

**Cheltenham Borough Council**  
**Cabinet – 14 June 2016**  
**Cemetery Lodge, Bouncer’s Lane, Cheltenham.**

<b>Accountable member</b>	<b>Cabinet Member for Finance, Councillor Rowena Hay</b>
<b>Accountable officer</b>	<b>Head of Asset &amp; Property Management, David Reports</b>
<b>Ward(s) affected</b>	<b>Oakley</b>
<b>Key/Significant Decision</b>	<b>Yes</b>
<b>Executive summary</b>	<p>Cemetery lodge at the entrance of the cemetery has remained empty for nearly seven years, during which time the structural and internal condition of the lodge has deteriorated. The building is surplus to operational requirements. Asset Management Working Group (AMWG) agreed to the disposal of the property at the 25<sup>th</sup> June 2015 meeting. The property has been marketed by Peter Ball &amp; Co. at a guide price of £300,000, and an offer has been received.</p> <p>The report has come to Cabinet as the disposal exceeds £250,000 and therefore requires a Cabinet decision.</p>
<b>Recommendations</b>	<p><b>That Cabinet RESOLVES that:</b></p> <ol style="list-style-type: none"> <li><b>1. Authority be delegated to the Head of Property and Asset Management in consultation with the Cabinet Member Finance to accept an offer which, in his opinion and following advice from the marketing agents, represents best consideration in respect of the property, and upon such other terms as he considers necessary or desirable to protect the council’s interests;</b></li> <li><b>2. The Borough Solicitor be authorised to conclude such documents reflecting the agreement reached by the Head of Property and Asset Management as she considers appropriate</b></li> </ol>

<b>Financial implications</b>	<p>The disposal of the asset will generate a capital receipt which could be ring-fenced for investment in the cemetery and new crematorium which could potentially reduce the level of prudential borrowing required to finance the project. Alternatively the Cabinet may wish to consider other proposals for its use which could include new capital schemes or flexible use of capital receipts – the latter would enable their use to fund revenue costs arising from transformational change, provided the costs meet the criteria for qualifying expenditure.</p> <p><b>Contact officer: Paul Jones, paul.jones@cheltenham.gov.uk, 01242 775154</b></p>
<b>Legal implications</b>	<p>The property has already been appropriated from cemetery use to general use, in anticipation of the disposal.</p> <p>The Council has a statutory obligation under s123 of the Local Government Act 1972 to secure the best consideration reasonably obtainable in respect of freehold disposals.</p> <p><b>Contact officer: Rose Gemmell, rose.gemmell@tewkesbury.gov.uk, 01684 272014</b></p>
<b>HR implications (including learning and organisational development)</b>	<p>Not applicable</p>
<b>Key risks</b>	<p>Should Cabinet not proceed with the disposal, there is a possibility that the lodge could remain on the market for sale for some time which may result in further deterioration of the property and therefore an additional reduction in price to encourage a purchaser.</p>
<b>Corporate and community plan Implications</b>	<p>Selling the lodge will relieve the council from a substantial repairs liability and release a sizeable receipt..</p>
<b>Environmental and climate change implications</b>	<p>The lodge is grade II listed, any further delays in disposing of this asset will lead to further deterioration, become vulnerable to vandalism and also reflect badly on the council's inability to act.</p>
<b>Property/Asset Implications</b>	<p>As detailed in this report.</p> <p><b>Contact officer: David Roberts@cheltenham.gov.uk</b></p>

## 1. Background

- 1.1 The lodge has remained empty and unused for nearly seven years and is deemed surplus to operational requirements. Disposal of the lodge was agreed at AMWG on the 25<sup>th</sup> June 2015 (see attached report) and later a Members Decision was taken on the 17<sup>th</sup> November 2015 to effect appropriation to general use (see attached report). Local estate agents, Peter Ball & Co. were initially instructed to sell the property by informal tender and subsequently instructed to market the property by private treaty, at a guide price of £300,000.

## 2. Reasons for recommendations

- 2.1 Some interest has been shown in the property, and offers received in the region of the guide price (although the ability of an interested party to make good his offer within a reasonable time scale also has to be taken into account, including any conditions that may be attached to an offer). In order for a prospective sale to be progressed quickly, it is necessary to delegate authority to accept an offer. It is suggested that the delegation be to the Head of Property and Asset Management, in consultation with the Cabinet Member Finance.

## 3. Alternative options considered

- 3.1 The property is deemed surplus to operational requirements.

## 4. Consultation and feedback

- 4.1 AMWG agreed to the disposal of the lodge on the 25<sup>th</sup> June 2015
- 4.2 The Cabinet Member's Decision appropriating the property from cemetery use to general use on the 17<sup>th</sup> November 2015.

## 5. Performance management –monitoring and review

- 5.1 Asset & Property Management in consultation with the Borough solicitor will execute the disposal of the lodge.

<b>Report author</b>	<b>Contact officer: <a href="mailto:simon.hodges@cheltenham.gov.uk">simon.hodges@cheltenham.gov.uk</a>, 01242-775148</b>
<b>Appendices</b>	1. Risk Assessment 2. Location Plan
<b>Background information</b>	1. Cabinet Member's Decision 17 November 2015

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If the disposal is not progressed, the lodge could remain empty for some considerable time and fall into further disrepair and this would reflect badly on the council.	Simon Hodges	01/06/16	2	2	4	Accept	Accept offer.	01/06/16	Simon Hodges	

**Explanatory notes**

**Impact** – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)

**Likelihood** – how likely is it that the risk will occur on a scale of 1-6  
(1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)

**Control** - Either: Reduce / Accept / Transfer to 3rd party / Close

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