

Report to: EXECUTIVE CABINET  
MEMBER – LEADER'S  
PORTFOLIO

# Bolton Council

Date: 13<sup>th</sup> April, 2015

Report of: Borough Solicitor

Report No:

Contact Officer: Vicky Ridge

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Report Title: Monitoring of Executive Member Decisions

Non Confidential: This report does not contain information which warrants its consideration in the absence of the press and members of the public,

Purpose: To provide the Executive Cabinet Member with an up to date report relating to previously taken decisions by the Executive Member.

Recommendations: The Executive Cabinet Member is recommended to note the report.

Decision:

Signed:

Leader/Executive Member

Monitoring Officer

Date:

Summary: This Report contains up to date monitoring information relating to previously taken decisions by the Executive Cabinet Member.

## DECISION MONITORING

## EXECUTIVE CABINET MEMBER LEADER'S PORTFOLIO

Date of Meeting	Item and Decision	Action and Progress
30 <sup>th</sup> June, 2010	<u>25/27 Mawdsley Street</u>	
	The Executive Member AGREED the disposal of 25/27 Mawdsley Street to the existing tenants/sub-tenants, subject to a suitable valuation to be agreed by the Executive Member.	Concluding miscellaneous legal rights to facilitate a sale. Property to be submitted for auction in 2015
	<u>Former Bolton Community College Site Manchester Road</u>	
	The Executive Member AGREED to the disposal of the Council owned land as envisaged within the College Co-location Scheme on the basis of a two stage tender exercise, as now detailed, and that the Directors of Corporate Resources and Chief Executive's be authorised to progress the marketing and tender exercise in as outlined in the report.	The proposed sale by PSP for residential development has not progressed. There is potential for a commercial development which is being assessed. Final agreement has been reached with the college in respect of purchase of their freehold interest in the site , although they are seeking details of the option agreement
26th October, 2011	<u>All Souls</u>	
	The Executive Member for Strategy and External Relations REAFFIRMED the Council's financial commitment to the project.	Negotiations underway with the Churches Conservation

		Trust and All Souls working up detail of a Service Level Agreement to determine Council usage of building. Official opening of All Souls October 2014.
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<b>Date of Meeting</b>	<b><i>Item and Decision</i></b>	<b>Action and Progress</b>
18/06/12	<p><u>PSP – Bolton</u></p> <p>The Executive Cabinet Member AUTHORISED the Deputy Chief Executive to:-</p> <ul style="list-style-type: none"> <li>(i) progress the disposal of land and property as part of the Surplus Property Project;</li> <li>(ii) develop and implement proposals to add value to the Council's existing investment portfolio as part of the Asset Management Strategy; and</li> <li>(iii) allow PSP Bolton to progress the marketing of surplus properties and cover the costs of holding the same as part of the Office Accommodation Strategy</li> </ul>	<p>PSP Bolton are currently progressing all 3 strands. The operations board continues to meet on a monthly basis.</p> <p>Ongoing</p>
16/07/2012	<p><u>Land at Highfield Road, Farnworth</u></p> <p>The Executive Cabinet Member APPROVED –</p> <ul style="list-style-type: none"> <li>(i) the disposal of the Council owned land, at the figure detailed in the report, which is to be considered to be the market value of the site, to a Bolton Community Homes Association Partner; and AUTHORISED –</li> <li>(ii) the Borough Solicitor to complete the necessary legal documentation</li> </ul>	<p>Because of increased costs, it is unlikely that this will now progress</p>
23/07/2012	<p><u>Smithills Open Farm (Harricraft Farm) – Partially Collapsed Bridge</u></p>	<p>Bridge works were substantially completed and the bridge opened for</p>

	<p>The Executive Cabinet Member Deputy Leader APPROVED –</p> <ul style="list-style-type: none"> <li>(i) the provisionally agreed terms for the revised tenancy of Harricraft Farm as detailed in the report; and AUTHORISED –</li> <li>(ii) the expenditure on the bridge rebuilding at the level of the revised costs; and</li> <li>(iii) the Borough Solicitor to complete the necessary legal formalities</li> </ul>	<p>vehicles on 2/4/15 in time for the Easter weekend in accordance with the works programme. The draft lease is being worked on between respective lawyers</p>
20/08/12	<p><u>Former Site of Horwich Market, Curteis Street, Horwich</u></p> <p>The Executive Cabinet Member APPROVED –</p> <ul style="list-style-type: none"> <li>(i) The disposal of land at less than best consideration to St Vincent's Housing Association who are a Bolton Community Homes Partner; AUTHORISED –</li> <li>(ii) The Borough Solicitor to complete the necessary legal documentation; and</li> <li>(iii) A tender exercise to be undertaken to select a prospective lessee for the commercial use of the remainder of the site with the lease being conditional upon planning permission being granted.</li> </ul>	<p>Lease to St Vincents completed July, 2013</p> <p>An offer was made to a local doctors practice for the disposal of the remaining part of the site. The doctors practice had been investigating funding for the purchase and development.</p> <p>The original practice together with two other local practices have now submitted a bid for funding to jointly purchase and develop the site and a decision on the funding is expected by early May</p>
4/03/13	<p><u>Land at Weston Street, Bolton</u></p> <p>The Executive Cabinet Member APPROVED the terms for the lease of land at Weston Street, Bolton as detailed in the report and AUTHORISED the Borough Solicitor to complete the necessary legal documentation</p>	<p>Agreement for lease completed 24<sup>th</sup> March</p>
8/04/13	<p><u>Land at Clarence Street, Bolton</u></p> <p>The Executive Cabinet Member APPROVED the sale of land at Clarence Street, Bolton following the grant of an option as detailed in the report and AUTHORISED the Chief Property Officer to conclude negotiations and the Borough Solicitor to complete the necessary legal documentation</p>	<p>Exchange of contracts is imminent</p>
13/05/13	<p><u>Land at Croft Street, Bolton</u></p>	<p>Ongoing</p>

	<p>The Executive Cabinet Member, on the basis of the current information, AGREED –</p> <ul style="list-style-type: none"> <li>(i) That the Council does not enforce the orders for costs and damages in the sum of £212,788;</li> <li>(ii) That the Council take no further action in relation to obtaining possession of the land at Croft Street;</li> <li>(iii) That the Council does not enforce the order for sale on the premises at 287/289 Manchester Road, Bolton; and</li> <li>(iv) That the Council does not enforce the order for costs in relation to the adjudication for the Mountcliffe Land and to delegate to the Borough Solicitor the negotiation of the final terms to enable these recommendations to be effected</li> </ul>	
13/05/13	<p><u>Land at Progress Street, Bolton</u></p> <p>The Executive Cabinet Member APPROVED the grant of the lease of land at Progress Street, Bolton and AUTHORISED the Borough Solicitor to complete the necessary legal documentation</p>	Contribution towards lessees legal costs has been offered in order to progress matters
10/06/13	<p><u>Land at Union Road and Yates Street, Tonge Moor</u></p> <p>The Executive Cabinet Member AGREED the terms for the disposal of Council owned land at less than best consideration to a Bolton Community Homes Housing Association Partner on the basis that the purpose for which the land is to be disposed of at an undervalue is likely to contribute to the promotion or improvement of social wellbeing of the area as set out in the General Disposal Consent (England) 2003 and that the Borough Solicitor be authorised to complete the necessary legal documentation</p>	<p>A planning application has been submitted for social housing development</p> <p>Final property purchase has been completed.</p> <p>Purchase of the freehold reversion has been completed apart from one owner.</p> <p>Revised terms approved under the Emergency Powers Procedure</p>
20/08/13	<p><u>Illume, Crompton Children's Centre, Chalfont Street, Bolton</u></p> <p>The Executive Cabinet Member APPROVED the renewal of the licence at an undervalue for the occupation of the Crompton Children's Centre by Illume Education for an After School Club and AUTHORISED the Borough Solicitor to complete</p>	Licence to be amended for completion January, 2015

	the necessary documentation	
20/08/13	<p><u>Illume, Oldhams Children's Centre, Forfar Street, Bolton</u></p> <p>The Executive Cabinet Member APPROVED the renewal of the licence at an undervalue for the continued occupation of the Oldhams Children's Centre by Illume Education for an After School Club and AUTHORISED the Borough Solicitor to complete the necessary documentation</p>	Licence to be amended for completion
20/08/13	<p><u>Former Bolmoor Workshops, Adelaide Street, Bolton</u></p> <p>The Executive Cabinet Member APPROVED –</p> <ul style="list-style-type: none"> <li>(i) The sale of the former Bolmoor Workshops, Adelaide Street, Bolton on the main terms as detailed in the report; and</li> <li>(ii) The removal of the equitable charge from the title to the property; and</li> </ul> <p>AUTHORISED</p> <ul style="list-style-type: none"> <li>(iii) The Borough Solicitor to complete the necessary documentation</li> </ul>	<p>Legal instructed and draft documentation sent to the purchasers solicitor</p> <p>Terms for the lease back to the Council for the area occupied by Images Printing Unit have been agreed which will allow the documentation to progress</p>
21/10/13	<p><u>Property Rationalisation Programme – Bolton Town Hall</u></p> <p>The Executive Cabinet Member NOTED the progress made to date on the Town Hall refurbishment project and APPROVED the project progressing through to completion subject to it being delivered within budget and to the proposed timescales and the vacation, marketing and disposal of four office buildings within Bolton Town Centre namely The Wellsprings, Paderborn House, Howell Croft North and Le Mans Crescent</p>	<p>Works progressing</p> <p>Ongoing</p>
16/12/13	<p><u>Nursery Provision – Various Properties</u></p> <p>The Executive Cabinet Member AUTHORISED the Chief Property Officer to offer the opportunities as detailed on the terms proposed within the report</p>	<p>Bright Meadows and Harwood Youth Centre to be advertised January, 2014 – advertised and awaiting expressions of interest. Party selected for Bright Meadows, Harwood to be readvertised.</p> <p>Further Children's Centres to be added. Leverhulme</p>

		<p>Community Club and Oldhams Childrens Centres advertised.</p> <p>Prospective tenants now identified for Harwood and Leverhulme.</p> <p>Bright Meadows completed others with Legal Services</p> <p>Harwood and Leverhulme with Legal Services for completion</p>
27/01/14	<p><u>Land adjacent to the Ferns Academy, Bolton</u></p> <p>The Executive Cabinet Member APPROVED the grant of a lease on land adjacent to the Ferns Academy and AUTHORISED the Borough Solicitor to complete the necessary documentation</p>	<p>Revised plan prepared and included in documentation</p>
17/03/14	<p><u>Bolton Community College</u></p> <p>The Executive Cabinet Member APPROVED a revised 'Concessions Agreement' in respect of Bolton Community College, for a term of five years from 1<sup>st</sup> August, 2013 on the terms specified in the report and AUTHORISED the Borough Solicitor to complete the necessary legal formalities</p>	<p>Ongoing with Legal Services</p>
28/04/14	<p><u>Property Rationalisation Programme – Bolton Town Hall</u></p> <p>The Executive Cabinet Member APPROVED the proposal to extend the refurbishment project timescales due to extra roof works being undertaken, subject to this work being funded from the existing project and capital allocations</p>	<p>Ongoing</p>
28/04/14	<p><u>The Harrowbys Day Care Centre</u></p> <p>The Executive Cabinet Member APPROVED –</p> <p>(i) The grant of a lease on the terms detailed in the report for the use of the Harrowbys Day Care Centre, Mill Street, Farnworth; and AUTHORISED –</p> <p>(ii) The Borough Solicitor to complete the</p>	<p>Legal instructed</p> <p>Draft lease now prepared and progressing</p>

	necessary legal documentation	
28/04/14	<u>Bow Street Multi Storey Car Park, Bolton</u> The Executive Cabinet Member APPROVED – <ul style="list-style-type: none"> <li>(i) The demolition of Bow Street Multi Storey Car Park</li> <li>(ii) The termination of the telecommunications agreement and the payment of statutory compensation;</li> <li>(iii) The negotiation of terms for an agreement to site the telecommunications equipment at an alternative location; and AUTHORISED –</li> <li>(iv) The Borough Solicitor to complete the necessary legal formalities</li> </ul>	Demolition is currently subject to the procurement procedure  Regular safety and security checks in place. Notices served to terminate telecoms lease and counter notice received. Legal steps being taken to help ensure timely removal of telecoms mast together with negotiations with the operators agent
9/06/2014	<u>Land at Greenland Road, Bolton</u> The Executive Cabinet Member APPROVED the disposal of the land at Greenland Road, Bolton on the terms as outlined in the report and AUTHORISED the Borough Solicitor to complete the legal formalities	Legal instructed  Outstanding solicitor details for the parties involved have been requested and chased. Ongoing
14/07/2014	<u>84 Deansgate, Bolton</u> The Executive Cabinet Member APPROVED the acquisition of the property at 84 Deansgate, Bolton on the terms as detailed in the report and AUTHORISED the Borough Solicitor to complete the legal formalities	Completed 6 <sup>th</sup> February, 2015
14/07/2014	<u>Proposed Free School, Burnden Way, Horwich</u> The Executive Cabinet Member APPROVED the standard terms and conditions for the lease to the Bolton Wanderers Free School as outlined in the report and AUTHORISED the Chief Property Officer to conclude negotiations and the Borough Solicitor to complete the legal formalities	Legal instructed and consultation taking place with associated parties. A covenant beneficiary is not yet providing the required covenant releases
18/08/14	<u>96 Deansgate, Bolton</u> The Executive Cabinet Member APPROVED – <ul style="list-style-type: none"> <li>(i) The acquisition of the property of 96 Deansgate, Bolton on the terms as detailed in the report; and AUTHORISED –</li> <li>(ii) The Borough Solicitor to complete the</li> </ul>	Legal instructed  Subject to further negotiations with the vendor on the timescale for the acquisition.  Following a recent meeting, the vendor is



	<p>legal formalities; and</p> <p>(iii) The Chief Property Officer to appoint an operator to ensure the business continues trading from the property in the short term</p>	prepared to progress the sale with completion in approximately 6 months time
18/08/14	<p><u>Devonshire Road, Bolton – Disposal of Open Space</u></p> <p>The Executive Cabinet Member, following consideration of the representations received, AGREED that the disposal of the site at Devonshire Road, Bolton be progressed</p>	Ground investigation report received confirming abnormal foundation works. Costings have been provided and a reduction in the purchase price has been approved under the Emergency Powers Procedure
15/09/14	<p><u>53/55 Victoria Square, Bolton</u></p> <p>The Executive Cabinet Member APPROVED the letting of 53/55 Victoria Street, Bolton to Bolton at Home, subject to their Board approval, on the terms as detailed in the report and AUTHORISED the Borough Solicitor to complete the necessary documentation</p>	Completed
15/09/14	<p><u>PSP - Bolton</u></p> <p>The Executive Cabinet Member AUTHORISED the Chief Property Officer to progress the disposal of further land and property as part of the Surplus Property Project</p>	Legal instructed Ongoing
15/09/14	<p><u>The Smithills Estate – Proposed Sale of the Non-Core Area to the Woodland Trust</u></p> <p>The Executive Cabinet Member APPROVED the amended terms of the sale of the non-core area of the Smithills Estate to the Woodland Trust as detailed in the report and AUTHORISED the Borough Solicitor to complete the legal formalities</p>	Legal instructed on sale modifications and matters progressing between respective solicitors. With a desired sale completion by mid/end of June, 2015. The Woodland Trust have appointed a Project Officer who is engaging with stakeholders and tenants etc. The Woodland Trust have carried out community consultation events
13/10/14	<p><u>Land at Hatfield Road, Bolton</u></p> <p>The Executive Cabinet Member APPROVED –</p>	Legal instructed and draft documentation issued to both the proposed and

	<ul style="list-style-type: none"> <li>(i) The disposal of land at Hatfield Road, Bolton on the terms as detailed in the report;</li> <li>(ii) The surrender of the existing lease on land at Hatfield Road, Bolton; and AUTHORISED –</li> <li>(iii) The Borough Solicitor to complete the necessary legal formalities</li> </ul>	<p>current lessees. Exchange of agreements imminent</p> <p>Agreement to surrender and agreement for lease completed</p> <p>Final completion is subject to the lessees obtaining planning consent</p>
13/10/14	<p><u>Regent Park Golf Course</u></p> <p>The Executive Cabinet Member AGREED –</p> <ul style="list-style-type: none"> <li>(i) To the terms of the lease for Regent Park Golf Course being further modified in accordance with the detail as set out in paragraph 1.3 of the report; and AUTHORISED –</li> <li>(ii) The Chief Property Officer to agree any further minor lease modifications considered necessary; and</li> <li>(iii) The Borough Solicitor to complete the legal formalities</li> </ul>	<p>Legal instructed and draft documents being prepared</p>
8/12/14	<p><u>Land at Clarendon Street, Bolton</u></p> <p>The Executive Cabinet Member APPROVED –</p> <ul style="list-style-type: none"> <li>(i) The disposal of Council owned land at Clarendon Street, Bolton at less than market value to a Bolton Community Homes Registered Provider partner and that this be at the original purchase price as detailed in the report; and AUTHORISED –</li> <li>(ii) The Borough Solicitor to complete the necessary legal documentation</li> </ul>	<p>Completed</p>
16/2/15	<p><u>Former Fads Building: 22-26 Great Moor Street, Bolton</u></p> <p>The Executive Cabinet Member APPROVED –</p> <ul style="list-style-type: none"> <li>(i) A financial contribution of £40,000 from the Council's Town Centre Strategy Budget towards the cost of demolishing the former Fads Building, 22-26 Great Moor Street, Bolton; and AUTHORISED –</li> <li>(ii) The Chief Property Officer to conclude</li> </ul>	<p>Ongoing</p>

	discussions relating to the terms of such contribution	
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