

Key Decision Required:	No	In the Forward Plan:	No
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06 SEPTEMBER 2011

PORTFOLIO HOLDER FOR FINANCE AND ASSET MANAGEMENT

A.1 LAND AT MILL LANE, WALTON

(Report prepared by Andy White)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To consider whether to initiate the Council's Property Dealing Process in respect of the potential disposal of land at Mill Lane, Walton as shown edged red on the attached plan.

EXECUTIVE SUMMARY

The owner of the former Town Hall site adjoining the Council's land, edged blue on the plan, has renewed previous discussions related to the potential joint disposal of the sites. Previous discussions were suspended in order to allow the Walton Regeneration Framework to consider the future of the site in the contest of wider regeneration. The Framework has been received and adopted as supplementary planning interim guidance. It is likely to form a part of the Local Development Framework as that matures. It identifies that the previous discussions on redevelopment should be taken forward. The site is in a poor condition and is potentially redundant. Redevelopment would yield a capital receipt and regenerate a depressed part of the town.

RECOMMENDATION(S)

That the Portfolio Holder initiates the process whereby Officers consider the potential transaction, including valuation, examinations, and consultations in accordance with Council's Property Dealing Policy as set out in the Constitution and advertisement in accordance with S.123 of the Local Government Act 1972.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The redevelopment of the site could contribute towards the following priorities:

- Promote sustainable economic growth
- Regenerate the district and improve deprived areas

The proposal relates to the Walton Regeneration Framework which was adopted by the Council as a Supplementary Planning Interim Document in January 2010. This proposes that the site is redeveloped for mixed uses.

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

Release of surplus or under-performing assets is in accordance with the framework set out in the Asset Management Plan and Capital Strategy 2011-2012 and supports the Council's Medium Term Financial Strategy.

If the disposal is to be progressed towards Best Consideration Reasonably Obtainable various investigations and services will have to be completed including: Contamination survey and recommendation, legal research and advice, planning application, valuation and marketing. It is proposed that existing service budgets are used to facilitate these works.

Risk

There are two main key risks:

- That legal problems or ongoing service requirements will prevent redevelopment.
- That it will not be possible to gain planning permission for a use that will allow an attractive sale price.

LEGAL

The proposed action is within the Council's discretionary powers.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder / Equality and Diversity / Health Inequalities / Area or Ward affected / Consultation/Public Engagement.

Area or Ward Affected

Walton

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The Council is the freehold owner of around 0.076 Ha of land at Mill Lane, Walton including: business storage units (A) mess building (B) storage building (C), public conveniences (D) and offices (E). Most of the buildings are in a poor condition. The offices and mess building are partly redundant and four out of five business units are vacant. The extent of Council ownership is shown edged red on the attached plan at Appendix A. Adjoining the Council's land a private landowner holds around 0.059 Ha of land including the site of the former town hall building (F). The extent of this additional land is shown edged blue on the plan at Appendix A.

The five business storage units (A) are in a poor condition. Only one is occupied and the others have remained vacant for some years.

The Council's mess building (B) is in a very poor condition and is only partially used.

The storage building (C) is in sound condition and is in operational use by the Council's Leisure Service. The Head of Leisure Services considers that there is a need for local storage facilities but that alternative sites can be researched within the wider disposals process.

The public conveniences (D) are in a poor condition and are relatively little used. The Acting Head of Environmental Services considers that the conveniences being little used, that a replacement is not necessary. There is a first floor office above, which is disused and derelict.

The small office (E) to the side of the conveniences is in a poor condition. It is used by the Council's parking staff. There may be the opportunity for the Head of Technical and Procurement Services to consider whether the accommodation is necessary in the light of recent changes to the delivery of parking enforcement.

The privately owned former town hall site remains vacant following the demolition of the building (F), which had become dangerous around eight years ago.

The potential disposal of the site was considered by officers, at the request of the adjoining owner. This consideration was halted in 2007 because of concerns over the provision of the facilities at the site and in order to not prejudice the outcome of the then newly commissioned Regeneration Framework.

The Corporate Property Officer has carried out an initial assessment of the feasibility of a disposal. The assessment demonstrates that the disposal is feasible and is included at Appendix B. Consideration of planning, value, legal and other issues is identified for action in future stages of the process defined in the Council's Constitution.

CURRENT POSITION AND PROPOSAL

The adjoining owner has recently renewed his proposal to seek the joint redevelopment of the sites.

The Regeneration Framework has been received and adopted as supplementary planning interim guidance. It is likely to form a part of the Local Development Framework as that matures. It identifies that the previous discussions on redevelopment should be taken forward.

The need to seek efficiency and the changes in the way that services are or will be delivered may facilitate the consideration of the ongoing need for the site from service operational perspectives.

It is important to remember that the initiation of the Property Dealing Procedure does not intimate any agreement to value or indeed that the site will ultimately be disposed of in the long term. It merely seeks the Portfolio Holder's approval to enter into discussions. This second stage of the Property Dealing Procedure will include, amongst other things:

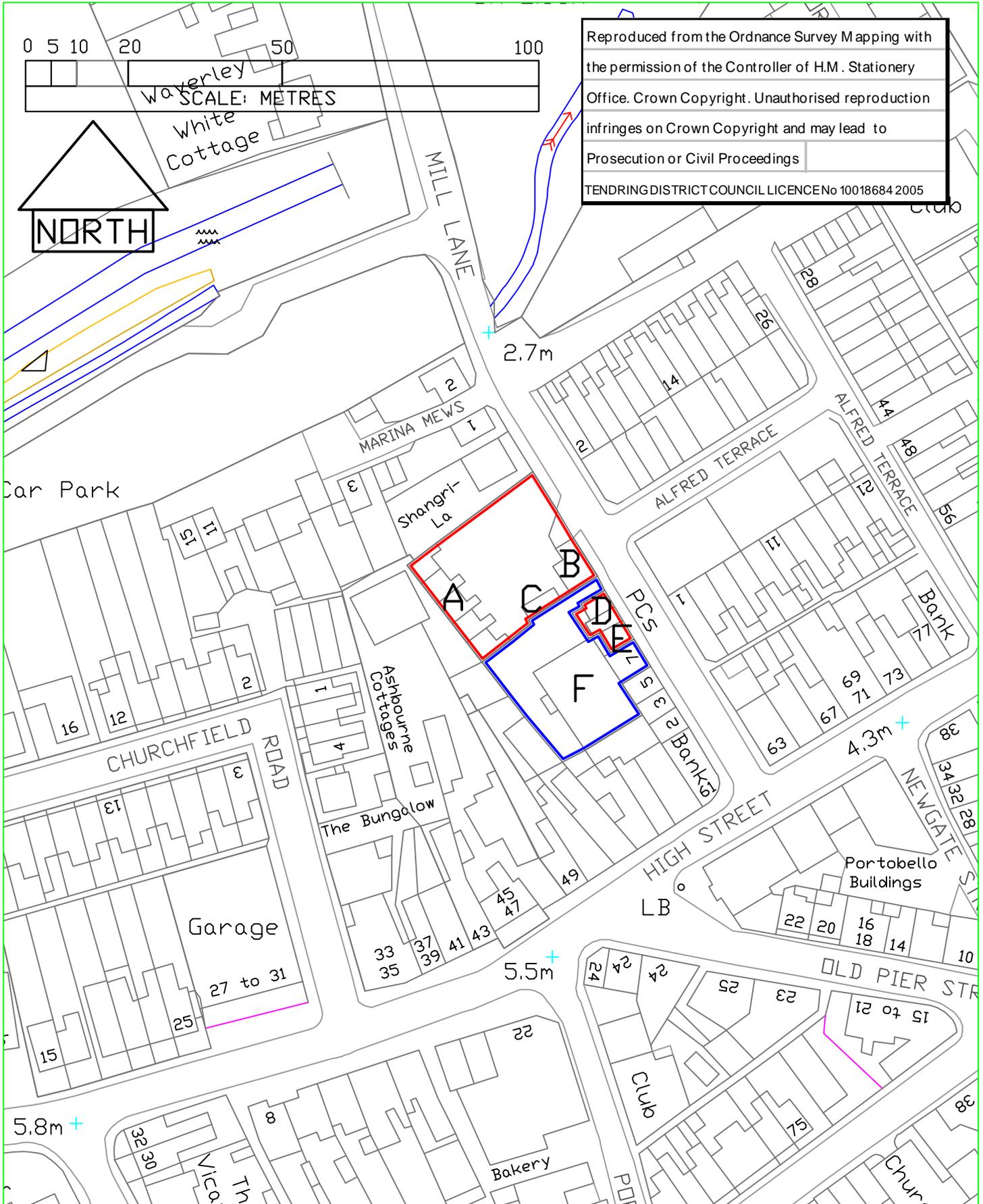
- Valuation and negotiation, including whether or not the criteria of the General Disposal Consent 2003 are met
- Cabinet consideration of terms as defined by the Council's Constitution
- Legal agreement
- Planning application (if required) – Including Flood Risk Assessment
- Marketing and disposal
- Completion of transfers of land ownership

BACKGROUND PAPERS FOR THE DECISION

None.

APPENDICES

Appendix A – Location Plan
Appendix B – Assessment of Disposal Feasibility



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TENDRING DISTRICT COUNCIL LICENCE No 10018684 2005

TENDRING DISTRICT COUNCIL

A. KENDALL
ACTING HEAD OF
CORPORATE PERFORMANCE

title: Land at Mill Lane Walton on the Naze

drawing: Location Plan

scale: 1:1000

drawn by: A White

date: 06 May 2011

drwg.No. 1.1 **revision**

Assessment of Acquisition/Disposal Feasibility

Assessed by:	A White
Date:	05 May 2011
Site:	Land at Mill Lane, Walton.
Reason for consideration: Request from adjoining owner.	
Location: West of Mill Lane, Walton on the Naze.	
Adjoining uses:	
<ul style="list-style-type: none"> • Retail • Residential 	<ul style="list-style-type: none"> • Builders' Yard • Public highway
Planning designation:	
<ul style="list-style-type: none"> • Inside settlement limits • Close to Walton Mere • TDC part in flood risk area. • Private part is in Conservation area and in the identified Town Centre. 	<ul style="list-style-type: none"> • Future employment designation • In Urban Regeneration Area • Identified as an opportunity redevelopment site in the Walton Regeneration Framework
Current use:	
<ul style="list-style-type: none"> • Public Conveniences • Small office 	<ul style="list-style-type: none"> • Storage (horticultural) • Starter units (mostly unused)
Legal constraints: Not yet investigated.	
Service usage/issues: Alternative area will have to be identified for horticultural storage. Transfer of parking functions can support review of the need to retain any of the office area Starter units are mostly vacant and deteriorating The need for the public conveniences can be reviewed with the Acting Head of Environmental Services.	
Request for purchase/lease: From the adjoining owner of the Town Hall site to purchase his area or to jointly dispose of both.	
Corporate Priorities: The redevelopment of the site together with the adjoining one may contribute towards the following priorities: <ul style="list-style-type: none"> • Promote sustainable economic growth • Regenerate the district and improve deprived areas <p>Future stages of the Property Dealing Policy will assess, amongst other things, the value of the site and whether constraints restrict the potential for redevelopment.</p>	
Property Strategy Issues: The draft Property Strategy includes the potential for redevelopment of this site.	
Valuation: Not yet valued.	
Other Issues: None.	
Conclusion: Disposal is feasible. Valuation etc will be determined during the formal detailed consideration identified in the Council's constitution, if the process is initiated.	