

**DECLARATION OF LAND SURPLUS TO REQUIREMENT AT BERKELEY CLOSE AND BADGER CLOSE, WINYATES AND LEDBURY CLOSE, MATCHBOROUGH**

|                              |   |
|------------------------------|---|
| Relevant Portfolio Holder    | Councillor Matthew Dormer   |
| Portfolio Holder Consulted   | Yes   |
| Relevant Head of Service     | Claire Felton - Head of Legal, Equalities and Democratic Services |
| Ward(s) Affected             | Winyates and Matchborough   |
| Ward Councillor(s) Consulted | No  |
| Key Decision                 | Yes   |

**1. SUMMARY OF PROPOSALS**

This report seeks approval to declare the following sites in Redditch surplus and available for disposal:

- 1.1 Land adjacent to No. 29 Berkeley Close, Winyates Green;
- 1.2 Land adjacent No. 34 Badger Close, Winyates West;
- 1.3 Land adjacent No. 46 Badger Close, Winyates West;
- 1.4 Land adjacent No. 54 Ledbury Close, Matchborough East.

**2. RECOMMENDATIONS**

**The Executive Committee is asked to RESOLVE that:**

**the land adjacent to No. 29 Berkeley Close, Winyates Green, land adjacent No. 34 Badger Close, Winyates West, land adjacent No. 46 Badger Close, Winyates West and land adjacent No. 54 Ledbury Close, Matchborough East, be declared surplus to Council requirements and disposed of at market value.**

**3. KEY ISSUES**

**Financial Implications**

- 3.1 The sale of this land will generate capital receipts to the General Fund, and all capital receipts from disposals are deemed to be a Corporate capital resource available for allocation in line with Corporate priorities.

The Secretary of State for Communities and Local Government issued guidance in giving Local Authorities greater freedoms with how capital receipts can be

used to finance expenditure. This Direction allows for the following expenditure to be treated as Capital, 'expenditure on any project that is designed to generate ongoing revenue savings in the delivery of public services, and/or transform service delivery to reduce costs, and/or transform service delivery in a way that reduces costs or demand for services in future years, for any of the public sector delivery partners.'

**Legal Implications**

- 3.2 Although the Council may dispose of its land or property in any manner it wishes, the Council is required to dispose of any interest in land at Best Value in accordance with Section 123 of the Local Government Act 1972. To achieve this requirement it is normal for the Council to market the sites for sale to achieve the highest capital receipts possible.

**Service/Operational Implications**

The four sites are described in details as follows:

3.3 **Land adjacent to No. 29 Berkeley Close, Winyates Green**

Appendix 1 (Drawing Nos. P2049/157A and P2049/158A refers). This site was left vacant by the former Development Corporation for unknown reasons when delineating the adjacent private residential sites. As a consequence it has become overgrown over the years. Outline Planning approval was given on 24 September 2020 (all matters reserved for subsequent consideration), for the erection of 2 No. 3-bed dwellings.

Following this approval, an application has been made for the Stopping Up of the Footpath that runs adjacent to No. 29 Berkeley Close, under section 257 of the Town and Country Planning Act 1990, as this stub footpath is adopted. No problems are anticipated at this stage in the requisite Stopping Up Order being made within the next few months.

3.4 **Land adjacent No. 34 Badger Close, Winyates West**

Appendix 2 (Drawing No. P2049/151 refers). The majority of this site was a former play area which for some reason was adopted by the County Council when originally constructed. Outline Planning approval was given on 4 December 2019 (all matters reserved for subsequent consideration), for the erection of 1 No. 3-bed dwelling.

Following this approval, an application was made for the Stopping Up of the Footpath (Play Area), under section 257 of the Town and Country Planning Act 1990, as this play area was adopted, the Order now being in force.

**3.5 Land adjacent No. 46 Badger Close, Winyates West**

Appendix 3 (Drawing No. P2049/159 refers). All of this site which for some reason, which is unknown to us, was adopted by the County Council when originally constructed. It is intended to submit an Outline Planning application for 1 No. 3-bed bungalow, and if successful, apply for an appropriate Stopping Up Order. At this stage no problems are anticipated with achieving both proposals.

**3.6 Land adjacent No. 54 Ledbury Close, Matchborough East**

Appendix 4 (Drawing Nos. P2049/164 and P2049/165 refers). The majority of this site was a former play area which for some reason was adopted by the County Council when originally constructed. It is intended to submit an Outline Planning application for 1 No. 4-bed dwelling, and if successful, apply for an appropriate Stopping Up Order. At this stage no problems are anticipated with achieving both proposals.

There are a number of works to be accommodated with this proposal, that being the construction of a new diverted footpath link, and small car parking area, together with diversion works for various Statutory Undertakers' equipment.

However, with the proposed provision of a 4-bed dwelling, the additional income expected for the site, over and above a 3-bed dwelling, should compensate for these additional works required.

**Customer/Equalities and Diversity Implications**

None.

**4. RISK MANAGEMENT**

Failure to achieve best value for the land is mitigated through the process for selling at market value.

**5. APPENDICES**

Appendix 1 - Land adjacent to No. 29 Berkeley Close, Winyates Green  
Indicative Layout and Site Location Plan.

Appendix 2 - Land adjacent No. 34 Badger Close, Winyates West  
Site Layout.

Appendix 3 - Land adjacent No. 46 Badger Close, Winyates West  
Site Location Plan.

Appendix 4 - Land adjacent No. 54 Ledbury Close, Matchborough East  
Indicative Layout and Site Location Plan.

**6. BACKGROUND PAPERS**

Planning Applications and Stopping Up Orders.

**7. KEY**

None.

**AUTHOR OF REPORT**

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