



RECORD OF DELEGATED DECISION (OFFICER)

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| 1. Decision Reference No. | CEX162 |
| 2. Name/Title of Officer (who is taking the Decision) | Pranali Parikh, Director for Growth and Regeneration |
| 3. Email address of Officer | pparikh@melton.gov.uk |
| 4. Title / Subject Matter: | Disposal of Former Public Toilets – Park Lane & Wilton Road |
| 5. Type of Decision: (The decision will be published in its entirety unless it contains exempt information as described in Section 1.4 of the Council's Access to Information Rules) | Part Exempt |
| 6. Key Decision? | Yes |
| 7. Decision Taken: 1. Authority to sell the freehold interests in the land and buildings for the former public conveniences at Wilton Road and Park Lane, via a public auction sale. 2. Authority to enter into any associated legal documentation to effect the transfer of the freehold interests. | |
| 8. Reasons for Decision: 1.The Community and Social Affairs Committee approved the disposal of the Park Lane toilets at their meeting on 24 January 2017, but due to lack of resources in the Council and other priorities, the timing with the proposed sale has slipped. 2.The Cabinet at their meeting on 15 July 2020 approved the new Corporate Assets Disposal Policy and noted that the properties at paragraph 5.5 of the Draft Asset Disposal Policy report (Park Lane and Wilton Road former public conveniences) will be marketed for sale. 3.As is noted in reports previously presented to The Community and Social Affairs Committee in January 2017 and the Cabinet report July 2020, there are no alternative uses for the former public conveniences and the properties are therefore deemed surplus to the Council's requirements and in accordance with the Council's Corporate Asset Disposal Policy 2020 should be disposed for 'best value' following the statutory definition under section 123 of the Local Government Act 1972. | |

4. Selling the former public toilets will save the Council ongoing business rates liabilities of just under £10k per annum.

5. The proposed sales of the assets will generate capital receipts for the council to support its capital programme. The guide prices are estimated as follows:

- Former Public conveniences at Wilton Road – Guide price £40k to £50k (auction date- November 17th 2021)
- Former Public conveniences at Park Lane – Guide price £60k to £70k (potential auction dates- January/February/March 2022, subject to planning consent)

6. The Council's Corporate Property Asset Manager, who is an RICS qualified surveyor, has identified marketing via a public auction as the most appropriate disposal route for these assets, to achieve the best market price, based on the estimated guide prices, and delivered within a set auction timeframe and reasonable certainty of sale at auction dates in November 2021 and January/February/March 2022, with exchange of contracts on the day of the auction and completion of the sale shortly thereafter. Sale by public auction is in accordance with the Council's Corporate Assets Disposal Policy 2020.

9. Authority / Legal Power:

(Please detail where your authority comes from e.g. Committee Minute, Constitution or Legal power i.e. what enables you to take this course of action)

The Community and Social Affairs Committee approved the disposal of the Park Lane toilets at their meeting on 24 January 2017. The Cabinet at their meeting on 15 July 2020 approved the new Corporate Assets Disposal Policy and noted that the properties at paragraph 5.5 of the Draft Asset Disposal Policy report (Park Lane and Wilton Road former public conveniences) will be marketed for sale.

Legal Power – see below

10. Background Papers attached?

(Background papers are to be attached (unless exempt))

No

11. Alternative options available / rejected:

(Briefly summarise what other options, if any, are available or considered and why they were rejected.)

1. To not sell the former public conveniences at Wilton Road and Park Lane would burden the Council with ongoing business rates liabilities of just under £10k per annum of which some of this saving has already been built into the budget based on anticipated disposal dates. circa £6k.
2. To not sell would be at odds with the Council's Corporate Assets Disposal Policy 2020, as identifying these assets as surplus to the Council's requirements means disposing of the assets is the only option, and to achieve best value for the assets in accordance with the Council's statutory duties.
3. To not sell would be at odds with the Council's corporate objectives to support the growth of the local economy and support the development of more homes in Melton (Park Lane former public toilets is subject to a planning application for conversion to two residential flats).

12. Implications:

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| Legal | <p>The Council has a statutory and fiduciary duty to obtain best consideration for disposal of land and buildings in its ownership. There are exemptions to this obligation however the Council are not relying on any such exemptions in these particular cases.</p> <p>The Council has the power to dispose of land in its ownership under s123 of the Local Government Act 1972 provided the land is sold at a consideration not less than the best that could reasonably be obtained in the market, unless Secretary of State Approval is obtained to transfer at a value below market value for the use as affordable housing or some other social good</p> <p>Legal Services will draft, complete and execute all documents required to complete the disposal of the land and building identified here for sale.</p> <p>Legal Approval - 29 October 2021</p> |
| Finance | <p>1. Selling the former public toilets will save the Council ongoing business rates liabilities of just under £10k per annum of which some of this saving has already been built into the budget based on anticipated disposal dates.</p> <p>2. The proposed sales of the assets will generate capital receipts for the council to support its capital programme.</p> <p>Finance Approval - 19 October 2021</p> |
| HR | N/A |

13. Signature of Decision Maker with authority to sign (See Section 9):

Please do not 'pp' for a Senior Officer

Pranali Parikh, Director for Growth and Regeneration

14. Consultation with:

(Where applicable - attach email as confirmation)

Cllr Rob Bindloss, Portfolio Holder for Growth & Prosperity

15. Date:

29 October 2021

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