Council Emerging Local Plan (site H1Vb). It is unlikely that this emerging plan will be adopted before a reserved matters planning application from the successful bidder is approved.
4. At its meeting on 10<sup>th</sup> February 2021 Policy Committee approved a report outlining terms agreed for a sale of the site by private treaty following a long marketing campaign. In the light of subsequent further interest in the site the Council has now offered the site for sale on the open market by informal tender with sale being conditional on the purchaser achieving planning consent for their proposed scheme.
5. The offers received are outlined in the exempt appendix with the highest bid being from a well established house builder with capacity to fund the purchase and development. Details of the proposed terms of sale are outlined in the appendix also. It is to be noted that the offer is potentially subject to further reduction as set out in the appendix and this report seeks delegated authority to negotiate and finalise the detailed terms of the conditional contract.
6. The Council is required under section 123 Local Government Act 1972 to obtain the best consideration reasonably obtainable for the disposal of assets. Given the current planning designation of the land, the marketing that has been undertaken and the current circumstances of the market for residential land it is considered that the

proposed disposal terms meet this requirement.

## **Other Options Considered**

7. The following additional options have been considered:
  - (a) Retain the site: this site is vacant and has been declared surplus to the operational requirements of the County Council.
  - (b) Lease the site: this would be an alternative to outright sale, but the prospects to achieve long term and consistent rental income from the letting of the site are considered to be extremely poor. Any letting interest which might be generated is likely to be short term or sporadic, with the likelihood of significant periods of vacancy. The expected rent for such a letting is minimal, such as keeping horses on the land and may be outweighed by the maintenance costs.

## **Reasons for Recommendations**

8. To enable the sale of a surplus asset and to secure a capital receipt to the County Council.

## **Statutory and Policy Implications**

9. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATIONS**

- 1) To approve the sale of land at Westdale Road, Jacksdale as indicated edged black on the attached plan on the terms set out in the exempt appendix to this report.
- 2) To delegate authority to the Corporate Director, Place, in consultation with the Service Director Finance, Infrastructure & Improvement to negotiate and finalise the detailed terms of the conditional contract.

**Matthew Neal**  
**Service Director, Investment and Growth**

**For any enquiries about this report please contact:** Neil Gamble, Group Manager  
Property Asset Strategy, Tel: 0115 9773045

## **Constitutional Comments [EP 25/11/2021]**

14. The recommendation falls within the remit of EDAM Committee under its terms of reference. When disposing of land, the Council is under a statutory obligation to obtain the best price reasonably obtainable on the open market and comply with s123 duties.

## **Financial Comments [GB 25/11/2021]**

15. The exempt appendix sets out that the disposal terms represent the best consideration for the site and provides the best price reasonably obtainable on the open market. The disposal income will be used in line with the Council's capital receipts policy

## **Background Papers and Published Documents**

- None.

## **Electoral Division(s) and Member(s) Affected**

- Electoral Division(s): Selston - Member(s): Councillor David Martin