



**OPEN REPORT**  
**GOVERNANCE & RESOURCES COMMITTEE**

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**Governance & Resources Committee – 20 July 2023**

**ASSET MANAGEMENT PLAN – LAND HOLDINGS REVIEW PHASE 6**

**Report of Director of Regulatory Services**

**Report Author and Contact Details**

Mike Galsworthy, Estates and Facilities Manager  
01629 761207 or [mike.galsworthy@derbyshiredales.gov.uk](mailto:mike.galsworthy@derbyshiredales.gov.uk)

**Wards Affected**

Matlock West  
Darley Dale  
Bonsall and Winster  
Hulland Ward  
Ashbourne North  
Ashbourne South

**Report Summary**

This report represents the sixth phase of an ongoing review of the Council's land and property assets in accordance with the Asset Management Plan. This phase of the Land Holdings Review covers 8 sites across the District.

**Recommendations**

1. That Site nos. 1 and 2, Station House, Matlock and Darley Dale Down Station building, Darley Dale be declared as surplus to requirements and that the Estates and Facilities Manager be delegated to proceed with disposal of the sites in accordance with one of options 1,2 or 3 as outlined in Appendix 1 of this report.
2. That Sites nos. 3 and 4, Land between 44-48 High Street, Bonsall and Land at Peats Close, Kirk Ireton be declared as surplus to requirements and to be offered for freehold sale by public auction on the terms outlined in Appendix 1 of this report.
3. That Site no. 5, Land at Fishpond Meadows, Ashbourne be transferred to Ashbourne Town Council on the terms outlined in Appendix 1 of this report as a Community Asset Transfer by way of long lease.
4. That site no 6, part of land off Clifton Road, Ashbourne be transferred to the NHS on the terms outlined in Appendix 1 of this report by way of long lease.

5. That in respect of Site no. 7, Monsal Head Car Park, a new 10-year lease be taken from Little Longstone Parish Meeting by the District on the terms outlined in Appendix 1 of this report.
6. That Site no 8, Allotments and adjoining land at Church Road, Darley Dale is transferred to Darley Dale Town Council on the terms outlined in one of options 1 or 2 as outlined in Appendix 1 of this report.
7. That it is noted that the disposal of site nos. 5,6 and 8. above (either by lease or freehold title transfer) comprise undervalue transactions permitted under the General Disposal Consent 2003.
8. Responsibility for legal and surveyors' costs in respect of all the transactions above are detailed in Appendix. 1 of this report.

### **List of Appendices**

Appendix 1 Land Holdings Review Phase 6 by Property

### **Background Papers**

Non-applicable

### **Consideration of report by Council or other committee**

Not applicable

### **Council Approval Required**

No

### **Exempt from Press or Public**

No

## **Asset Management Plan – Land Holdings Review Phase 6**

### **1. Background**

- 1.1 The Asset Management Plan (AMP) 2019 -2023 is intended to set out the Council's strategic approach to the management of its land and property and to provide a framework within which property asset decisions can be made in support of the Council's corporate aims and objectives.
- 1.2 The Asset Management Plan recommends that unused or surplus buildings and land (of area 0.1ha and above excluding parks and pleasure grounds and public open space) be reviewed to establish whether they should be sold or whether they could contribute to the Council's key objectives of economic development and affordable housing or whether they could form part of a Community Asset Transfer.
- 1.3 This the sixth of a number of phases of reports consider the future arrangements for surplus land and buildings across the District.

### **2. Key Issues**

- 2.1 Phase 6 of the Land Holdings Review covers 4 sites in which queries or expressions of interest have been received, 2 sites where a lease is required to regularise an existing occupation, 1 disposal of an area of surplus land and 1 lease in of an operational car park site. Following consideration of planning, legal and estate management factors, together with operational requirements, recommendations are made regarding whether the sites should be retained, allocated for a particular use or sold and the terms which would apply.
- 2.2 An appraisal of each site has taken place comprising advice on any planning constraints, legal restrictions and maintenance liabilities/costs.
- 2.3 Site nos. 1 and 2 comprise the former Station Master's House and associated gardens of total area 0.03 acres (0.01ha) located adjacent to the railway station and bus station in Matlock and the former Down Station building and associated car park located adjacent to the Peak Rail crossing at Station Road, Darley Dale.
- 2.4 Site nos. 3 and 4 comprise vacant plots of land of 0.057acres (.02ha) and 0.083 acre (.03ha) adjacent to existing housing in Bonsall and Kirk Ireton.
- 2.5 Site nos. 5 and 6 comprise existing structures on District Council owned land at Fishpond Meadows and Clifton Road, Ashbourne.
- 2.6 Site no.7 comprises an existing pay and display car park at Monsal Head.
- 2.7 Site no.8 comprises an allotment site and adjacent grazing land at Station Road, Darley Dale.
- 2.8 The results and recommendations for the eight sites are summarised in Appendix 1 together with plans of each site.

### **3. Options Considered and Recommended Proposal**

3.1 Not applicable

### **4. Consultation**

4.1 Ward Members and the relevant Town/Parish Council have been consulted on the proposed disposals and any comments received will be reported to the meeting.

### **5. Timetable for Implementation**

5.1 On approval instructions will be issued to the Legal department to progress all matters to completion.

5.2 Except for site no. 8 which is subject to notice periods, it is anticipated that transfers and leases will be completed by the 4th quarter of 2023/24.

### **6. Policy Implications**

6.1 In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

### **7. Financial and Resource Implications**

7.1 The site index at the start of Appendix 1 indicates the recommended option for each site i.e. market or community asset transfer for long lease, freehold sale or freehold community asset transfer. For the sites that are to be subject to the market, it is difficult at this stage to assess the level of income accurately.

7.2 Rental or lease income is credited to the revenue account. Receipts from disposals of land or buildings are treated as capital receipts if the individual receipt is £10,000 or more and are credited to the revenue account if less than £10,000.

7.3 The disposal of site nos. 5, 6 and 8.(either by lease or freehold title transfer) comprise undervalue transactions permitted under the General Disposal Consent 2003.

7.4 Disposal of sites 1-4 and 8 would reduce a maintenance liability.

7.5 Where appropriate, a contribution or full payment of our legal and surveying expenses will be sought as outlined in Appendix. 1 of this report.

7.6 The financial risk of the report recommendations is assessed as low.

## **8. Legal Advice and Implications**

- 8.1 All disposals are subject to a full title check with relevant legal procedures being followed and will contain appropriate restrictions to protect the Council's interest.
- 8.2 In respect of sites 1-7 (and 8 if Option 2 is followed), subject to clause 8.1 being addressed, the legal risk is assessed as low.
- 8.3 In respect of site 8, if Option 1 is followed, the legal risk is considered to be medium.

## **9. Equalities Implications**

- 9.1 None applicable

## **10. Climate Change Implications**

- 10.1 There are no significant climate change impacts of the recommendations on the report.

## **11. Risk Management**

- 11.1 Financial and legal risks have been assessed above.

### **Report Authorisation**

Approvals obtained from:-

|                                                                         | <b>Named Officer</b> | <b>Date</b> |
|-------------------------------------------------------------------------|----------------------|-------------|
| Chief Executive                                                         |                      |             |
| Director of Resources/ S.151 Officer<br>(or Financial Services Manager) | Karen Henriksen      | 06/07/2023  |
| Monitoring Officer<br>(or Legal Services Manager)                       | James McLaughlin     | 11/07/2023  |