

Report to: EXECUTIVE CABINET  
MEMBER – LEADER'S  
PORTFOLIO

# Bolton Council

Date: 18<sup>th</sup> August, 2014

Report of: Borough Solicitor

Report No:

Contact Officer: Vicky Ridge

Tele No: 331036

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:

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Leader/Executive Member

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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>Regent Park Golf Course</u>   |   |
|                             | The Executive Member APPROVED the terms of the lease for Regent Park Golf Course being modified in accordance with option 1, as now detailed, and that the Director of the Chief Executive's Department be authorised to complete the necessary legal formalities.   | Options for inclusion in a further report being addressed   |
|                             | <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 2014  |
|                             | <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. | PSP have agreed terms for the sale of the site. Final agreement has been reached with the college in respect of purchase of their freehold interest in the site |
| 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  |

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|                                |  | Souls working up detail of a Service Level Agreement to determine Council usage of building. Official opening of All Souls March 2014.             |
| 18 <sup>th</sup> January, 2012 | <u>Spa Mill, Spa Road</u>  |  |
|                                | The Executive Member AGREED the demolition of Spa Mill and the marketing of the site at the most appropriate time. | Bolton Lads and Girls Club are unable to proceed to purchase. The property will be entered in the next auction on 11 <sup>th</sup> September, 2014 |

| <b>Date of Meeting</b> | <b><u>Item and Decision</u></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> |

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| 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>   | On hold awaiting re-allocation of HCA grant from other locations  |
| 23/07/2012 | <p><u>Smithills Open Farm (Harricraft Farm) – Partially Collapsed Bridge</u></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>   | Tenant is no longer pursuing his own bridge rebuilding scheme. Council's Bridges Section is instructed to procure bridge works as soon as practicable. Associated matters with the tenant continue to be addressed  |
| 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 has been made to a third party for the disposal of the residual area following a valuation by the District Valuer and proposed development costs have been submitted to assist negotiations. Further details on the proposed costs have been requested and a deadline is to be agreed for this proposed sale as the Doctors involved with this potential disposal are struggling to progress the matter in a timely manner due to the time involved in</p> |

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|          |  | dealing with the NHS approval process involving funding and administrative issues |
| 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>   | Legal instructed and documentation is being progressed between respective lawyers |
| 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>   | Draft documentation being prepared by purchasers solicitor                        |
| 13/05/13 | <p><u>Land at Croft Street, Bolton</u></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 effected</li> </ul> | Ongoing   |
| 13/05/13 | <p><u>101 Castle Street, Bolton – Lease to Bolton Sea Cadets</u></p> <p>The Executive Cabinet Member APPROVED the grant of a lease to Bolton Sea Cadets and AUTHORISED the Chief Property Officer to conclude negotiations and the Borough Solicitor</p>   | Completed   |

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|          | to complete the necessary legal documentation  |  |
| 13/05/13 | <u>Land at Progress Street, Bolton</u><br>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   | Contribution towards lessees legal costs to be offered in order to progress matters  |
| 10/06/13 | <u>Land at Union Road and Yates Street, Tonge Moor</u><br>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 | Planning application to be prepared for social housing development<br>Legal instructed on the final purchases<br>(1 remaining) |
| 20/08/13 | <u>Illume, Crompton Children's Centre, Chalfont Street, Bolton</u><br>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 the necessary documentation   | Legal Services awaiting return of completed documentation<br>Completion is expected 31/7/14                                    |
| 20/08/13 | <u>Illume, Oldhams Children's Centre, Forfar Street, Bolton</u><br>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   | Legal Services awaiting return of completed documentation.<br>Completion is expected 31/07/14                                  |
| 20/08/13 | <u>Former Bolmoor Workshops, Adelaide Street, Bolton</u><br>The Executive Cabinet Member APPROVED –<br>(i) The sale of the former Bolmoor Workshops, Adelaide Street, Bolton on the main terms as detailed in the  | Legal instructed and draft documentation being prepared based on the Adelaide House documentation                              |

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|          | <p>report; and</p> <p>(ii) The removal of the equitable charge from the title to the property; and<br/>AUTHORISED</p> <p>(iii) The Borough Solicitor to complete the necessary documentation</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 to programme</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 Community Club and Oldhams Childrens Centres advertised.</p> <p>Prospective tenants now identified for Harwood and Leverhulme</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>Documentation being drafted</p>  |
| 27/01/14 | <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</p>  | <p>Council's title has proved quite complicated. Sale documentation with buyer's solicitors.</p>  |

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|          | <p>provisionally agreed terms for the sale of the non-core area of the Smithills Estate and<br/>AUTHORISED –</p> <p>(i) That £500,000 from the receipt be allocated for repair work at Smithills Hall; and</p> <p>(ii) That the Borough Solicitor to complete the necessary legal formalities</p>  | Woodland Trust have re-affirmed their commitment to the purchase and documentation will be returned shortly  |
| 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>                        | Ongoing with Legal Services  |
| 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>   | Ongoing  |
| 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 necessary legal documentation</p>                                | <p>Legal instructed</p> <p>Draft lease now prepared and progressing</p>  |
| 28/04/14 | <p><u>Bow Street Multi Storey Car Park, Bolton</u></p> <p>The Executive Cabinet Member APPROVED –</p> <p>(i) The demolition of Bow Street Multi Storey Car Park</p> <p>(ii) The termination of the telecommunications agreement and the payment of statutory compensation;</p> <p>(iii) The negotiation of terms for an agreement to site the telecommunications</p> | <p>Instructions to procure demolition issued.</p> <p>NCP management agreement has ended.</p> <p>Regular safety and security checks in place. Notices served to terminate telecoms lease and counter notice</p> |



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|            | <p>equipment at an alternative location;<br/>and AUTHORISED –</p> <p>(iv) The Borough Solicitor to complete the necessary legal formalities</p>   | received. Legal action being considered to help ensure timely removal of telecoms mast  |
| 9/6/2014   | <p><u>Firwood House, Crompton Way, Bolton</u></p> <p>The Executive Cabinet Member Deputy Leader APPROVED –</p> <p>(i) The letting of Firwood House, Crompton Way, Bolton on the main terms as detailed in the report; AUTHORISED –</p> <p>(ii) The Borough Solicitor to complete the necessary legal formalities; and NOTED –</p> <p>(iii) That the purpose for which the property is to be disposed of at an undervalue is likely to contribute to the promotion or improvement of social and environmental wellbeing of the area as set out in the General Disposal Consent (England) 2003.</p> | Legal instructed and draft documentation being prepared with a proposed completion date in August, 2014   |
| 9/06/2014  | <p><u>Land at Devonshire Road, Bolton</u></p> <p>The Executive Cabinet Member APPROVED the sale of land at Devonshire Road, Bolton 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>   | Documentation drafted for consideration by the purchaser. Report submitted following representations received objecting to the loss of open space |
| 9/06/2014  | <p><u>Land at Greenland Road, Bolton</u></p> <p>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</p>  | Legal instructed  |
| 14/07/2014 | <p><u>Notice of Motion regarding the Prohibition of the Culling of Badgers on Council Owned Land</u></p> <p>The Executive Cabinet Member AGREED to the prohibition of the culling of badgers on Council owned land, where the Council had the legal jurisdiction so to do</p>   | Completed   |
| 14/07/2014 | <p><u>84 Deansgate, Bolton</u></p> <p>The Executive Cabinet Member APPROVED the</p>   | Legal instructed  |

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|            | 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   |  |
| 14/07/2014 | <u>Proposed Free School, Burnden Way, Horwich</u><br>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 |