



**OPEN REPORT
GOVERNANCE & RESOURCES COMMITTEE**

Governance & Resources Committee - 2nd November 2023

ASSET MANAGEMENT PLAN – LAND HOLDINGS REVIEW PHASE 7

Report of Director of Regulatory Services

Report Author and Contact Details

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Wards Affected

Bakewell

Ashbourne North

Report Summary

This report represents the seventh 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 2 sites in the District, one for acquisition for operational requirements and one for which expressions of interest have been received for enhancing a facility.

Recommendations

1. That, in respect of Site 1, Land south of Bakewell Cemetery, the Estates and Facilities Manager be delegated to agree terms for the acquisition of the required land and access rights as outlined in Appendix 1 of this report, subject to planning consent and subject to further approval by this Committee.
2. That a request is made to Council (for the update due in February 2024) to include an amount of £125,000 in the Capital Programme for 2024/25 and £75,000 in 2025/26 in respect of Site 1 to cover the land purchase costs and enabling infrastructure works to form a cemetery extension.
3. That in respect of Site 2, Fishponds at Fishpond Meadows, Ashbourne, the Estates and Facilities Manager be delegated to proceed with a leasehold disposal of the site as outlined in Appendix 1 of this report, subject to appropriate Public Open Space consultation.
4. That it is noted that the disposal in 3 above comprises an undervalue transaction as permitted under the General Disposal Consent 2003.

List of Appendices

Appendix 1 - LAND HOLDINGS REVIEW PHASE 7 BY PROPERTY

Background Papers

None applicable

Consideration of report by Council or other committee

Not applicable

Council Approval Required

Yes for Recommendation 2

Exempt from Press or Public

No

ASSET MANAGEMENT PLAN – LAND HOLDINGS REVIEW PHASE 7

1. Background

- 1.1 The Asset Management Plan (AMP) 2019 -2023 outlines the Council's strategic approach to the management of its land and property and provides 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 all assets should be reviewed to ensure that they fully contribute to the Corporate Plan objectives of the Council.
- 1.3 This the seventh of a number of phases of reports consider the future arrangements for surplus land and buildings across the District and recommends a potential acquisition and a leasehold disposal of 2 sites in support of Service and Corporate Plan objectives.

2. Key Issues

- 2.1 Phase 7 of the Land Holdings Review covers 2 sites. Site 1 is required as an extension to Bakewell Cemetery and Site 2 will bring an under used area of land back into community use. Following consideration of planning, legal and estate management factors, together with operational requirements, recommendations are made regarding whether the sites should be acquired, 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 1 comprises a privately owned site of 1.21 hectares (3 acres) adjacent to Bakewell Cemetery.
- 2.4 Site 2 comprises two ponds at Fishpond Meadows, Ashbourne of total area 1.36 hectares (3.36 acres).
- 2.5 The results and recommendations for the two sites are summarised in Appendix 1 together with plans of each site.

3. Options Considered and Recommended Proposal

- 3.1 As outlined in Appendix 1.

4. Consultation

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

5. Timetable for Implementation

- 5.1 In respect of Site 1, negotiations will take place with the aim of reporting recommended heads of terms to this committee in Spring 2024.
- 5.2 In respect of Site 2, negotiations will take place with the aim of completing the lease in Spring 2024.

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 In respect of site 1, land for the extension of Bakewell Cemetery, it is proposed that (when the capital programme is being reviewed by Council in February 2024) an amount of £125,000 is allocated in the Capital Programme for 2024/25 and £75,000 for 2025/26 to cover the land purchase costs, access rights and enabling infrastructure works to form a cemetery extension. The financing will be considered as part of that report. The financial risk of this acquisition is assessed as Medium.
- 7.2 In respect of site 2, the fishing pond at Fishpond Meadows, Ashbourne, subject to Members' approval a 10-year lease would be negotiated on the terms set out in Appendix 1. After a 2-year rent free period, this would generate an annual income of £1,000, which would be credited to the revenue account. The financial risk of this lease is assessed as Low.

8. Legal Advice and Implications

- 8.1 As previously stated this report represents the 7th phase of an ongoing review of the Council's land and property assets in accordance with the Asset Management Plan.
- 8.2 There are 4 recommended decisions set out at the start of this report, if decisions are taken in line with those recommendations, the legal risk has been assessed as low.

9. Equalities Implications

- 9.1 None applicable

10. Climate Change Implications

- 10.1 These are site specific and included in Appendix 1 of this report.

11. Risk Management

11.1 Financial and legal risks have been assessed above.

Report Authorisation

Approvals obtained from:-

	Named Officer	Date
Chief Executive	Paul Wilson	23/10/2023
Director of Resources/ S.151 Officer	Karen Henriksen	20/10/2023
Monitoring Officer (or Legal Services Manager)	Kerry France	23/10/2023