

PART 1 - PUBLIC

Decision Maker: **EXECUTIVE**

Date: **Wednesday 09 August 2023**

Decision Type: Non-Urgent Executive Key

Title: **LAND AT GODDARD ROAD, BECKENHAM BR3 4BN & THE COTTAGE, CHURCH HOUSE GARDENS BROMLEY BR2 0EJ & PARKFIELD REC LODGE, BROMLEY BR2 8DD – FREEHOLD DISPOSALS**

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Chief Officer: Director of Housing, Planning, Property and Regeneration

Ward: Bromley Town Centre, Clock House, Bromley Common & Holwood

1. REASON FOR THE REPORT

- 1.1 The report has two focusses; the first being to seek approval to accept an offer received and recommended, and the second to seek approval to list two properties via auction at the reserve prices professionally advised and recommended.
- 1.2 The three properties that this report relates, listed below, are freehold interests held by the Council that have been identified as surplus to requirement and included in the disposal programme to generate capital receipts to be ringfenced for works identified under the Council's Operational Property Review.

The properties:

- Land at Goddard Road, Beckenham BR3 4BN
- The Cottage, Church House Gardens, Bromley BR2 0EJ
- Parkfield Recreational Ground Lodge, Bromley BR2 8DD

Land at Goddard Road, Beckenham BR3 4BN

- 1.3 A suitable offer for recommendation has now been received for the freehold interest of the property known as Land at Goddard Road, Beckenham BR3 4BN. This report seeks approval to accept the recommended offer and to proceed with the transaction.

The Cottage, Church House Gardens, Bromley BR2 0EJ & Parkfield Recreational Ground Lodge, Bromley BR2 8DD

- 1.4 The freehold interest for both properties known as The Cottage, Church House Gardens and Parkfield Rec Lodge have now undergone prolonged marketing campaign's on a private treaty/ informal tender basis. This report seeks approval to switch the method of sale and to dispose of the properties via auction utilising a reputable auctioneer and at the reserve prices recommended.

2. RECOMMENDATION(S)

Land at Goddard Road, Beckenham BR3 4BN

- 2.1 Authorise acceptance of the offer received for the Councils freehold interest known as Land at Goddard Road, Beckenham BR3 4BN and to proceed with the transaction.
- 2.2 Details of the commercial terms of the offer being recommended for freehold disposal are commercially sensitive and therefore included within Part 2 of this report.

The Cottage, Church House Gardens, Bromley BR2 0EJ & Parkfield Recreational Ground Lodge, Bromley BR2 8DD

- 2.3 Authorise placing both the freehold interests known as, The Cottage, Church House Gardens, Bromley BR2 0EJ and Parkfield Rec Lodge, Bromley BR2 8DD to market via auction with a reputable auctioneer at the reserve prices professionally advised.
- 2.4 Members are recommended to note the contents of this report and to refer to the Part 2 Report of the same title for specific recommendations.

Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A
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Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Excellent Council
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Financial

1. Cost of proposal:
 2. Ongoing costs: n/a
 3. Budget head/performance centre: n/a
 4. Total current budget for this head: n/a
 5. Source of funding: n/a
-

Personnel

1. Number of staff (current and additional): Not applicable
 2. If from existing staff resources, number of staff hours: Not applicable
-

Legal

1. Legal Requirement: Statutory Requirement
 2. Call-in: Applicable
-

Procurement

1. Summary of Procurement Implications: Not applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Not Applicable
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

3.1 Land at Goddard Road, Beckenham BR3 4BN

- 3.1.1 The Council seeks to dispose of the freehold interest in 'the Property' known as 'Land at Goddard Road, Beckenham, Bromley BR3 4BN'. The Property comprises a plot of land extending to approximately 0.98 acres (0.39 hectares), irregular in plan with a gradual fall from east to west and secured with a variety of perimeter fencing. The only construction on-site being a small, prefabricated hut at the sites entrance. The double gated entrance to the site is via Cobalt Close, a modern housing development to the south. Prior to the land becoming vacant for a significant period of time (15+ years), the Property was let for use as temporary allotments. The property has an Urban Open Space planning policy designation across the entire site.
- 3.1.2 Marketing agents SHW were instructed March of this year, with marketing going live at the start of April.
- 3.1.3 Details of the marketing campaign, professional advice received, and commercial terms recommended for the freehold disposal are commercially sensitive and therefore included within Part 2 of this report.

3.2 The Cottage, Church House Gardens, Bromley BR2 0EJ & Parkfield Recreational Ground Lodge, Bromley BR2 8DD

The Cottage, Church House Gardens, Bromley BR2 0EJ

- 3.2.1 The Council seeks to dispose of the freehold interest in 'the Property' known as The Cottage, Church House Gardens, Bromley BR2 0EJ. The Property comprises a plot of land extending to approximately 0.17 acres situated on the western boundary of Church House Gardens, in Bromley town centre, and fronting Glassmill Lane. The property includes a three-bedroom, two-storey, detached cottage extending to a floor area of approximately 1,000 sq ft (92 sq m) with a private wrap-around garden. The property is accessed solely via a pedestrian entrance from Glassmill Lane.
- 3.2.2 In preparation of the site for disposal, the gated vehicular entrance to the Property via Church House Gardens has now been closed, replacing the double gates with fixed fencing. This is to protect the Council from the potential of any future prescriptive right of way arising to the Purchaser over the park. In addition, any offer for the freehold interest is to be made subject to a restriction on title, prohibiting the formation of any access along parts of the Property's boundary that adjoin Church House Gardens Park by a purchaser. The boundary fencing will become the responsibility of the new purchaser and will be required to be kept in good repair.
- 3.2.3 Marketing commenced with a local estate agent since February of this year and as such it can be considered that the current method of property sale has been well tested. Further details of the current marketing campaign, being commercially sensitive, are included in Part 2 of this Report.
- 3.2.4 This report seek authority to proceed with the recommendation to place the property to market via auction utilising a reputable auctioneer and at the reserved prices professionally advised, and as detailed in Part 2 of this report.

Parkfield Recreational Ground Lodge, Bromley BR2 8DD

- 3.2.5 The Council seeks to dispose of the freehold interest in 'The Property' known as Parkfield Rec Lodge, Bromley BR2 8DD. The property comprises a plot of land extending to approximately 0.20 acre (0.08 hectare) situated adjacent Parkfield Recreational Ground and set back off Whitebeam Avenue. The Property includes a vacant three-bedroom detached bungalow extending to approximately 1,100 sq ft that occupies a cul-de-sac aspect and sits with gardens to all elevations. The bungalow requires extensive improvement by way of essential repair and refurbishment throughout.
- 3.2.6 In preparation of the site for disposal, the gated entrance to the Property via Parkfield Recreational Ground has been closed up, replacing the pedestrian gate with fixed fencing. This is to protect the Council from the potential of any future prescriptive right of way arising to the Purchaser over the park. In addition, any offer for the freehold interest is to be made subject to a restriction on title, prohibiting the formation of any access along parts of the Property's boundary that adjoin Parkfield Recreational Ground by a purchaser. The boundary fencing will become the responsibility of the new purchaser and will be required to be kept in good repair.
- 3.2.7 Marketing commenced with a local estate agent March of this year and as such it can be considered that the current method of property sale has been well tested. Further details of the current marketing campaign, being commercially sensitive, are included in Part 2 of this Report.
- 3.2.8 This report seeks authority to proceed with the recommendation to place the property to market via auction utilising a reputable auctioneer and at the reserved prices professionally advised, and as detailed in Part 2 of this report.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 There is not considered to be an impact on Vulnerable Adults and Children as a consequence of this decision.

5. POLICY IMPLICATIONS

- 5.1 N/A

6. FINANCIAL IMPLICATIONS

- 6.1 The proposed disposals of the Council's freehold interest would result in a capital receipt payable to the Council. Further details are set out in Part 2.

7. PERSONNEL IMPLICATIONS

- 7.1 N/A

8. LEGAL IMPLICATIONS

- 8.1 The Council has power under s.123 of the Local Government Act 1972 ("The Act") to dispose of land for the best consideration that can reasonably be obtained (usually based on open market value).
- 8.2 S.123 of the Local Government Act 1982 confers power to the Secretary of State to give general consent for the purposes of land disposals by local authority in Part 7 of the 1972 Act.
- 8.3 The Local Government Act 1972: General Disposal Consent 2003 removes the requirement to seek specific consent from the Secretary of State for any disposal of land where the local authority

considers that the purpose for which the land is to be disposed is likely to contribute to the achievement of any one or more of the well-being criteria in the Local Government Act 2000:

- i) the promotion of improvement of economic well-being;
- ii) the promotion of improvement of social well-being;
- iii) the promotion of improvement of environmental well-being;
- and the “under-value” (i.e. the difference between the unrestricted value of the interest to be disposed of and the consideration accepted) is £2,000,000 or less.

8.4 Applications for specific consent, if appropriate, should be sent to the DCLG and include the following information:

- Written description of the land and buildings, the location
- Written description of how the land is currently held by the Council
- Details of any leases, encumbrances such as easements
- Summary of the proposed disposal/transaction
- Detailed valuation report signed by a qualified member of RICS. Ideally valuation should be done no earlier than 6 months before application for consent.

8.5 This only applies to land held as general fund land. It does not apply to land sold under 2.233 TCPA 1990.

8.6 This report in the property surveyors’ comments confirms that the best consideration test pursuant to the Act has been met.

9. PROCUREMENT IMPLICATIONS

9.1 Are dealt with in the Part 2 Report of the same title.

Non-Applicable Sections:	HR and Policy
Background Documents: (Access via Contact Officer)	