

# **BIRMINGHAM CITY COUNCIL**

## **CABINET COMMITTEE – PROPERTY**

**THURSDAY, 28 MARCH 2024 AT 14:00 HOURS**  
**IN COMMITTEE ROOMS 3 & 4, COUNCIL HOUSE, VICTORIA**  
**SQUARE, BIRMINGHAM, B1 1BB**

### **A G E N D A**

#### **1 NOTICE OF RECORDING/WEBCAST**

The Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

#### **2 APOLOGIES**

To receive any apologies.

#### **3 DECLARATIONS OF INTERESTS**

Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

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4 **MINUTES**

To confirm and sign the Public and Private Minutes of the reconvened meeting that was held on the 13 March 2024.

5 **EXEMPT INFORMATION – POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC**

a) To highlight reports or appendices which officers have identified as containing exempt information within the meaning of Section 100I of the Local Government Act 1972, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.

b) To formally pass the following resolution:-

**RESOLVED** – That, in accordance with Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of those parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information.

9 - 56

6 **PROPOSED SALE OF SURPLUS FREEHOLD PROPERTY ASSETS BY PUBLIC AUCTION**

Report of Strategic Director Place, Prosperity and Sustainability

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7 **DISPOSAL OF 8 NO. SITES FOR AFFORDABLE HOUSING**

Report of Strategic Director Place, Prosperity and Sustainability  
Title formerly Disposal of 8 no. sites to Registered Providers

83 - 102

8 **DISPOSAL OF COUNCIL OWNED LAND AT BORDESLEY PARK BIRMINGHAM**

Report of Strategic Director Place, Prosperity and Sustainability

9 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.

# BIRMINGHAM CITY COUNCIL

<p><b>CABINET COMMITTEE – PROPERTY RECONVENED MEETING WEDNESDAY, 13 MARCH 2024</b></p>
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**MINUTES OF A RECONVENED MEETING OF THE CABINET  
COMMITTEE - PROPERTY HELD ON WEDNESDAY 13 MARCH 2024 AT  
0900 HOURS IN ELLEN PINSENT ROOM, COUNCIL HOUSE, VICTORIA  
SQUARE, BIRMINGHAM, B1 1BB.**

**PRESENT:** - Councillor John Cotton, Leader in the Chair

Councillor Jayne Francis, Cabinet Member for Housing and Homelessness  
Councillor Brigid Jones, Cabinet Member for Finance and Resources

**ALSO PRESENT:-**

Councillor Robert Alden, Leader of the Opposition (Conservative)  
Councillor Deborah Harries, (Liberal Democrat)  
Deborah Carter-Hughes, Assistant Director, Corporate Law  
Kathryn James, Assistant Director of Investment and Valuation  
Rob King, Property Sales Manager  
Philip Nell, Director for Property and Investment  
Azmat Mir MRICS Registered Valuer Head of Valuation and Sales  
Mohammed Sajid, Assistant Director Financial Strategy  
Sushil Thobhani, Head of Law, Property, Planning & Regeneration  
Errol Wilson, Committee Team Leader

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**NOTICE OF RECORDING**

The Chair advised the meeting to note that members of the press/public may record and take photographs except where there were confidential or exempt items.

**APOLOGIES**

17. An apology for absence was submitted on behalf of the Deputy Leader, Councillor Sharon Thompson for her inability to attend the meeting.

**DECLARATIONS OF INTERESTS**

## Cabinet Committee Property – 13 March 2024

18. The Chair reminded Members that they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at the meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Any declarations will be recorded in the minutes of the meeting.

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### **MINUTES**

19. **RESOLVED:** -

The Minutes of the meeting held on 20 December 2024, having been previously circulated, were confirmed and signed by the Chair.

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Councillor Robert Alden commented that there was a technical process issue as this was a reconvened meeting from the 29 February 2024, but that this was not stated on the Agenda for the meeting. He added that CMIS no longer list the meeting of the 29 February 2024, and this should still be listed on CMIS. The Committee Team Leader undertook for this to be corrected and for the meeting to be relisted on CMIS.

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### **EXEMPT INFORMATION – POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC**

The Chair advised that the reports at Agenda items 6 and 7 contained an exempt appendix within the meaning of Section 100I of the Local Government Act 1972.

The Chair then enquired whether there were any matters that Members would like to raise on the exempt appendices that may affect the decision to be made or to ask for clarification on a point on the exempt appendices.

Members of the Committee indicated that they have questions to raise in relation to these items which presumably needed to be raised in the private session, however, they would be guided by the Chair.

The legal officer present at the meeting proposed that the Committee move into private session for discussions around items 6 and 7.



The Chair agreed with the proposal to move into a private session and make the decisions in public when the meeting returned to the public session.

**20. RESOLVED:-**

That, in accordance with Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of those parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information.

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**SALE OF THE BRASSHOUSE, 50 SHEEPCOTE STREET, BIRMINGHAM, B16 8AJ**

The Committee considered a report concerning the sale of the Brasshouse, 50 Sheepcote Street, Birmingham, B16 8AJ.

**EXCLUSION OF THE PUBLIC**

It was-

**20. RESOLVED:-**

That members of the press and public be excluded from the meeting for the exempt items of business under the next agenda item under Section 100A(4) of the Local Government Act 1972 on the grounds that: (i) it involved the likely disclosure of exempt information as defined under paragraphs 3, 4 and 5 of Part 1 of Schedule 12A of the Act; and (ii) the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

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There were a range of matters that were considered during the exempt part of the meeting, and these are set out in full under the private Minutes.

**21. RESOLVED UNANIMOUSLY: -**

That Cabinet Committee Property:-

1. Authorised the Assistant Director of Investment & Valuation to conclude a conditional on planning sale of the surplus Council owned property, "The Brasshouse", 50 Sheepcote Street, Birmingham, B16 8AJ ("the Property") as shown edged bold on attached plan at Appendix 1 to the report, and extending to 2762 sqm, by the grant of a new 250-year lease to the Purchaser" as detailed in Exempt Appendix 2 to the report;
2. Noted that the purchaser will also pay a contribution towards the Council's surveyor and legal costs, as detailed in Exempt Appendix 2 to the report; and

## **Cabinet Committee Property – 13 March 2024**

3. Authorised the City Solicitor to prepare, negotiate, execute and complete all relevant legal documentation to give effect to the above.

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### **PROPOSED SALE OF SURPLUS FREEHOLD PROPERTY ASSETS TO EXISTING TENANTS**

The Committee considered a report concerning the proposed sale of surplus freehold property assets to existing tenants.

### **EXCLUSION OF THE PUBLIC**

It was-

#### **22. RESOLVED:-**

That members of the press and public be excluded from the meeting for the exempt items of business under the next agenda item under Section 100A(4) of the Local Government Act 1972 on the grounds that: (i) it involved the likely disclosure of exempt information as defined under paragraphs 3, 4 and 5 of Part 1 of Schedule 12A of the Act; and (ii) the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

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There were a range of matters that were considered during the exempt part of the meeting, and these are set out in full under the private Minutes.

#### **23. RESOLVED UNANIMOUSLY: -**

That Cabinet Committee - Property:-

- a. Authorised the Assistant Director of Investment & Valuation, in consultation with the Interim Finance Director (s151 Officer) and the City Solicitor, to conclude the sale of the Council's freehold reversionary interest, to the current lessees at the values listed in Exempt Appendix 2 to the report;
- b. Noted that the purchaser will pay a contribution towards the Council's surveyor and legal costs, as detailed in Exempt Appendix 2 to the report; and
- c. Authorised the City Solicitor to prepare, negotiate, execute, and complete all relevant legal documentation to give effect to the above.

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### **OTHER URGENT BUSINESS**

#### **24. Properties withdrawn from Auction Sale**

The Cabinet Member for Finance and Resources raised the issue of the properties that were withdrawn from auction. The Assistant Director of

**Cabinet Committee Property – 13 March 2024**

Investment and Valuation advised that three properties were withdrawn from the sale as when we drilled down further and did our due diligence there were significant levels of debt on some of those assets. This was saying to us that when assets goes to auction bidders were not willing to take assets that had debts. These were pulled therefore pulled from the auction.

The Chair requested that a report be brought to a future meeting concerning the issue. The Assistant Director of Investment and Valuation undertook for this to be done.

The Head of Valuation and Sales noted the Cabinet Member for Finance and Resources comments concerning auction sales and advised that we worked closely with the auctioneers and had details of the auction estimates and ensured that we pitched these at the correct level of value. Any reserves that we set have to within 10% up or down as to whether we accept. We worked closely with the auctioneers to ensure we get the right attention in the room.

Councillor Alden requested that each of the Ward Councillors for the properties that were not successful that was consulted on and update them as to what the reasons might be so that options could be looked at again. It was noted that a report would be submitted to a future committee meeting concerning the issue.

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The meeting ended at 0940 hours.

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CHAIRPERSON



**Birmingham City Council**  
**Report to Cabinet Committee Property**  
28 March 2024



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**Subject:** Auction Sales report for Commissioners for 28 March CCP

**Commissioner's Review:**

Commissioners are fully aware of the proposals and support the recommendations.



**Birmingham City Council**  
**Report to Cabinet Committee - Property**  
**28 March 2024**



**Subject:** **Proposed Sale of Surplus Freehold Property Assets by Public Auction**

**Report of:** Strategic Director of Place, Prosperity, and Sustainability

**Relevant Cabinet Member:** Councillor John Cotton, Leader of the Council

**Relevant O & S Chairs:** Councillor Jack Deakin – Finance & Resources  
 Councillor Katherine Iroh – Economy & Skills

**Report author:** Rob King  
 Business Manager – Investment & Valuations  
 0121 303 3928 / robert.king@birmingham.gov.uk

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Aston, Balsall Heath West, Bartley Green, Bordesley Green, Bordesley & Highgate, Hay Mills, Lozells, Nechells, Newtown, North Edgbaston, Sparkbrook & Balsall Heath East, Sparkhill		

Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 012358/2024		

Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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Does the report contain confidential or exempt information?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Exempt information schedule 12A of the Local Government Act 1972 (as amended) paragraph 3. Information relating to the financial or business affairs of any particular person (including the council) Exempt Appendix 2 contains sensitive commercial information on the purchase price and valuation.		

## 1 Executive Summary

- 1.1 This report seeks authority for the sale of the Council's freehold property interests listed in Appendix 1 of this report by public auction.
- 1.2 The subject properties are shown edged bold on individual attached plans at Appendix 3.
- 1.3 The recommendations contained in this, and the Exempt Appendix 2 are fully in line with the Council's wider ambitions and plans for financial stability.
- 1.4 Options for these property interests have been considered and the recommended sale route provides the best outcomes for the City as detailed in this report.

## 2 Recommendations:

- 2.1 Authorises the Director of Property & Investment to conclude the sale of the Council's freehold property interests at a minimum of the reserve values listed in Exempt Appendix 2 by public auction through its appointed auctioneers during the remainder of 2024.
- 2.2 Authorises the Director of Property & Investment, where deemed appropriate, to set individual reserve prices in excess of £200,000.
- 2.3 Authorises the City Solicitor to prepare, negotiate, execute, and complete all relevant legal documentation to give effect to the above.

## 3 Background

- 3.1 The subject properties comprise surplus commercial / industrial interests currently held within the Council's Investment Portfolio. The sales are in line with the Council's investment strategy to reduce the number of small assets in its portfolio.
- 3.2 The current property lease, and rent details are shown at Exempt Appendix 2. Individual identification plans showing the properties to be sold edged bold are shown at Appendix 3 of this report.
- 3.3 The sales methodology to deliver the proposed sale programme will fully recognise market sentiment and individual circumstance. The proposed delivery strategy and mode of sale adopted is tailored to maximise both the prospect of a sale completion and receipt realisation in order to demonstrate best consideration.

## 4 Options Considered and Recommended Proposal

- 4.1 **Option 1 – Do Nothing.** The Council is under no obligation to proceed with this proposal and would suffer no reputational consequences if it did not proceed. It would not however, be in line with the aims of the Council's Financial Recovery Plan or the Council's investment Strategy to reduce the number of small investment assets held. The properties are not allocated for inclusion in any existing strategic planning proposals, nor do they have planning consent for an alternative use and



are therefore not immediate development opportunities. The properties do not have an obvious alternative use which would benefit the Council.

- 4.2 **Option 2 – Proceed with Agreed Transaction.** It is recommended to proceed with the recommendations outlined in this report, in line with the aims of the Council's Financial Recovery Plan.

## 5. Consultation

- 5.1 The Property Disposals Board comprising officers from Investment & Valuation, Finance and Legal Services recommends proceeding with the transaction.
- 5.2 No further external consultation is necessary for these commercial transactions.
- 5.3 Ward members will be notified as each asset comes forward for sale.

## 6. Risk Management

- 6.1 There are no immediate risks to the investment interests listed in Appendix 1 if the proposed transactions do not complete since its interests are protected under the terms of the existing leases.
- 6.2 In terms of the surplus operational assets listed in Appendix 1, if sales are not concluded then the Council will incur extended interim management holding cost liabilities.
- 6.3 The 'risk' of not proceeding could only be seen of in terms of a lost opportunity to generate a potential capital receipt and reconciliation of the Council's financial position.
- 6.4 Execution risk is deemed to be limited by use of an auction as the disposal method.

## 7. Compliance Issues:

### 7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 The proposed sale programme and generation of a capital receipt supports the Council's Financial Recovery Plan by generating resources and thus helping to achieve a balanced budget.

### 7.2 Legal Implications

- 7.2.1 Sections 120 - 123 of the Local Government Act 1972 authorises the Council to hold, appropriate and dispose of land. The disposal power in Section 123 of the Local Government Act 1972 is subject to the best consideration test. The Director of Property & Investment has confirmed that the recommended sale, as detailed in Exempt Appendix 2 represents best consideration and satisfies the Council's obligations, under Section 123 of the Local Government Act 1972.
- 7.2.2 Section 1 of the Localism Act 2011 contains the Council's general power of competence, which is circumscribed only to the extent of any applicable pre-commencement restrictions and any specific post-commencement statutory restriction of the power, and Section 111 of the Local Government Act 1972 contains the Council's ancillary powers in relation to the discharge of its functions including the disposal and acquisition of property and incurring of expenditure.

7.2.3 The Local Government Act 2003 and guidance issued under it authorises the Council's investment management functions.

7.2.4 Exempt information: Schedule 12A of the Local Government Act 1972 (as amended) paragraph 3. Information relating to the financial or business affairs of any particular person (including the Council). Exempt Appendix 2 is considered to be exempt as it contains commercially sensitive information of a financial or business nature, which if disclosed to the public could be prejudicial to a named person, individual or company.

### **7.3 Financial Implications**

7.3.1 The proposed sale programme at the proposed reserve values, as set out in Exempt Appendix 2, will generate capital receipts for the Council. The capital receipt will be available to fund the Council's Financial Recovery Plan, providing resources to support delivery of a balanced budget.

7.3.2 The Council will complete the sale of its freehold interests in the properties listed to generate estimated potential minimum capital receipt of £6.355m.

7.3.3 For each individual sale, the purchaser will pay the Council's reasonable legal costs together with a surveyor's fee. These sums will be payable on completion of sale.

7.3.4 With respect to the disposals being at best consideration, the Council will offer the individual assets at a reserve value representing the current minimum value at which the Council is deemed to be a willing seller as shown in Exempt Appendix 2.

7.3.5 The basis of valuation is an Open Market appraisal of worth. Achieving the reserve value will satisfy best consideration under Section 123 of the Local Government Act 1972.

7.3.6 Final reserve values will be validated as such prior to auction (having specific regard to RICS guidelines) by both the Director of Property & Investment and the Council's retained auctioneers (Bond Wolfe and Allsop & Co). Validation being based upon an analysis of available market evidence.

7.3.7 The sale of these assets will result in a loss of income in the sum of £0.215m per annum. Given the priority to generate capital receipts to support the Council's Financial Recovery Plan, provision for loss of this income is being provided in the Medium Term Financial Plan (MTFP) as a pressure to rebase the income budget.

7.3.8 The purchase price, including any contribution to the Council's costs, is exclusive of VAT.

### **7.4 Human Resources Implications**

7.4.1 Internal resources in conjunction with the Council's retained auctioneers, Bond Wolfe are being used to evaluate and execute the proposed sales programme.

### **7.5 Public Sector Equality Duty**

7.5.1 An Equality Assessment has been carried out EIA000376 dated 27 February 2024 and is attached at Appendix 3. This identifies no adverse impacts on any groups protected under the Equality Act 2010.

## **8. Appendices**

8.1 List of Appendices accompanying this report:

- Appendix 1 – List of Assets to be Sold
- Exempt Appendix 2 – Proposed Reserve Values
- Appendix 3 – Site Plans
- Appendix 4 - EIA

## **9 Background Documents**

9.1 Nil





**Subject: Proposed Sale of Surplus Freehold Property Assets by Public Auction**

**Appendix 1 – List of Property Assets to be Sold in Public Auction During 2024**

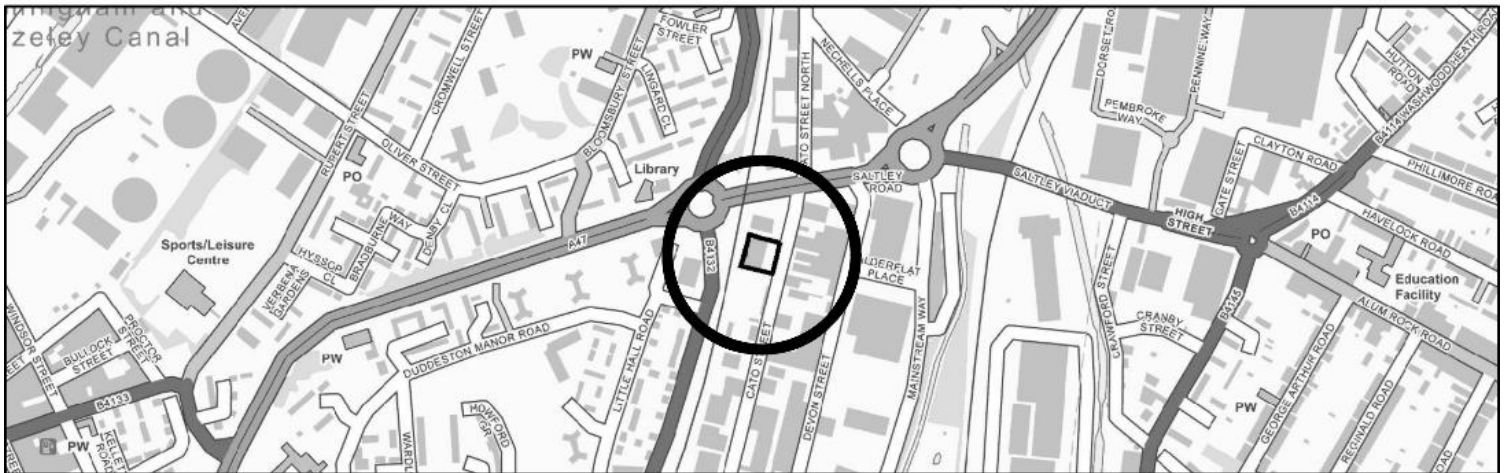
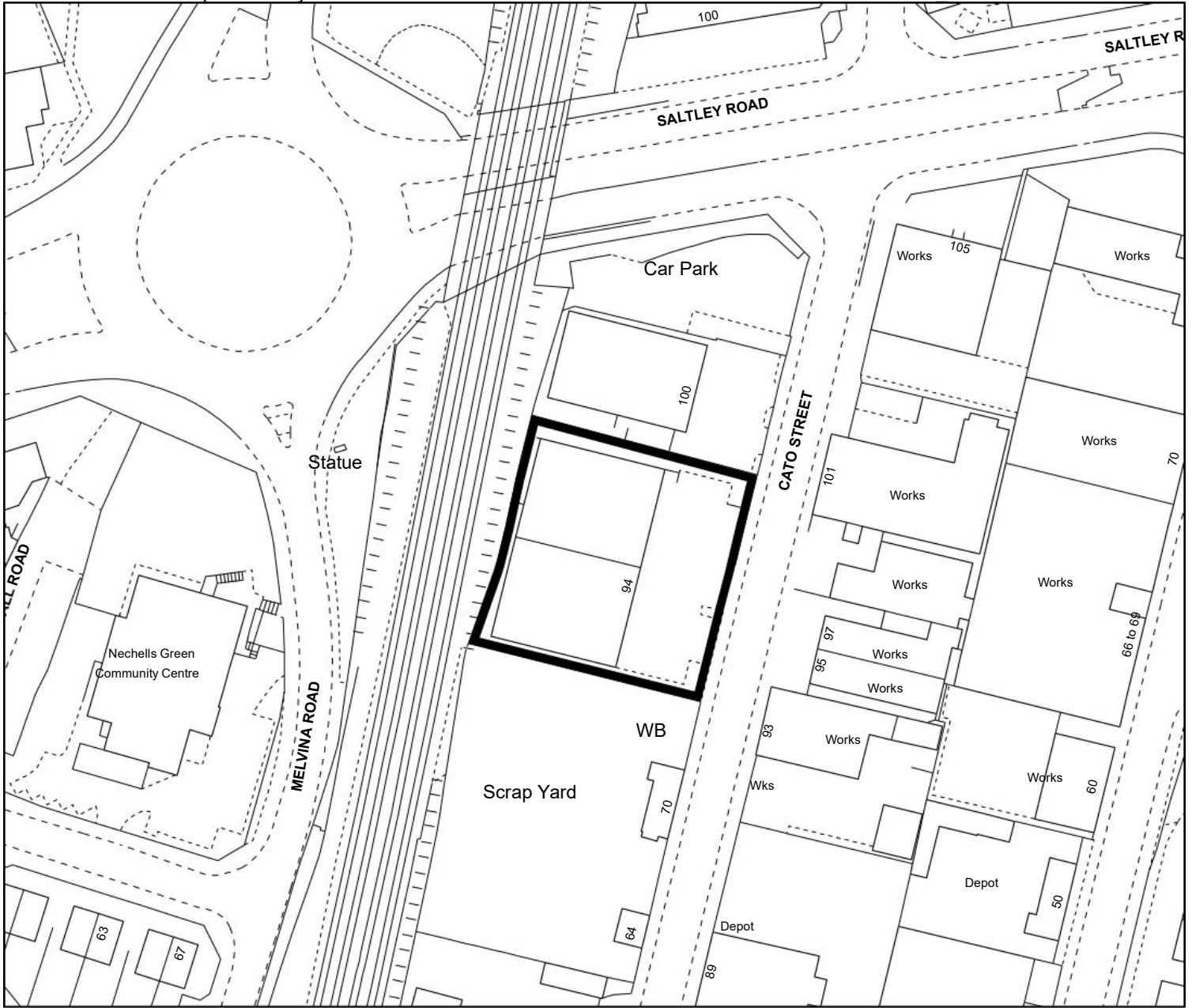
Lot No	ADDRESS	Mode of Sale	Description	Proposed Sale Transaction	Ward
	<b>Surplus Commercial Interests</b>				
1	92 - 94 Cato Street, Nechells, B7 4SL	<b>Auction</b>	Industrial land and premises. Site Area 2399 sqm	Freehold subject to a 125-year lease from 9th March 1987, at a rent of £100 per annum. (subject to fixed rental increases doubling every 25 years from 2037 onwards).	Nechells
2	Land and building at Coventry Road, Birmingham B26 3QR	<b>Auction</b>	Vacant land and store. Site Area 215 sqm	Freehold with vacant possession	Outside City Boundary
3	91 Court Road, Balsall Heath Birmingham B12 9LQ	<b>Auction</b>	Commercial land and premises. Site Area 82 sqm	Freehold subject to a periodic tenancy from 25th March 2016 at a current rent of £6,700 per annum.	Balsall Heath West
4	1177 Coventry Road / Redhill Road Hay Mills Birmingham B25 8DF	<b>Auction</b>	Commercial land and premises. Site Area 2455 sqm	Freehold subject to a 125-year lease from 7th October 1996 at a rent of £2,800 per annum (subject to 5-year rent reviews)	Hay Mills

5	27 Cromer Road Balsall Heath Birmingham B12 9QT	<b>Auction</b>	Place of Worship and land. Site Area 656 sqm	Freehold subject to a lease for 100 years (less 1 day) from 25th March 2015, at a ground rent of £2,750 per annum (subject to 5-year rent reviews)	Balsall Heath West
6	155 Dollman Street, Saltley, Birmingham B7 4RS	<b>Auction</b>	Industrial land and premises. Site Area 1,040 sqm	Freehold subject to a lease for 99 years from 3rd February 1987, at a rent of £8,850 per annum (subject to 7-year reviews)	Nechells
7	147 & 147a Dudley Road Birmingham, B18 7QY	<b>Auction</b>	Retail shop premises. Site Area 84 sqm	Freehold subject to (1) a period tenancy from 24th June 2010, at a rent of £5,000 per annum, and (2) vacant	North Edgbaston
8	235 Dudley Road Birmingham, B18 4EJ	<b>Auction</b>	Cultural centre and offices. Site Area 387 sqm	Freehold subject to a 20 Year lease from 7th November 2003, at a rent of £18,800 per annum	North Edgbaston
9	241-243 Dudley Road, Winson Green, Birmingham, B18 4EJ,	<b>Auction</b>	Retail shop premises. Site Area 182 sqm	Freehold subject to a periodic tenancy from 25th January 2011 at a rent of £8,000 per annum.	North Edgbaston
10	359-361 Dudley Road, Birmingham, B18 4HB	<b>Auction</b>	Retail shop premises. Site Area 196 sqm	Freehold subject to a periodic tenancy from 13th March 2018 at a rent of £14,000 per annum	North Edgbaston
11	Land & Premises fronting Garrison Lane Small Heath Birmingham B9 4NT	<b>Auction</b>	Industrial land and premises. Site Area 1588 sqm	Freehold subject to a 99-year lease from 24th June 1999, at a rent of £9,750 per annum (subject to 10-year reviews).	Bordesley & Highgate
12	Land Fronting Great Barr Street Digbeth Birmingham B9 4AY	<b>Auction</b>	Vacant land. Site Area 560 sqm	Freehold with vacant possession	Bordesley & Highgate
13	Land & Premises at 86 Hospital Street & Buckingham Street, Birmingham, B19 3HT	<b>Auction</b>	Industrial land and premises. Site Area 878 sqm	Freehold subject to (1) a lease for 75 years from 1st August 1963, at a ground rent of £360 per annum (with no rent reviews), and (2) a lease for 70 years from 15th January 1968, at a ground rent of £1,900 per annum (subject to 21- year rent reviews)	Newtown

14	29 Inkerman Street Nechells, B7 4SB	<b>Auction</b>	Industrial land and premises. Site Area 1,313 sqm	Freehold subject to a lease for 99 years from 13th June 1988, at a peppercorn ground rent (No rent reviews)	Nechells
15	30 Inkerman Street Nechells, B7 4SB	<b>Auction</b>	Industrial land and premises. Site Area 6875 sqm	Freehold subject to a lease for 99 years from 4th September 1988 at a peppercorn ground rent (No Reviews)	Nechells
16	289-297 Lichfield Road, Aston, Birmingham, B6 7QP	<b>Auction</b>	Industrial land and premises. Site Area 369 sqm	Freehold subject to a periodic tenancy from 29 <sup>th</sup> September 2008, at a rent of £7,250 per annum	Nechells
17	539 Lichfield Road, Nechells, Birmingham, B6 7SP	<b>Auction</b>	Industrial land and premises. Site Area 217 sqm	Freehold subject to a lease for 9 years from 25th March 2010 at a rent of £7,900 per annum (subject to 3-year rent reviews)	Nechells
18	362 Moseley Road, Balsall Heath, Birmingham B12 9AZ	<b>Auction</b>	Educational land and premises. Site Area 495 sqm	Freehold subject to a 10-year lease from 1st August 2014, at a rent of £6,000 per annum.	Balsall Heath West
19	34 New John Street Birmingham B19 3NB	<b>Auction</b>	Commercial land and premises. Site Area 208 sqm.	Freehold subject to a lease for 99 years from 30th April 1973 at a ground rent of £2,000 per annum (subject to 21-year rent reviews).	Newtown
20	74 Nursery Road, Lozells, Birmingham, B19 2YA	<b>Auction</b>	Commercial premises. Site Area 83 sqm.	Freehold subject to a lease dated 1st February 2007 at a rent of £7,500 per annum. (subject to 5 -year reviews).	Lozells
21	Land and Premises at Ravenhurst Street, Highgate, Birmingham, B12 0EU	<b>Auction</b>	Commercial land and premises. Site Area 579 sqm.	Freehold subject to a 125-year lease from 1st May 1989 at a rent of £4,188 per annum (subject to 7-year reviews).	Bordesley & Highgate

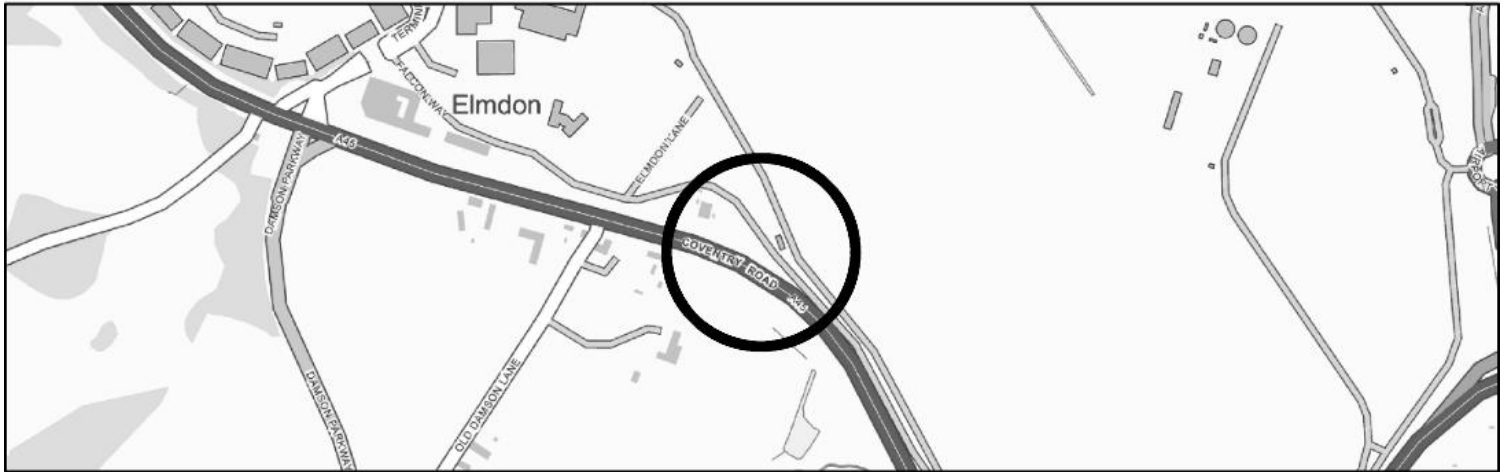
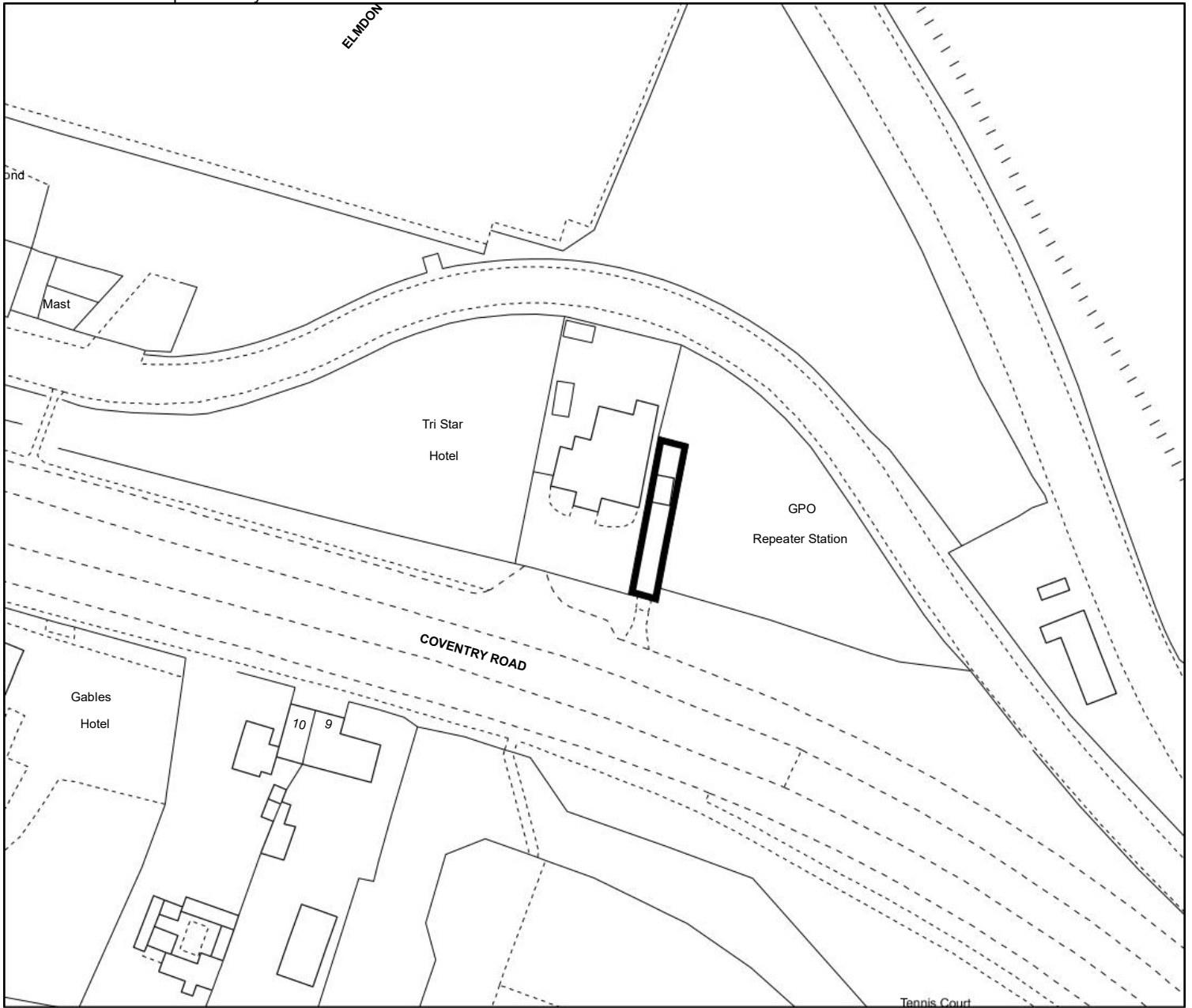
22	105 Saltley Road Nechells Birmingham B7 4TS	<b>Auction</b>	Industrial land and premises. Site Area 1,514 sqm	Freehold subject to a lease for 125-year lease from 3rd November 1986, at a current rent of £200 per annum doubling every 25 years of ease term.	Nechells
23	55 Stevens Avenue, Bartley Green B32 3SD	<b>Auction</b>	Vacant two storey detached former children's home. Site Area 1,481 sqm (0.366 acres)	Freehold with vacant possession	Bartley Green
24	334 Stratford Road, Birmingham, B11 4AA	<b>Auction</b>	Commercial premises. Site Area 102 sqm.	Freehold subject to a lease for 15 years from 25th March 2017 at a rent of £12,000 per annum (subject to 5-year reviews)	Sparkbrook & Balsall Heath East
25	Site of 400-404 Stratford Road Birmingham B11 4AB	<b>Auction</b>	Land with advertising hoarding, Site Area 46 sqm	Freehold subject to a lease for 40 years from 24th June 1983 at a rent of £2,500 per annum	Sparkbrook & Balsall Heath East
26	448 Stratford Road, Birmingham, B11 4AE	<b>Auction</b>	Commercial ground floor premises with residential above Site Area 114 sqm	Freehold subject to a lease for 20 years from 16th March 2017 at a rent of £30,000 per annum (5-year reviews)	Sparkhill
27	1c Walford Road, Birmingham B11 1NP	<b>Auction</b>	Retail premises and land. Site Area 153 sqm	Freehold subject to a lease for 16 years from 2nd April 2001 at a rent of £5,000 per annum	Sparkbrook & Balsall Heath East
28	9 Whitmore Road, Small Heath, Birmingham, B10 0NR	<b>Auction</b>	Commercial premises. Site Area 176 sqm.	Freehold subject to a lease for 15 years from 19th November 1997 at a rent of £11,500 per annum	Bordesley Green
29	208-216 Witton Lane, Aston Birmingham B6 6QE	<b>Auction</b>	Grade II Listed commercial premises. Site Area 3,480 sqm	Freehold subject to a 20-year lease from 24th June 2012, at a rent of £40,000 per annum (subject to 5-year reviews)	Aston







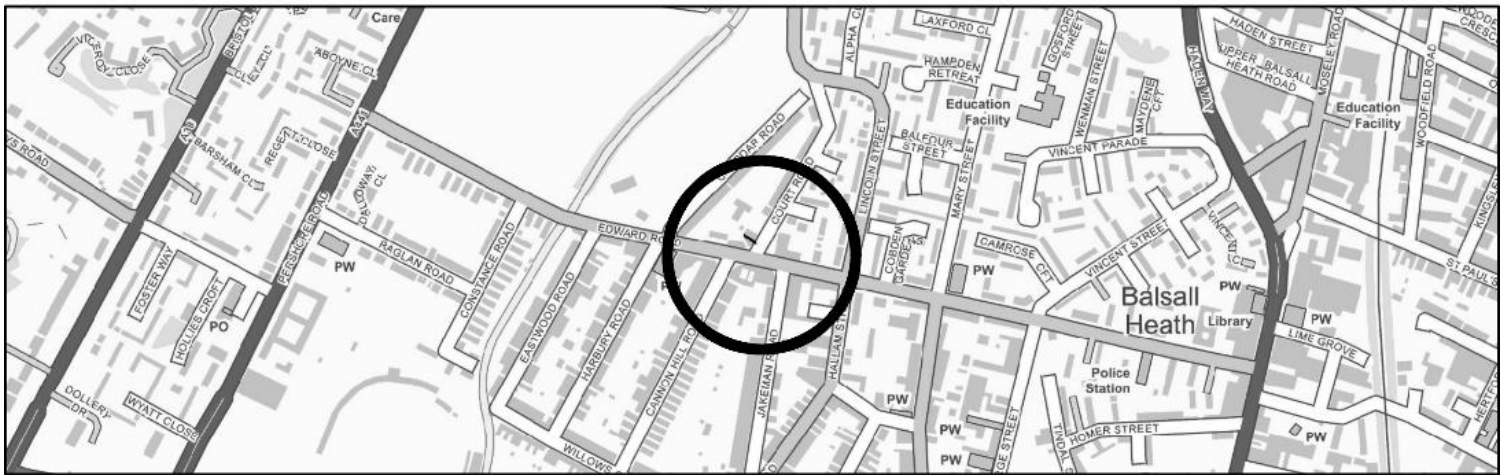
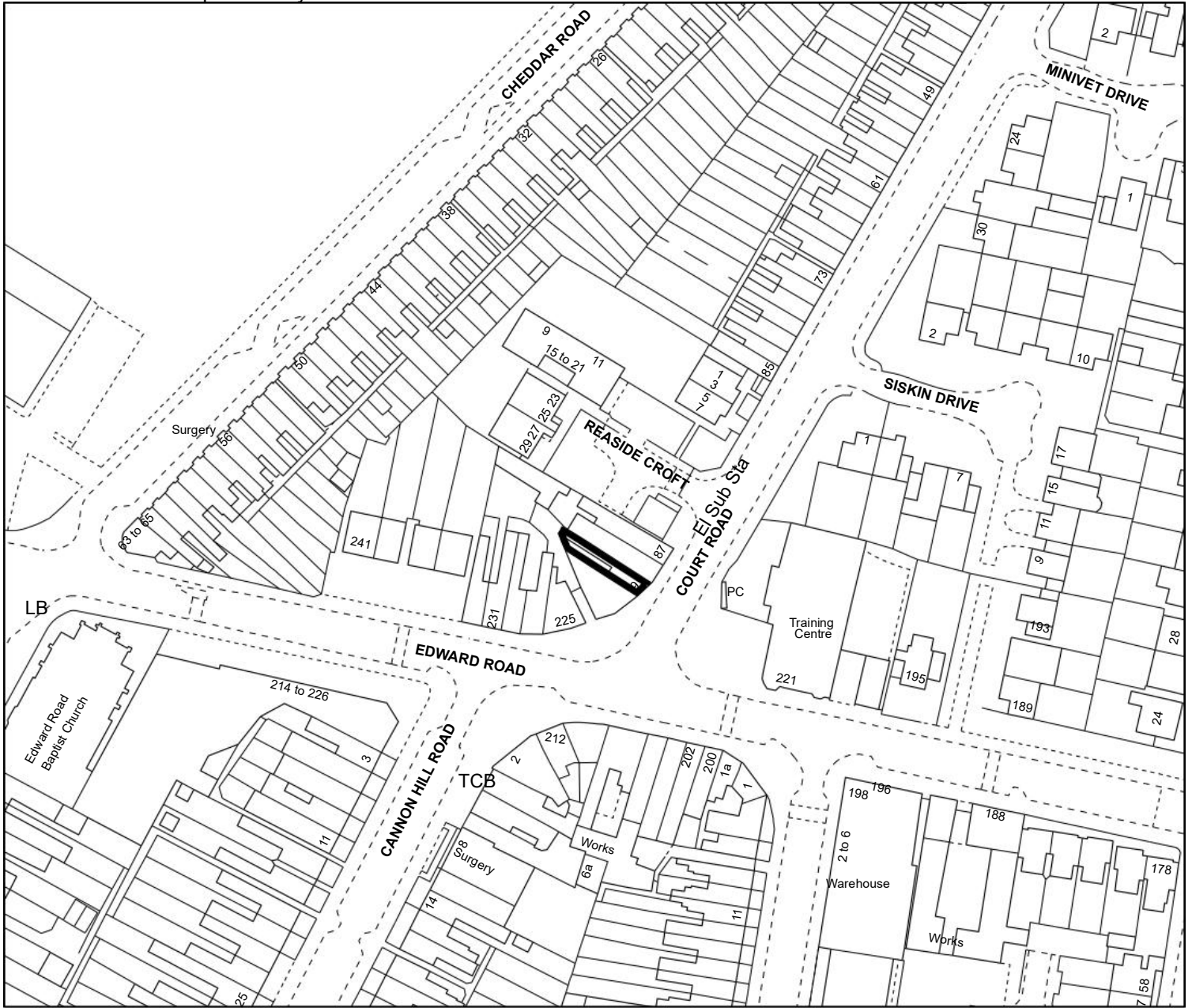
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	<h1>Birmingham</h1> <h2>City Council</h2>	Kathryn James Assistant Director of Investment and Valuation Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
<b>92-94 Cato Street Nechells</b>		<b>Scale (Main Map)</b>	<b>Drawn</b>	<b>Date</b>
		1:1,250	Bharat Patel	13/02/2024
		Page 21 of 102 O.S.Ref SP0887NE		




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 <b>Birmingham</b> City Council		Kathryn James MRICS Assistant Director of Investment and Valuation Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG				
		Scale (Main Map)	Drawn	Date		
Land & Building Fronting Coventry Road Birmingham		 Page 22 of 102		1:1,250	AK	13/02/2024

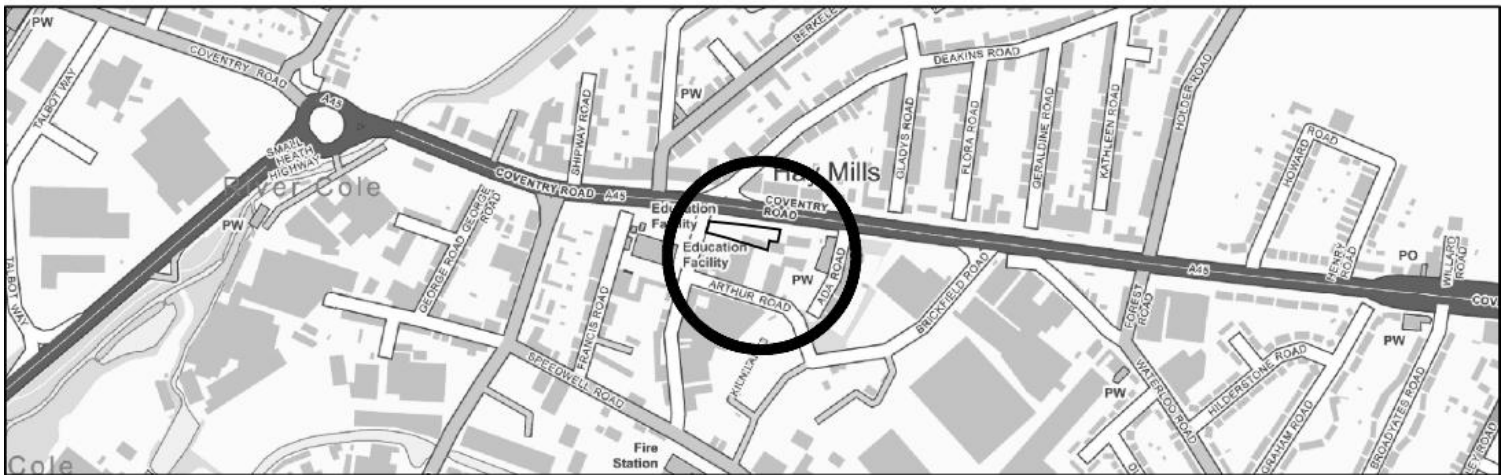
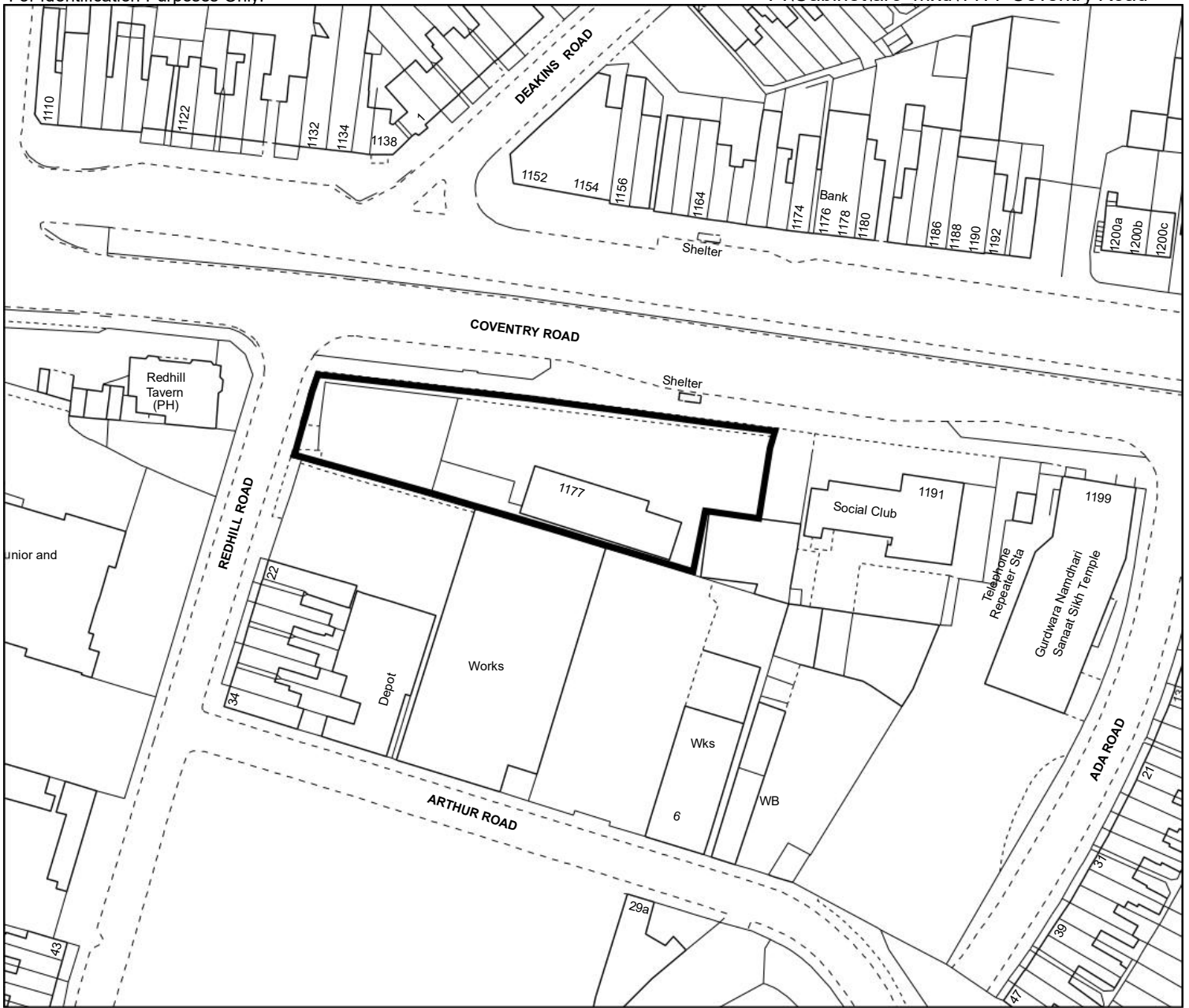


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 <b>Birmingham</b> City Council	Kathryn James Assistant Director of Investment and Valuation Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
	<b>91 Court Road</b> <b>Balsall Heath West</b>	Scale (Main Map) 1:1,250 O.S.Ref. SP0784NW	Drawn Bharat Patel

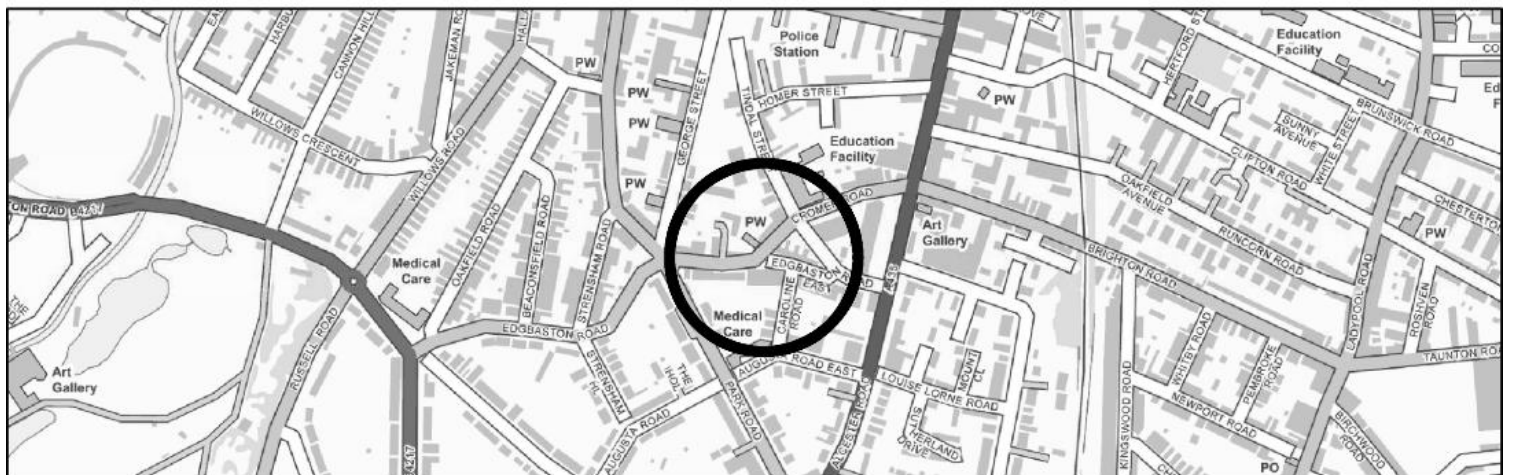
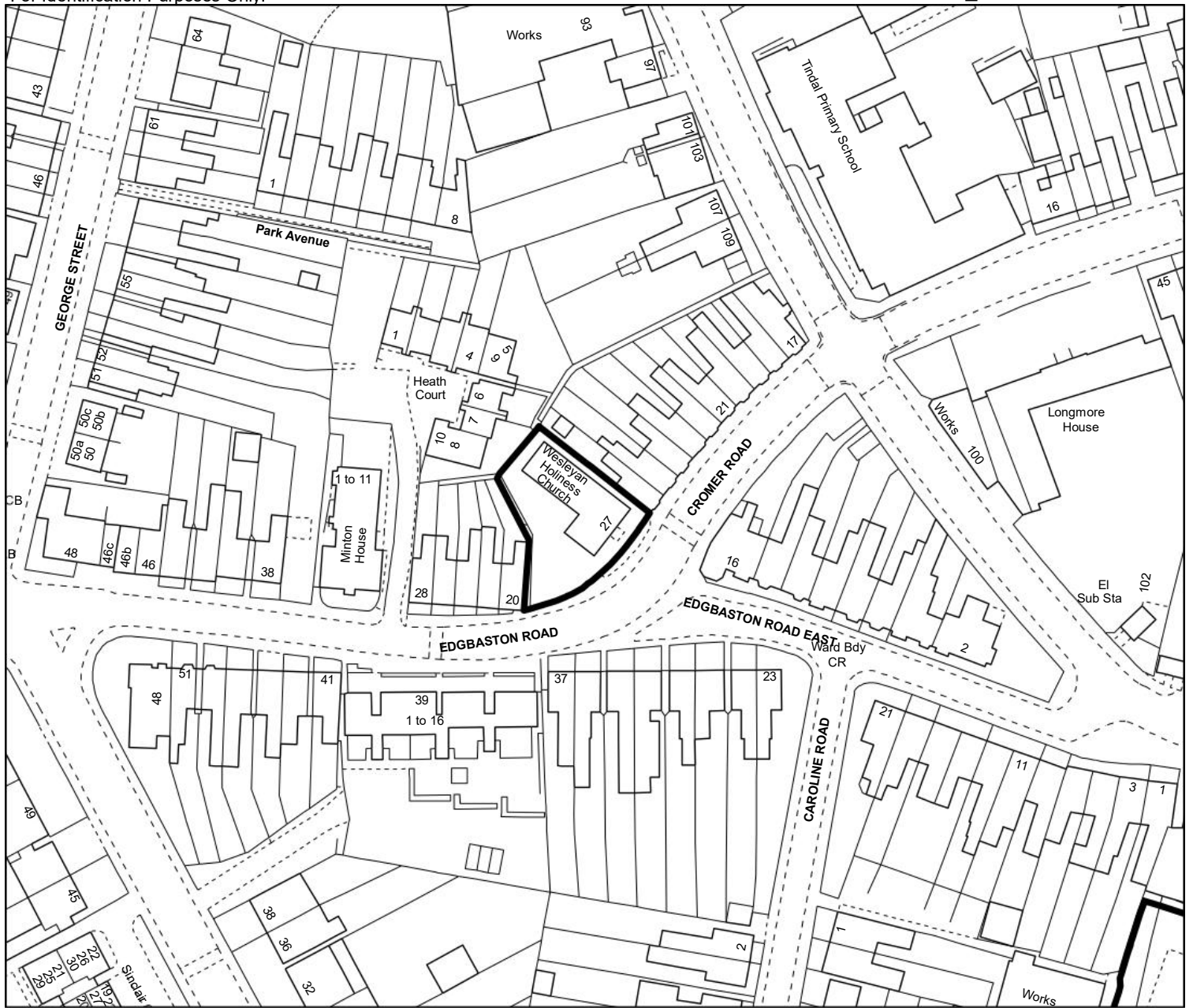








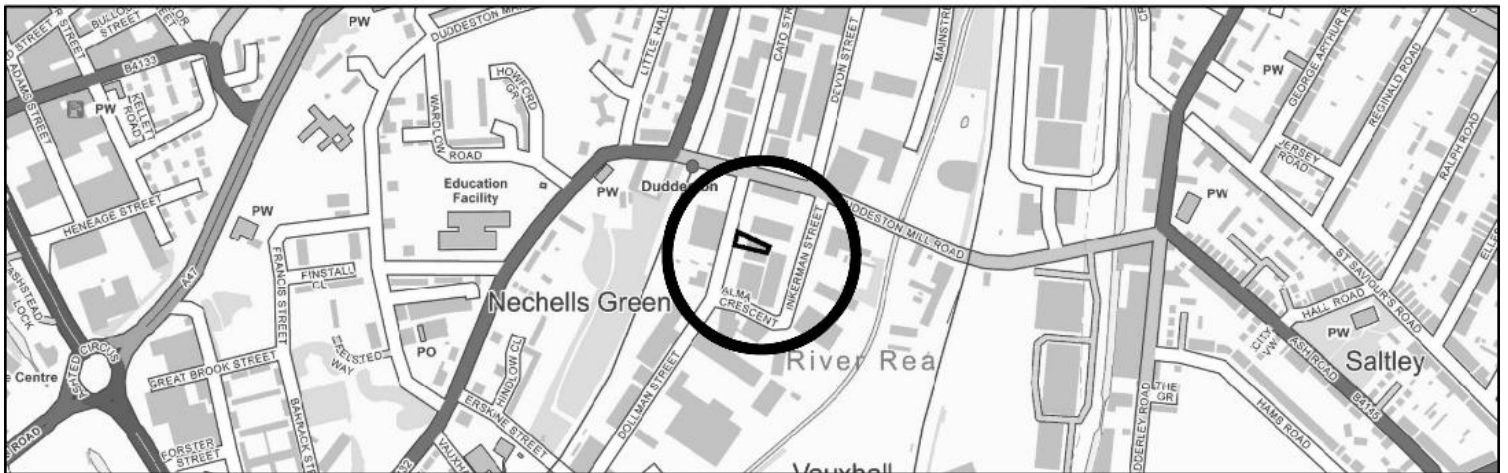
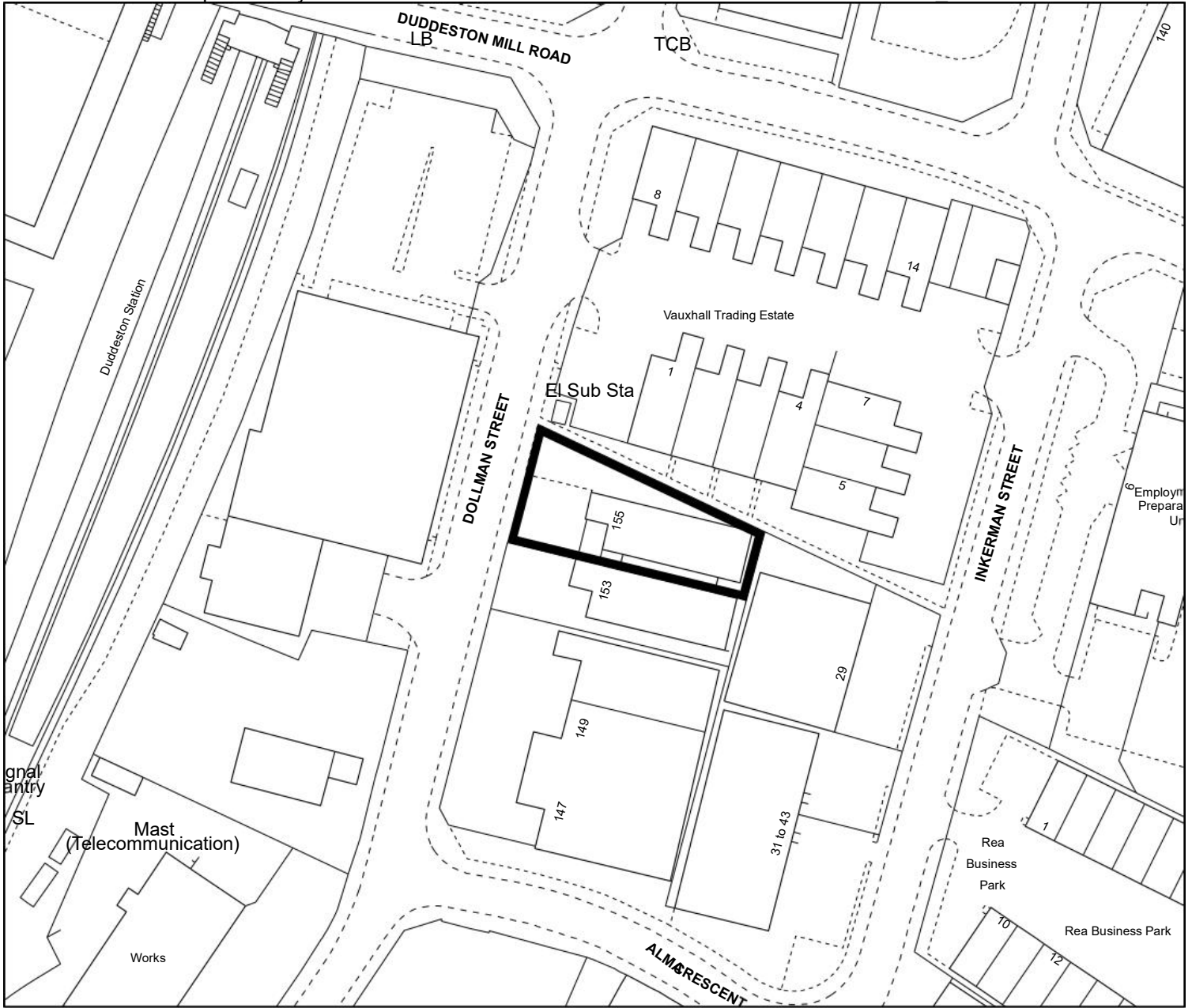
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 <b>Birmingham</b> City Council	Kathryn James Assistant Director of Investment and Valuation Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
	1177 Coventry Road B25 8DF	 Scale (Main Map) 1:1,250	Drawn John Pedersen




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 <b>Birmingham</b> City Council	Kathryn James MRICS Assistant Director of Investment and Valuation Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
	<b>27 Cromer Road</b> <b>B12 9QT</b>	 Scale (Main Map) 1:1,250 Page 25 of 102	Drawn John Pedersen

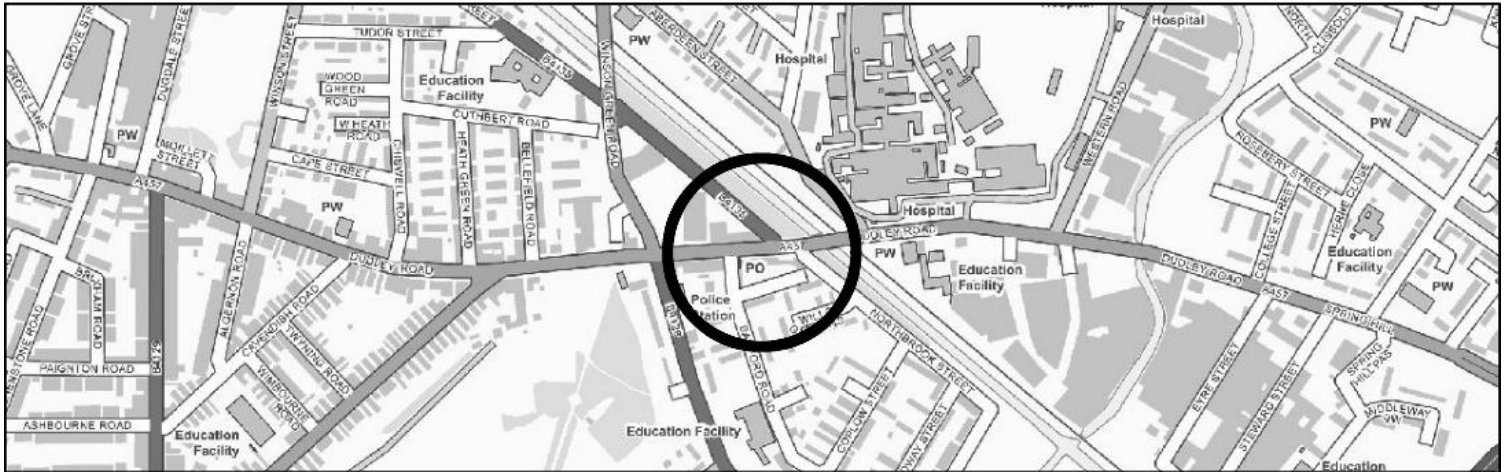
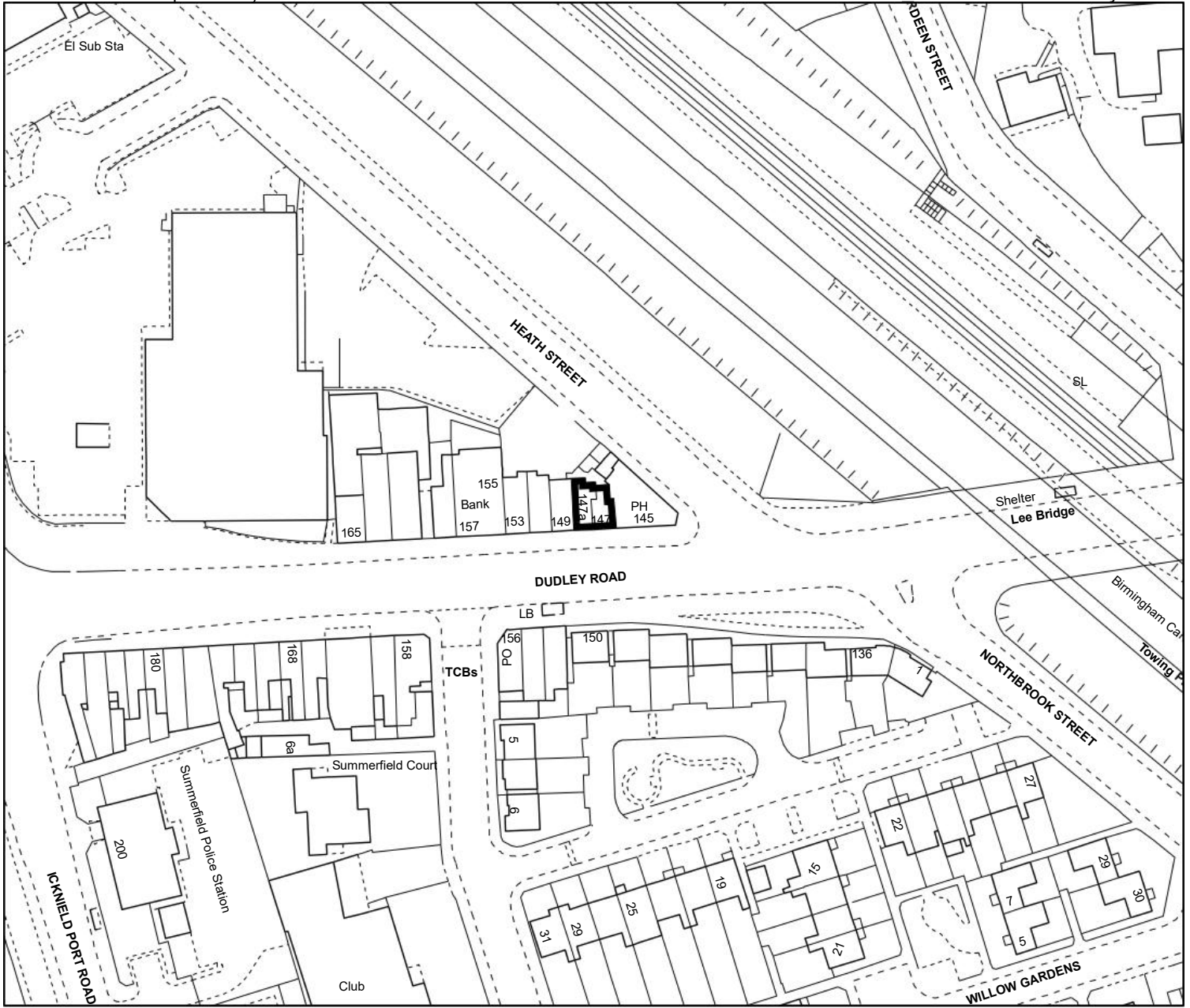


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 <b>Birmingham</b> City Council	Kathryn James Assistant Director of Investment and Valuation Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
	<b>155 Dollman Street</b> <b>Saltley</b>	Scale (Main Map) 1:1,250 O.S.Ref. SP0887NE	Drawn Bharat Patel

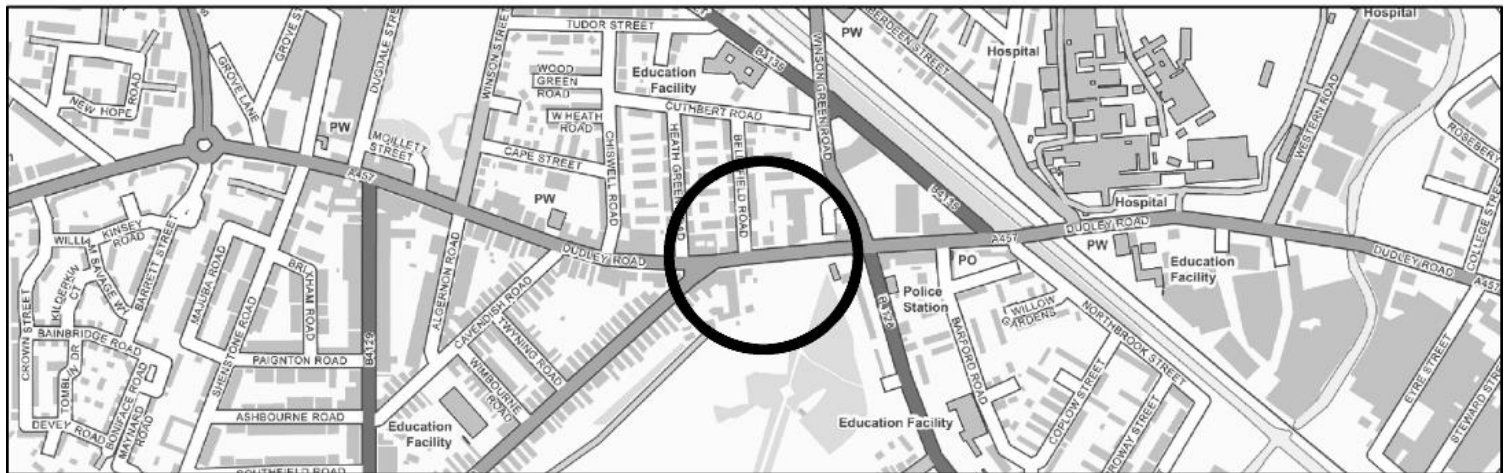
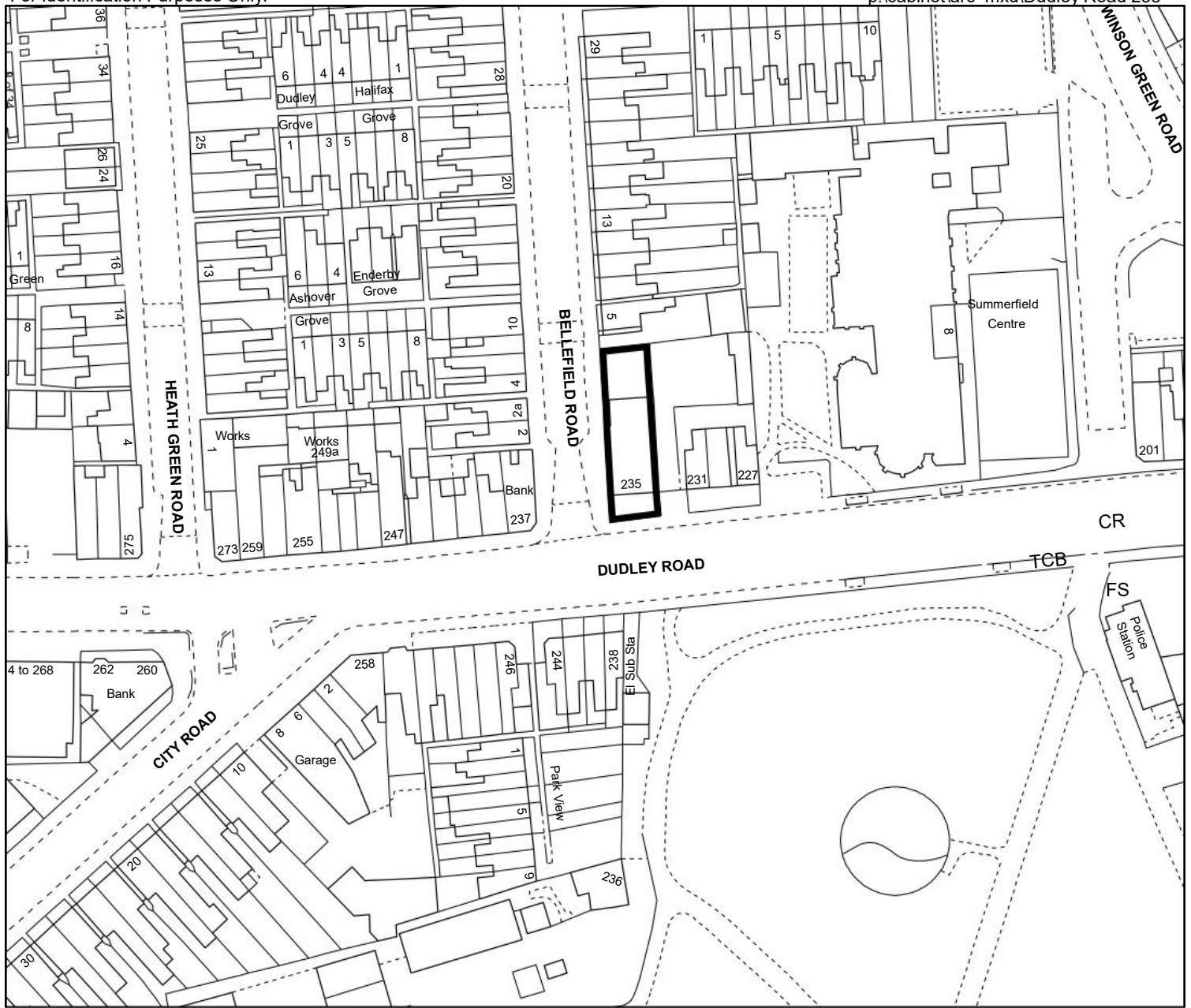







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 <p><b>Birmingham</b> City Council</p>	<p>Kathryn James MRICS Assistant Director of Investment and Valuation Place, Prosperity &amp; Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG</p>		
<p><b>147 -147a Dudley Road</b> North Edgbaston</p>	<p>Scale (Main Map) 1:1,250</p>	<p>Drawn MI</p>	<p>Date 08/02/2024</p>
<p>Page 27 of 102</p>			

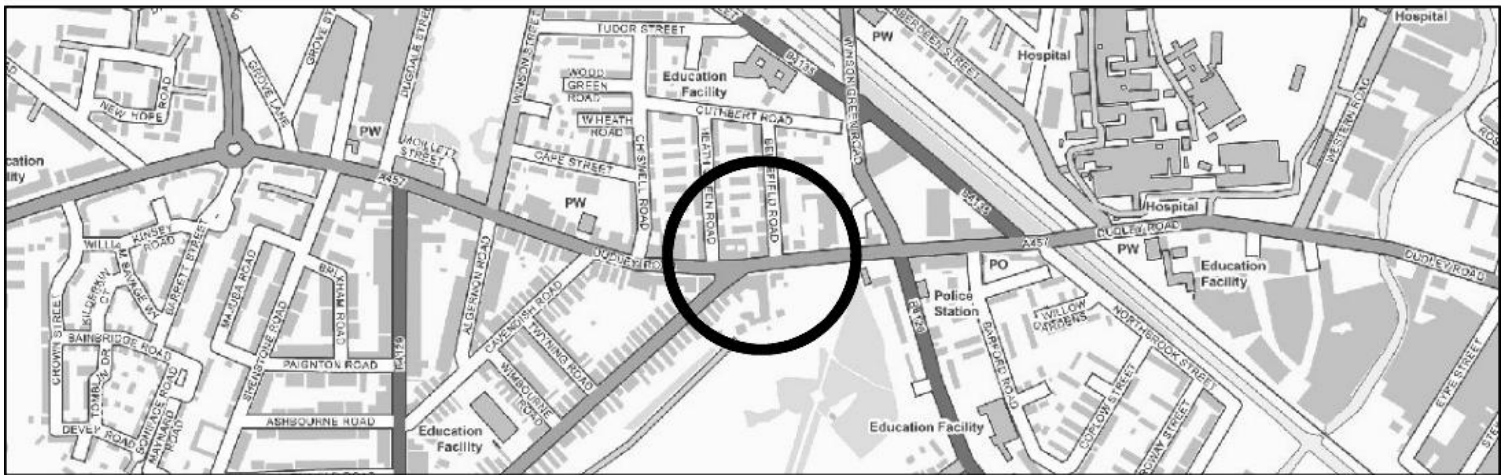
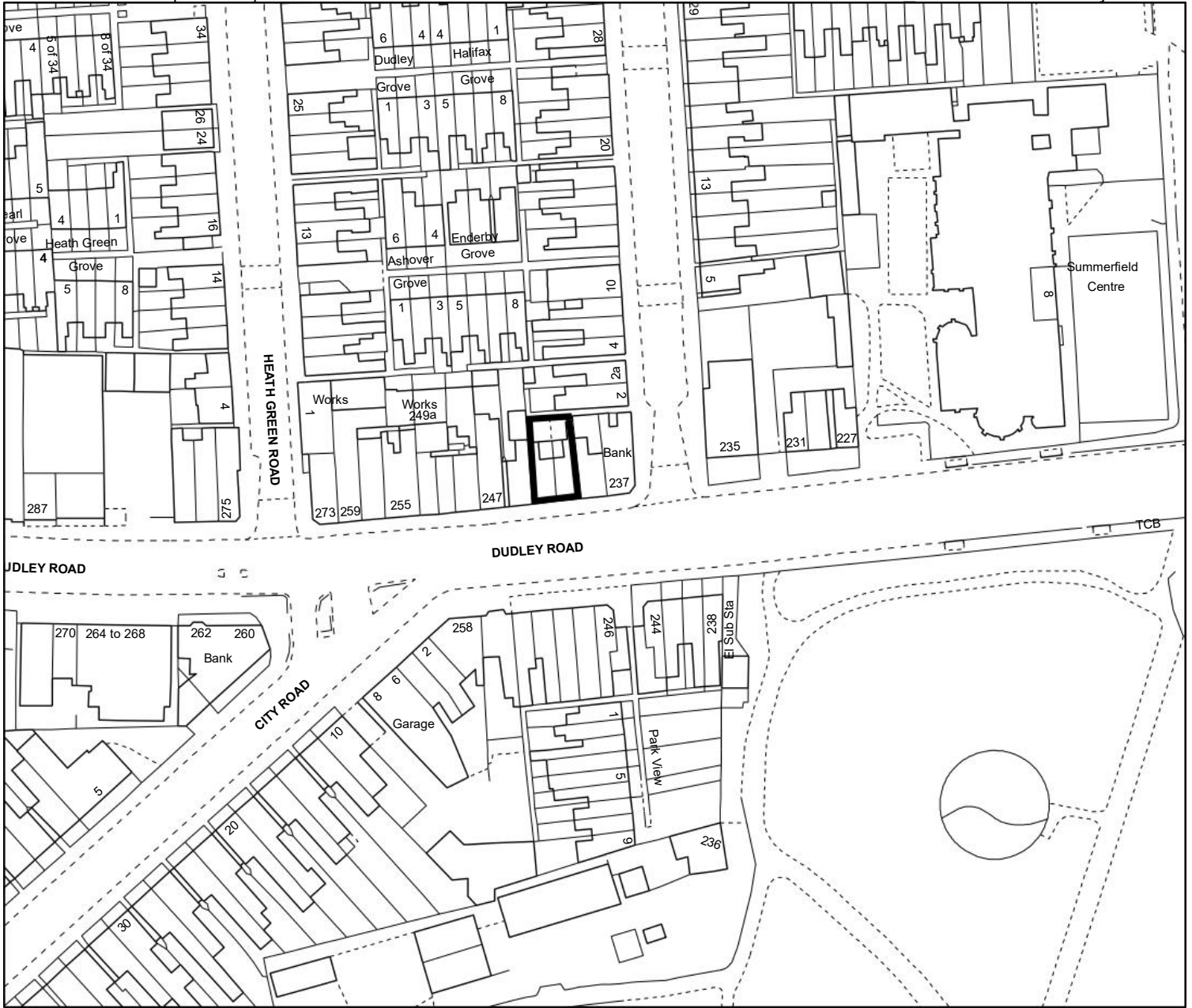


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 <b>Birmingham</b> City Council	Kathryn James Assistant Director Property Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
	235 Dudley Road North Edgbaston	Scale (Main Map) 1:1,250 O.S. Ref SP0487NW	Drawn Bharat Patel

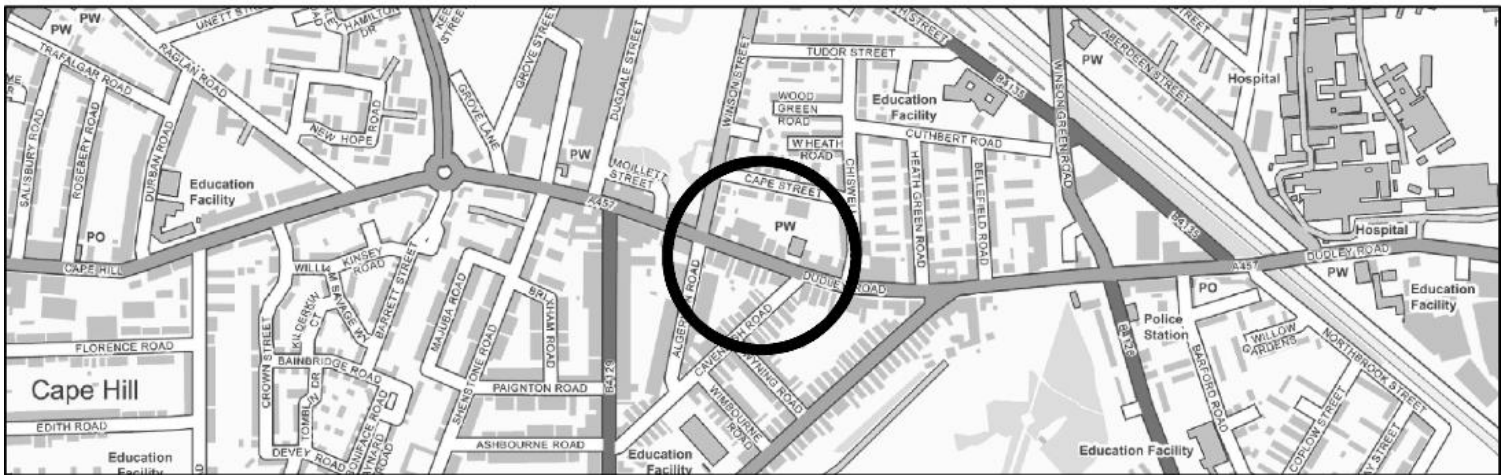
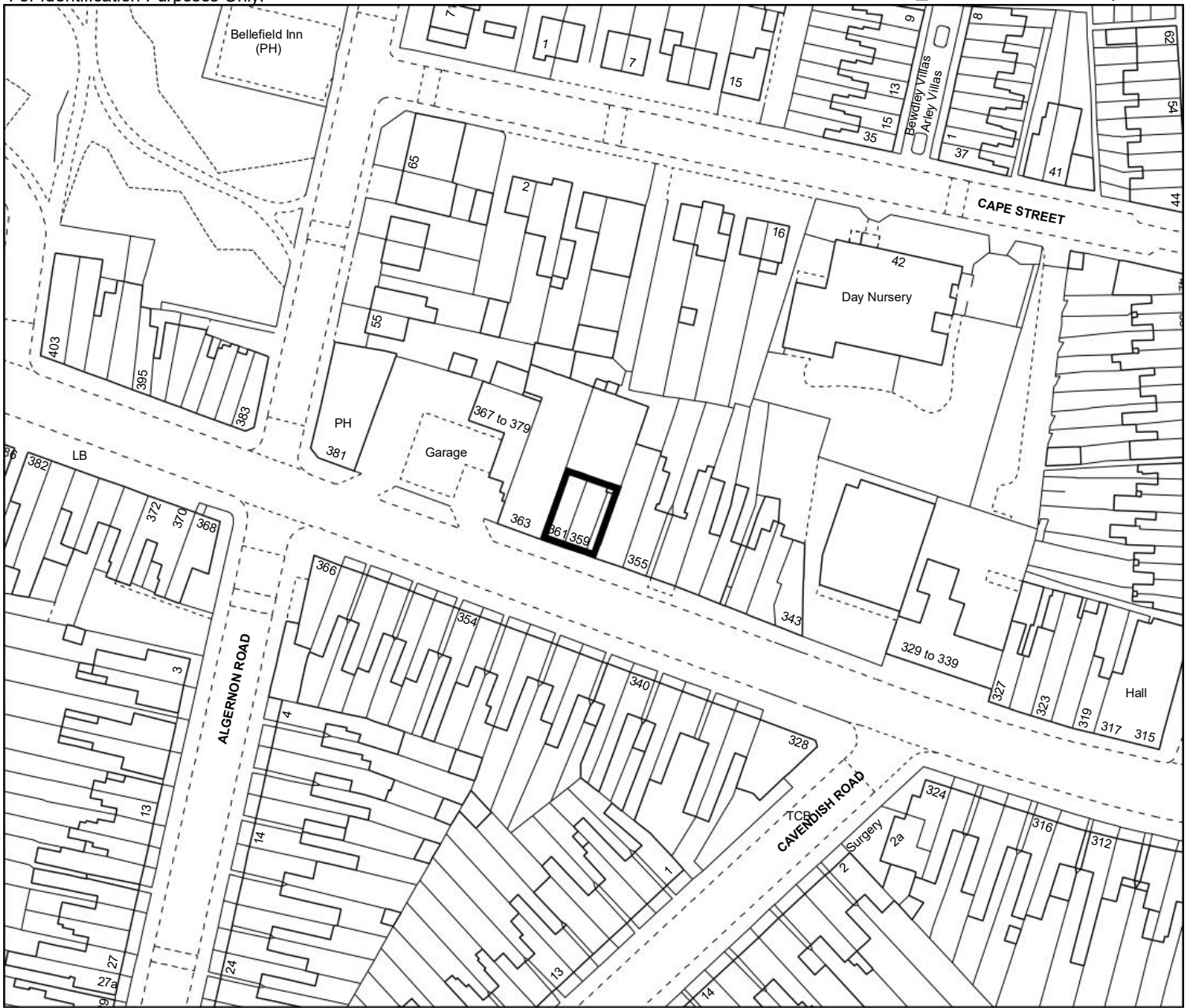






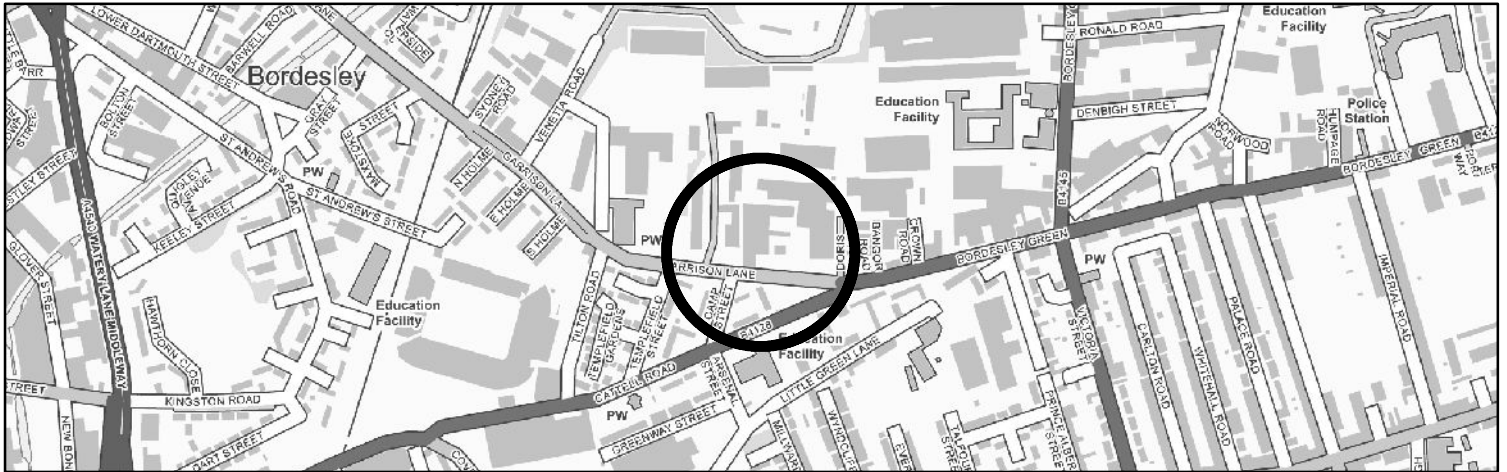
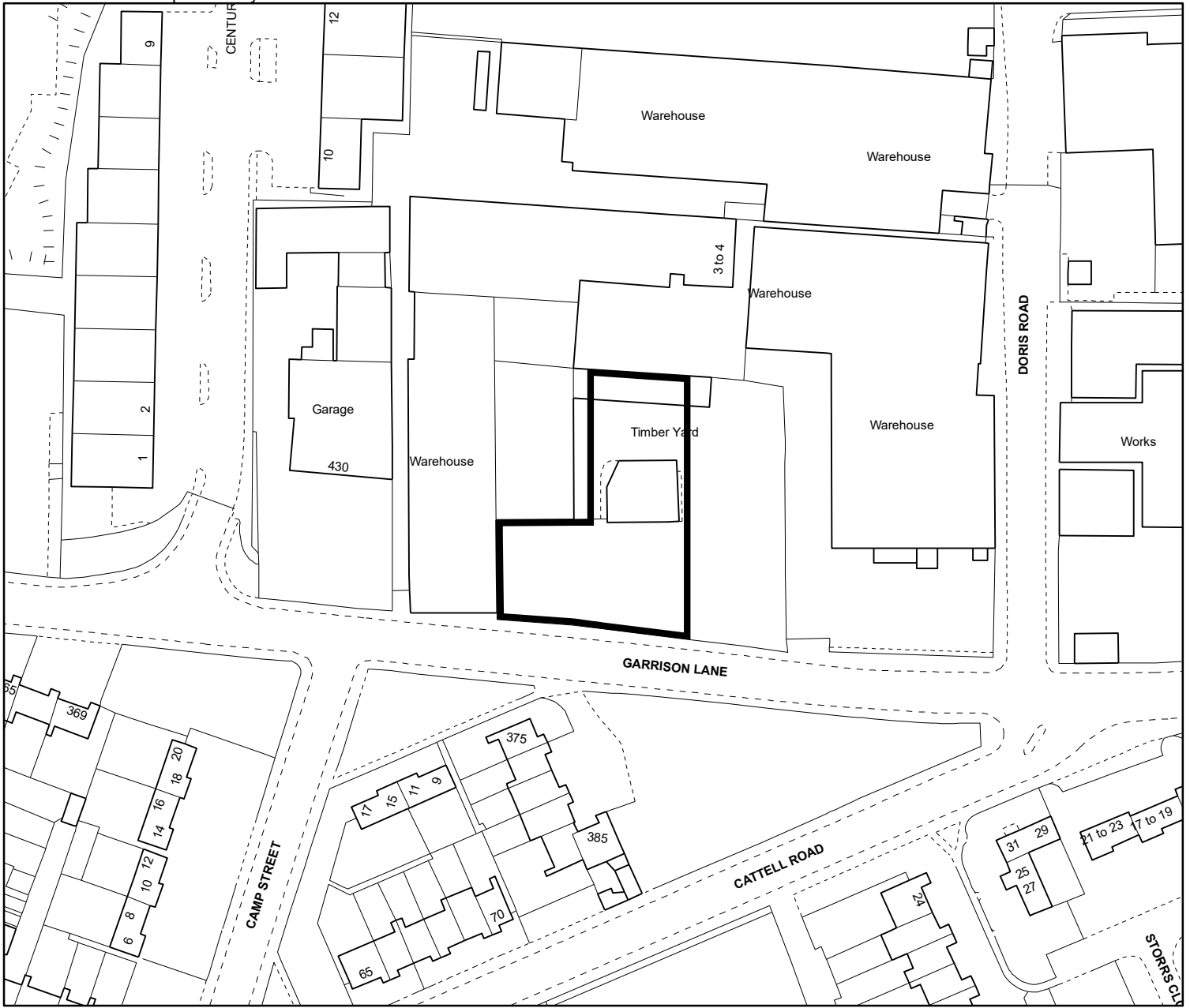
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 <b>Birmingham</b> City Council	Kathryn James MRICS Assistant Director of Investment and Valuation Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
	241-243 Dudley Road North Edgbaston	 Scale (Main Map) 1:1,250	Drawn MI





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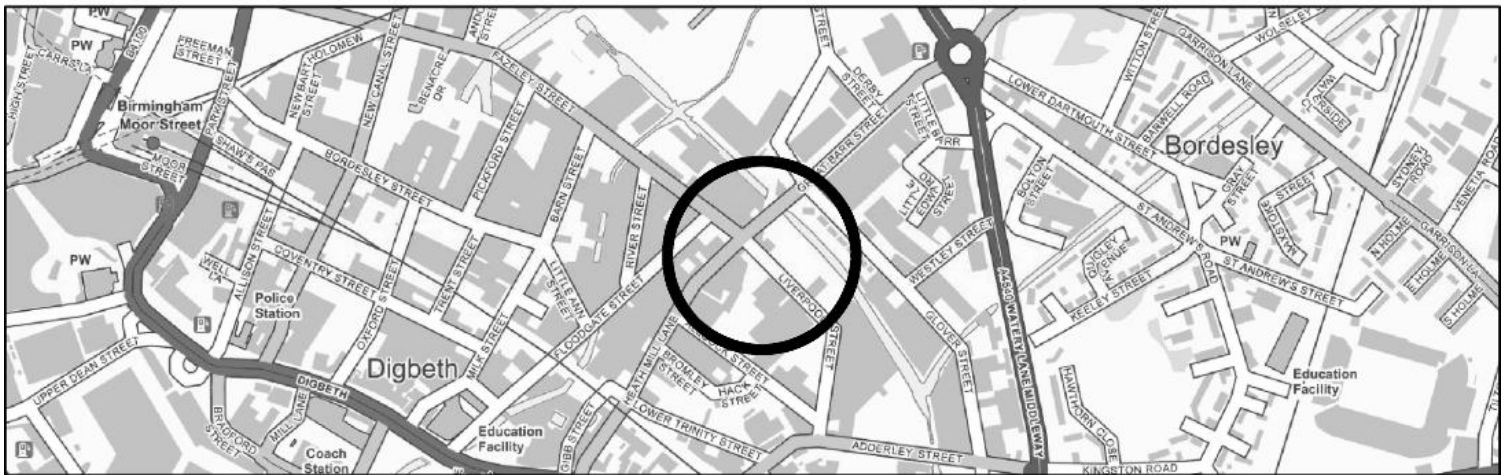
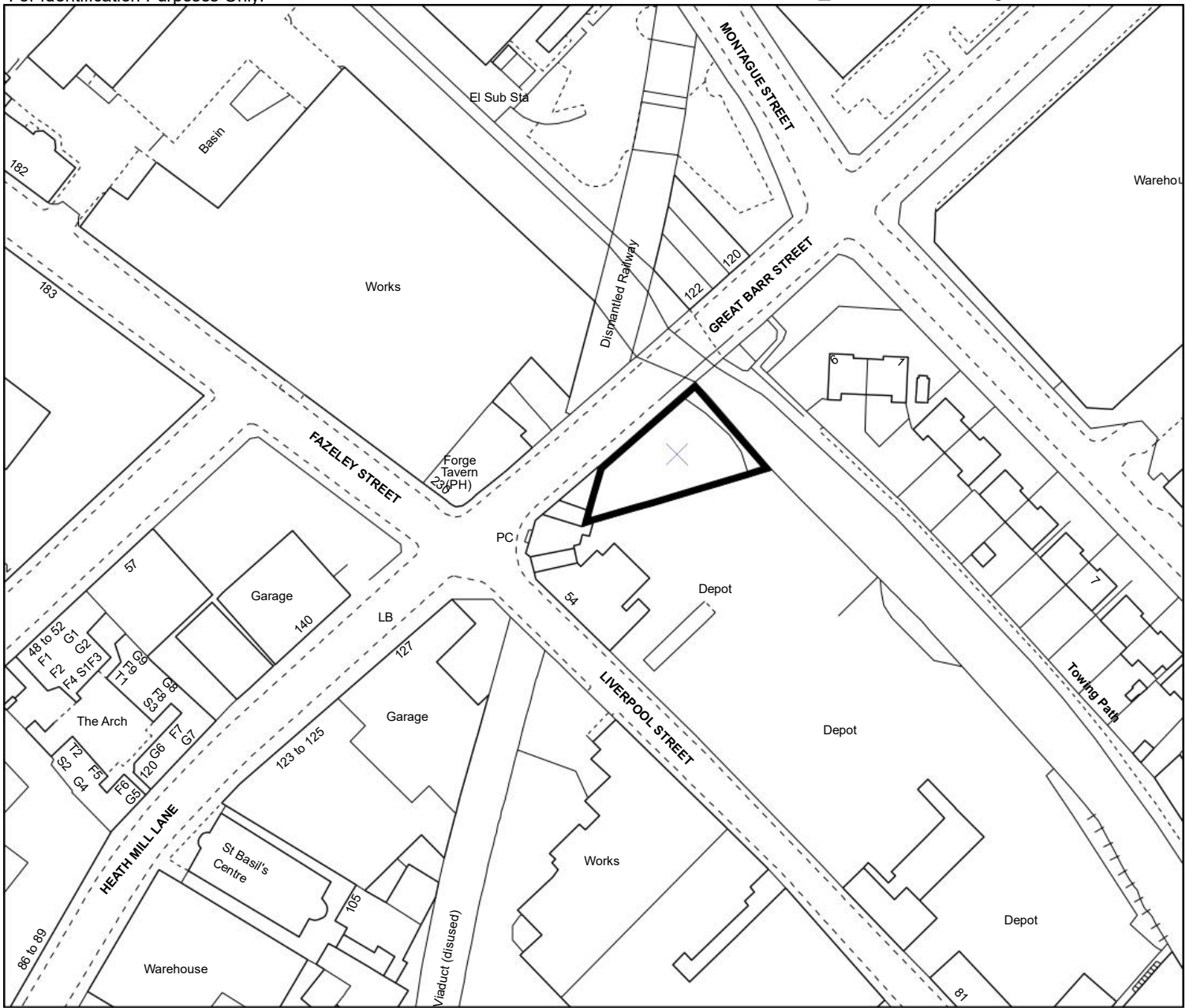
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<b>359-361 Dudley Road                  B18 4HB</b>		<b>Scale (Main Map)</b>	<b>Drawn</b>	<b>Date</b>
		1:1,250	John Pedersen	13/02/2024
		Page 30 of 102		





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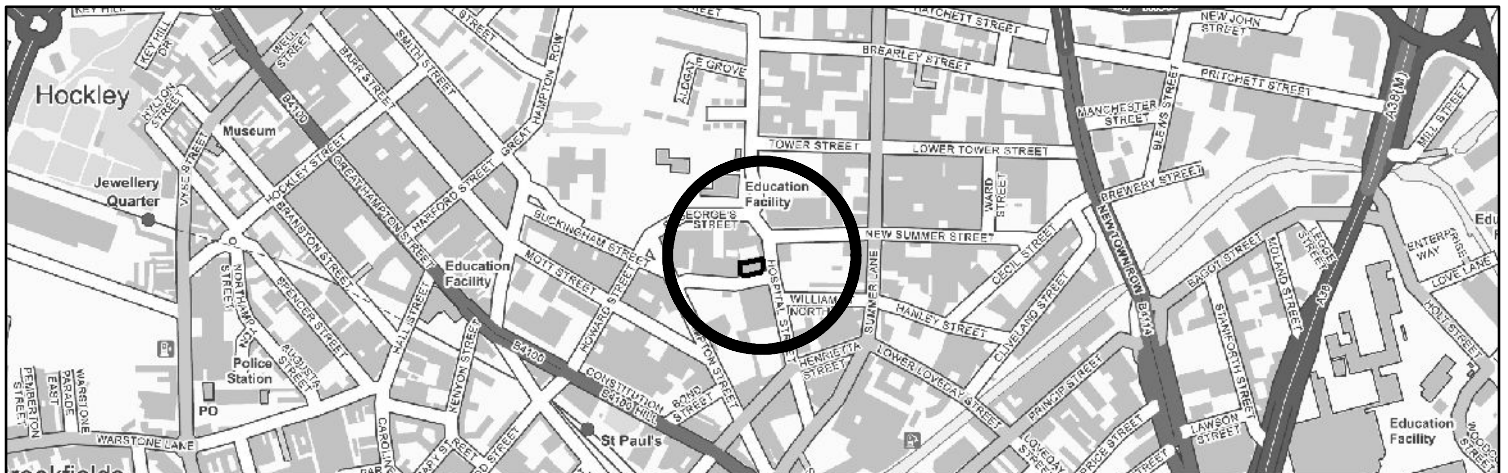
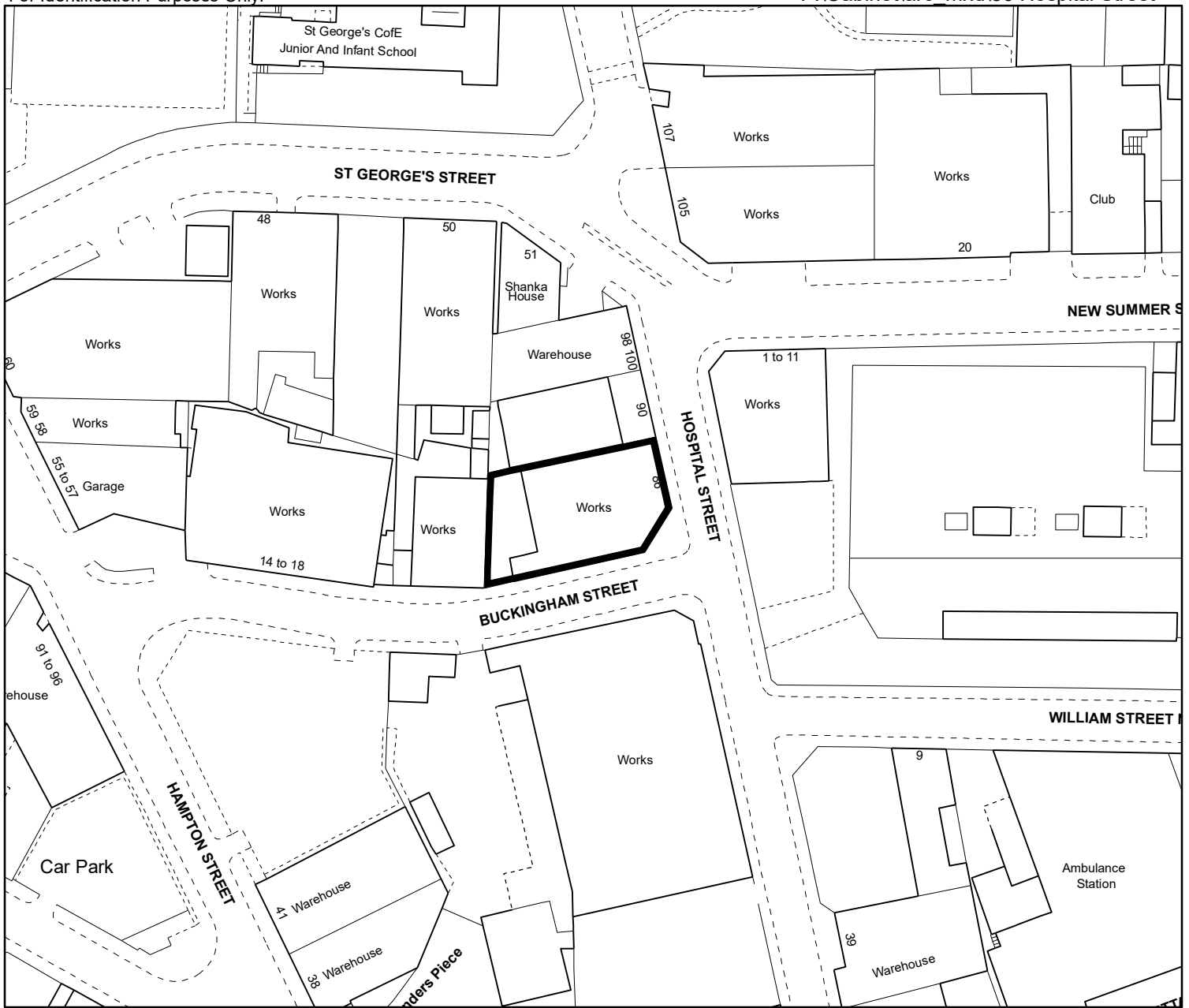
 <p><b>Birmingham</b> City Council</p>	<p>Kathryn James MRICS Assistant Director of Investment and Valuation Place, Prosperity &amp; Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG</p>			
<p><b>Site Fronting Garrison Lane Bordesley &amp; Highgate</b></p>	 <p>Page 31 of 102</p>	<p>Scale (Main Map)</p>	<p>Drawn</p>	<p>Date</p>
		<p>1:1,250</p>	<p>MI</p>	<p>15/02/2024</p>






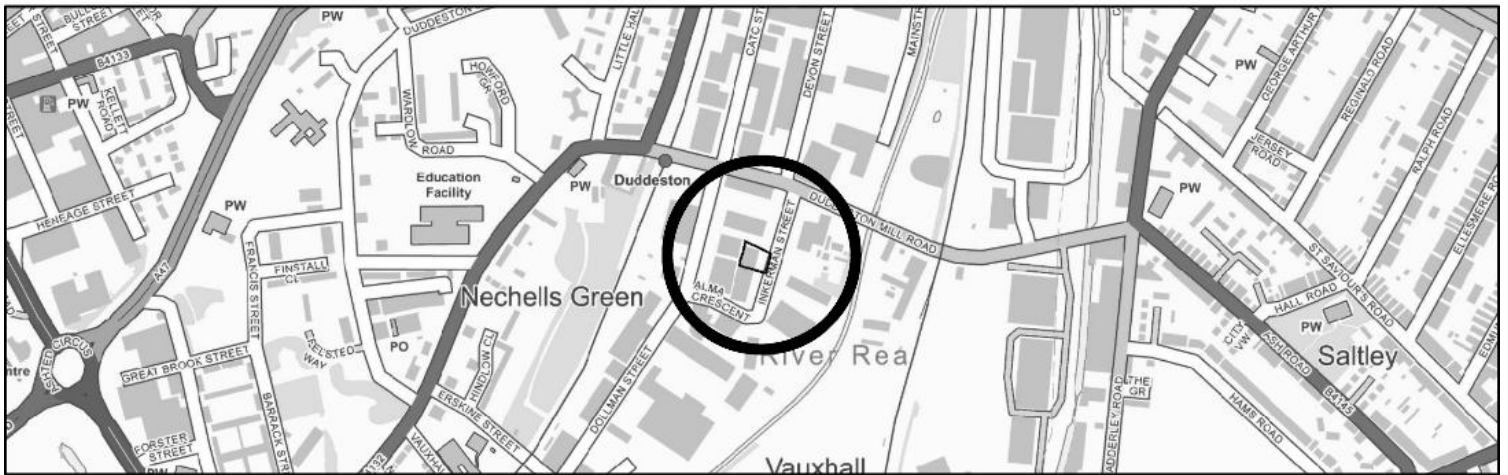
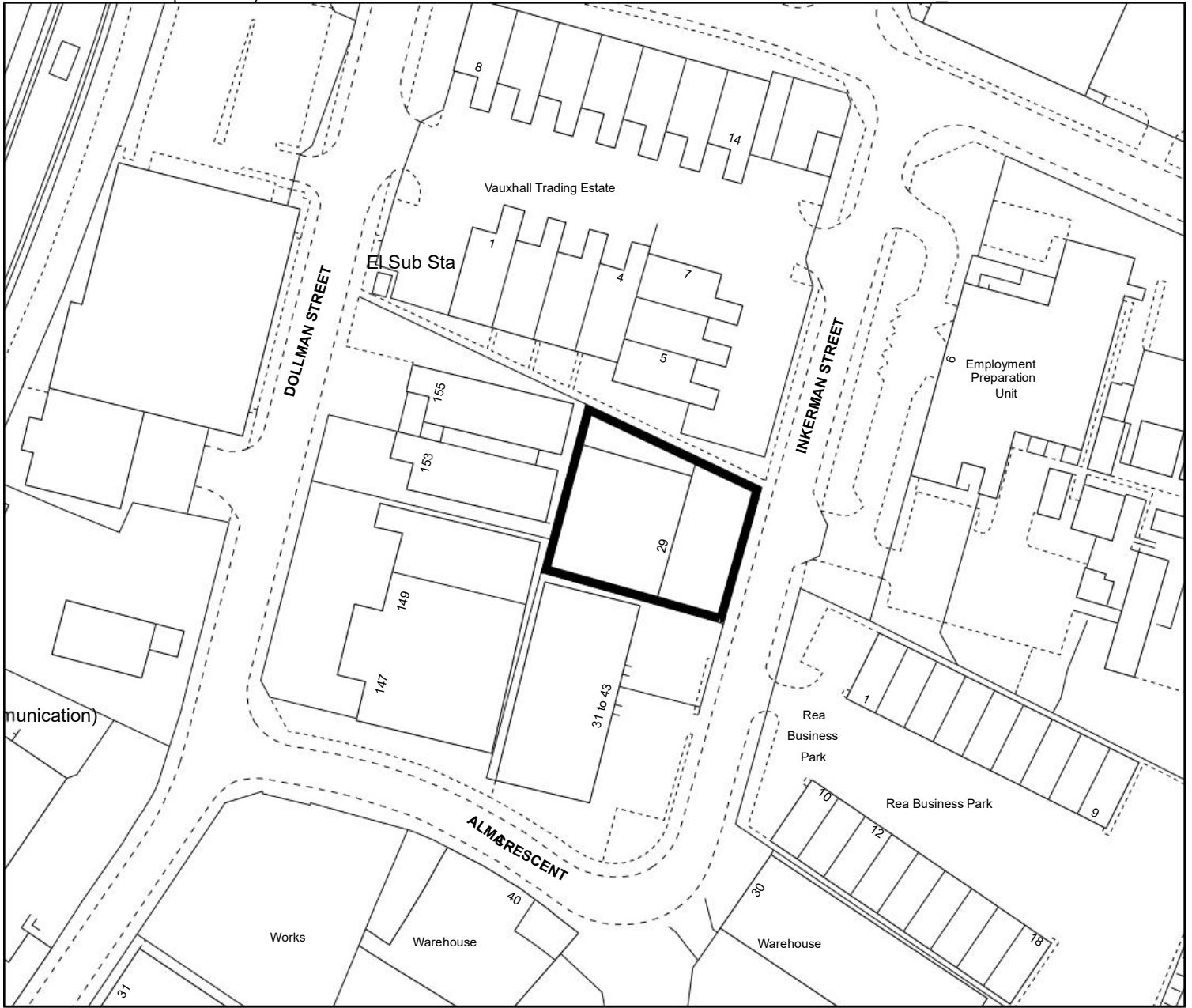
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 <b>Birmingham</b> City Council		Kathryn James MRICS Assistant Director of Investment and Valuation Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
Land Fronting Great Barr Street B9 4AY	 Page 32 of 102	Scale (Main Map)	Drawn	Date
		1:1,250	John Pedersen	13/02/2024





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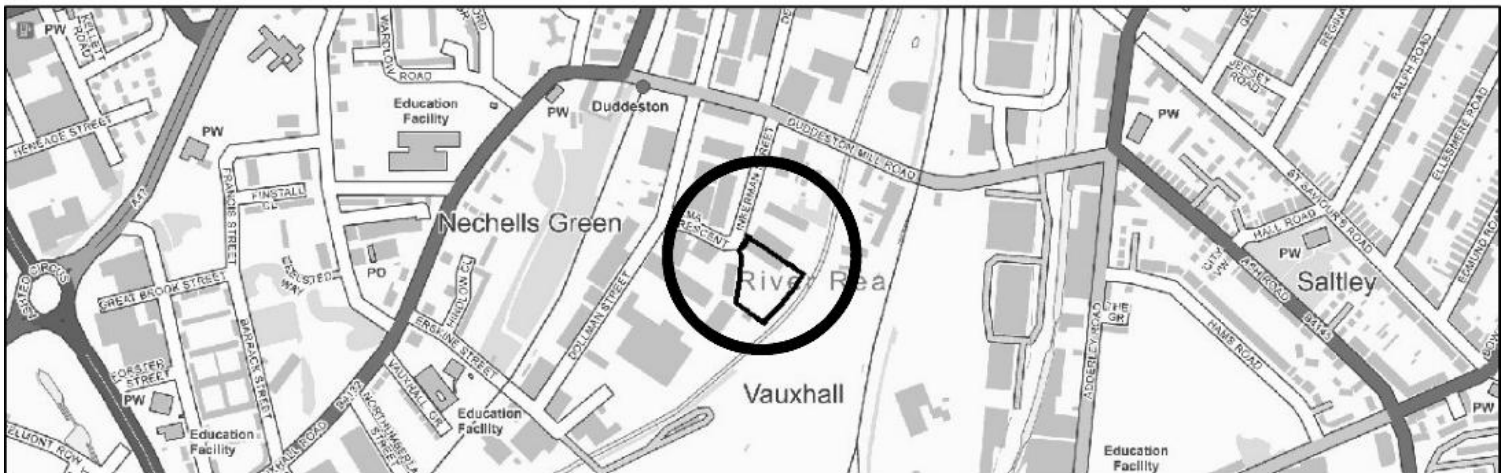
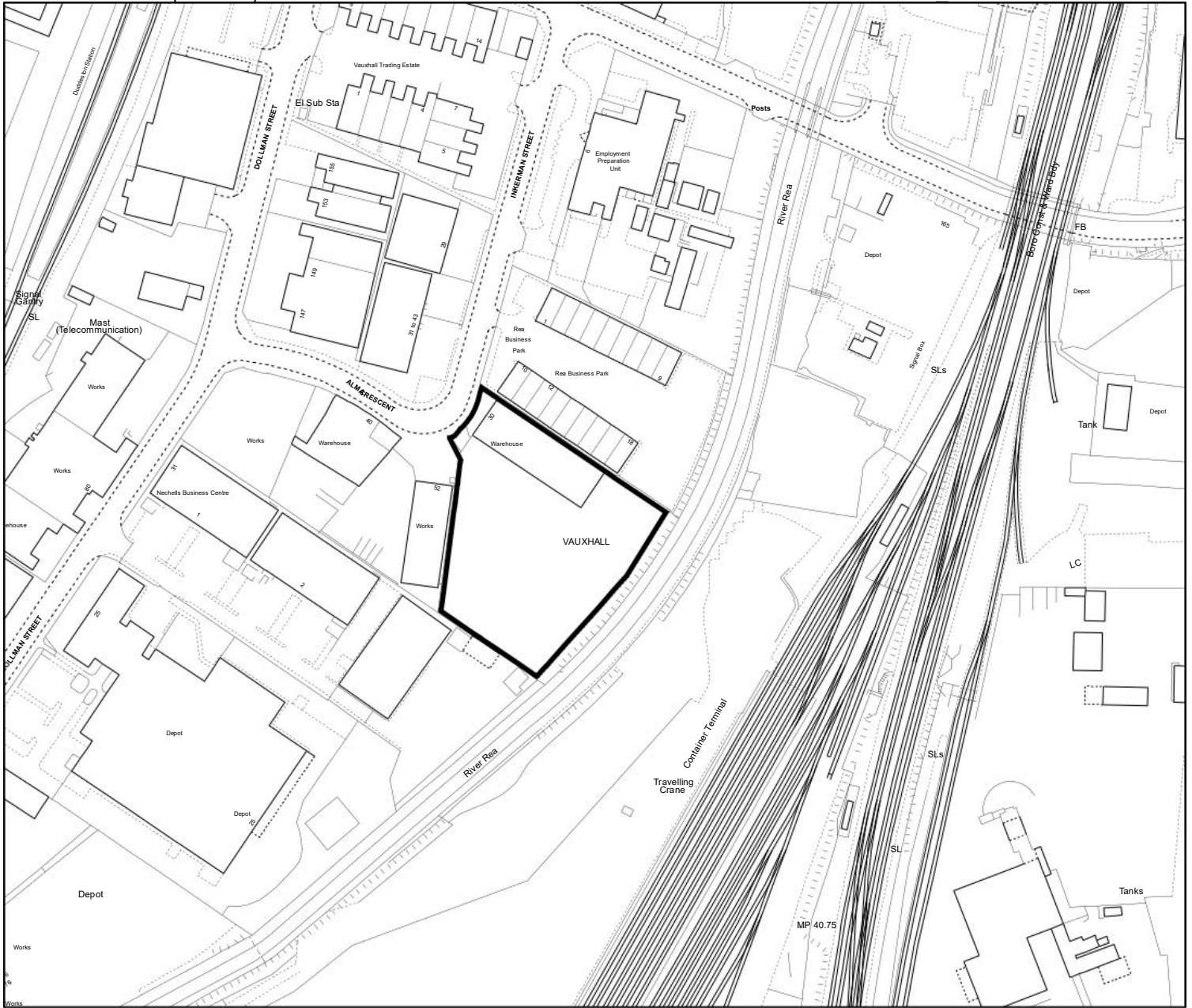
 <b>Birmingham</b> City Council	Kathryn James Assistant Director of Investment and Valuation Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
	86 Hospital Street & Buckingham Street Newtown	Scale (Main Map) 1:1,250 O.S.Ref SP0687NE	Drawn Bharat Patel




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 <b>Birmingham</b> City Council	Kathryn James Assistant Director of Investment and Valuation Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
	29 Inkerman Street Nechells	 Scale (Main Map) 1:1,250 O.S.Ref SP0887NE	Drawn Bharat Patel

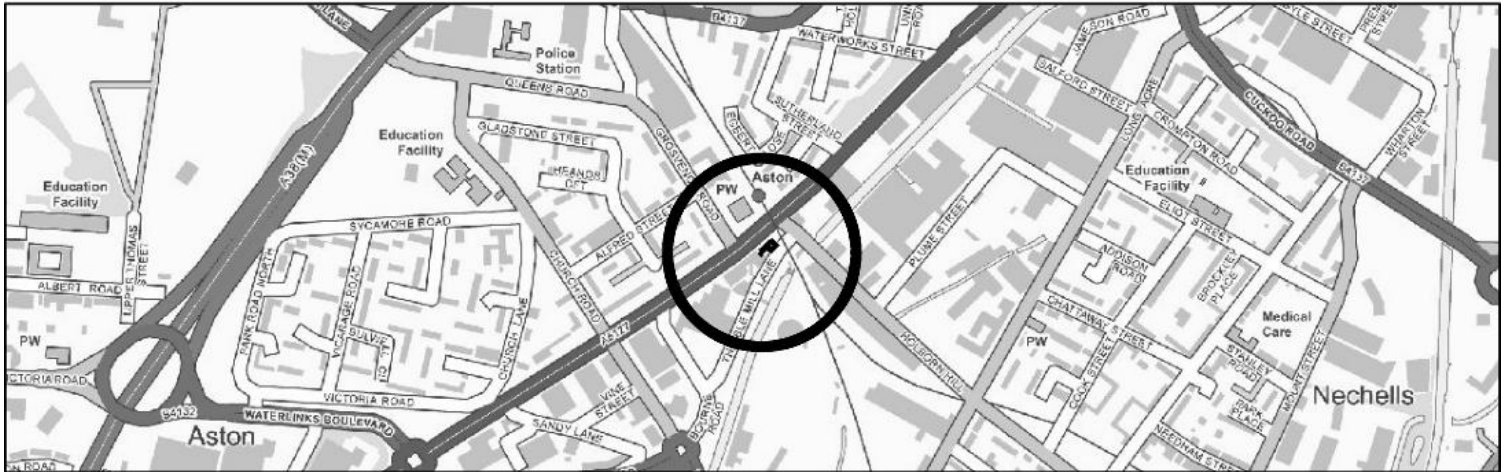
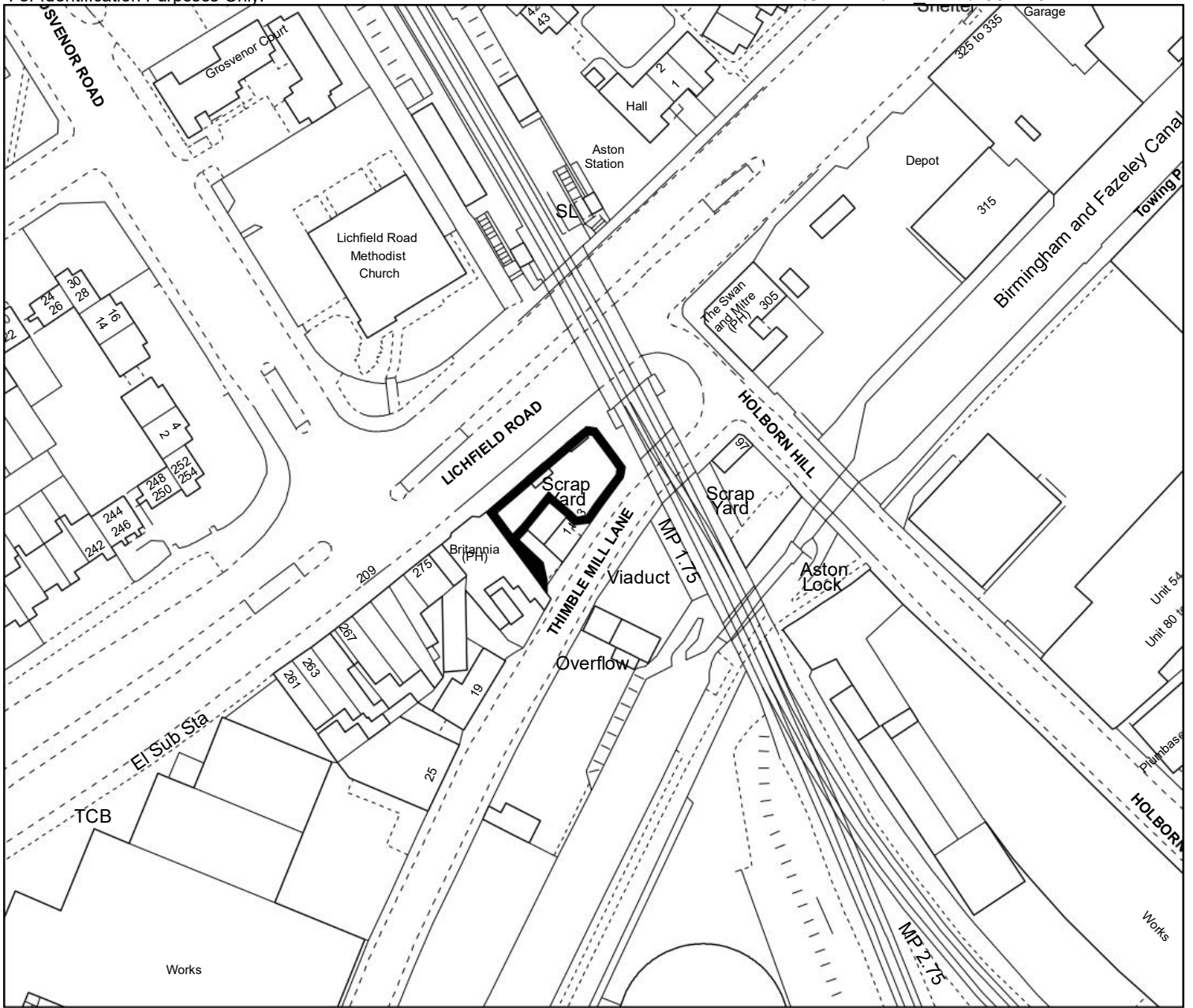






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 <b>Birmingham</b> City Council	Kathryn James Assistant Director of Investment and Valuation Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
	30 Inkerman Street Nechells	Scale (Main Map) 1:2,500 O.S.Ref SP0887NE	Drawn Bharat Patel

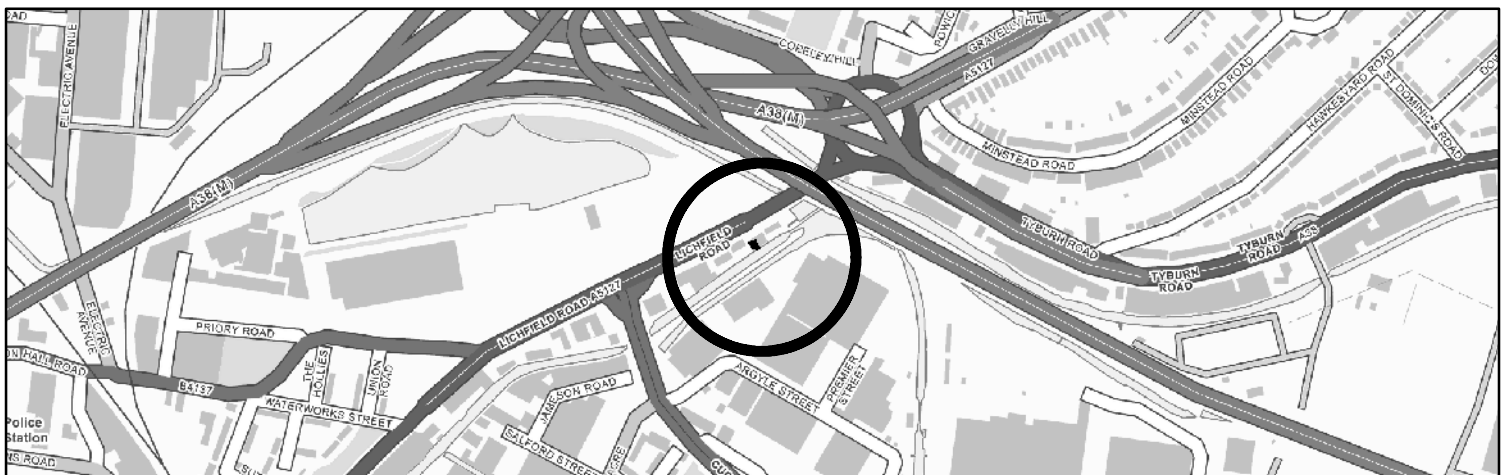
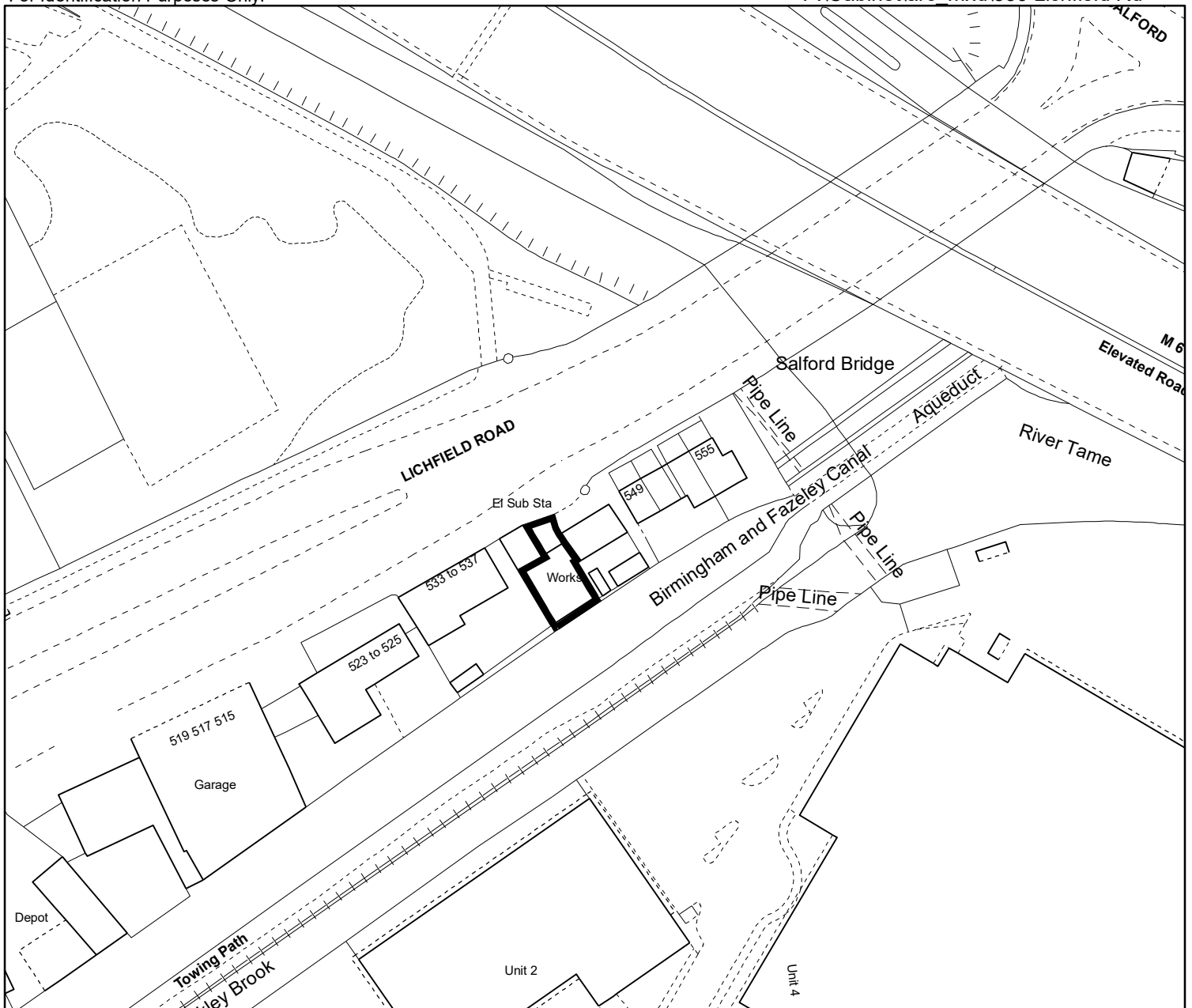






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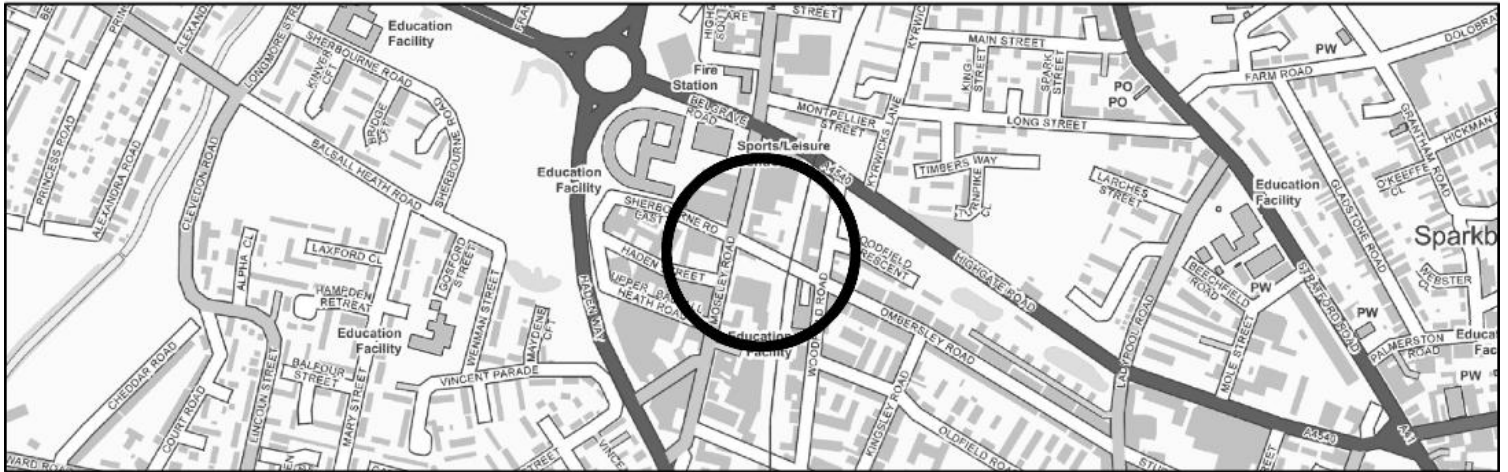
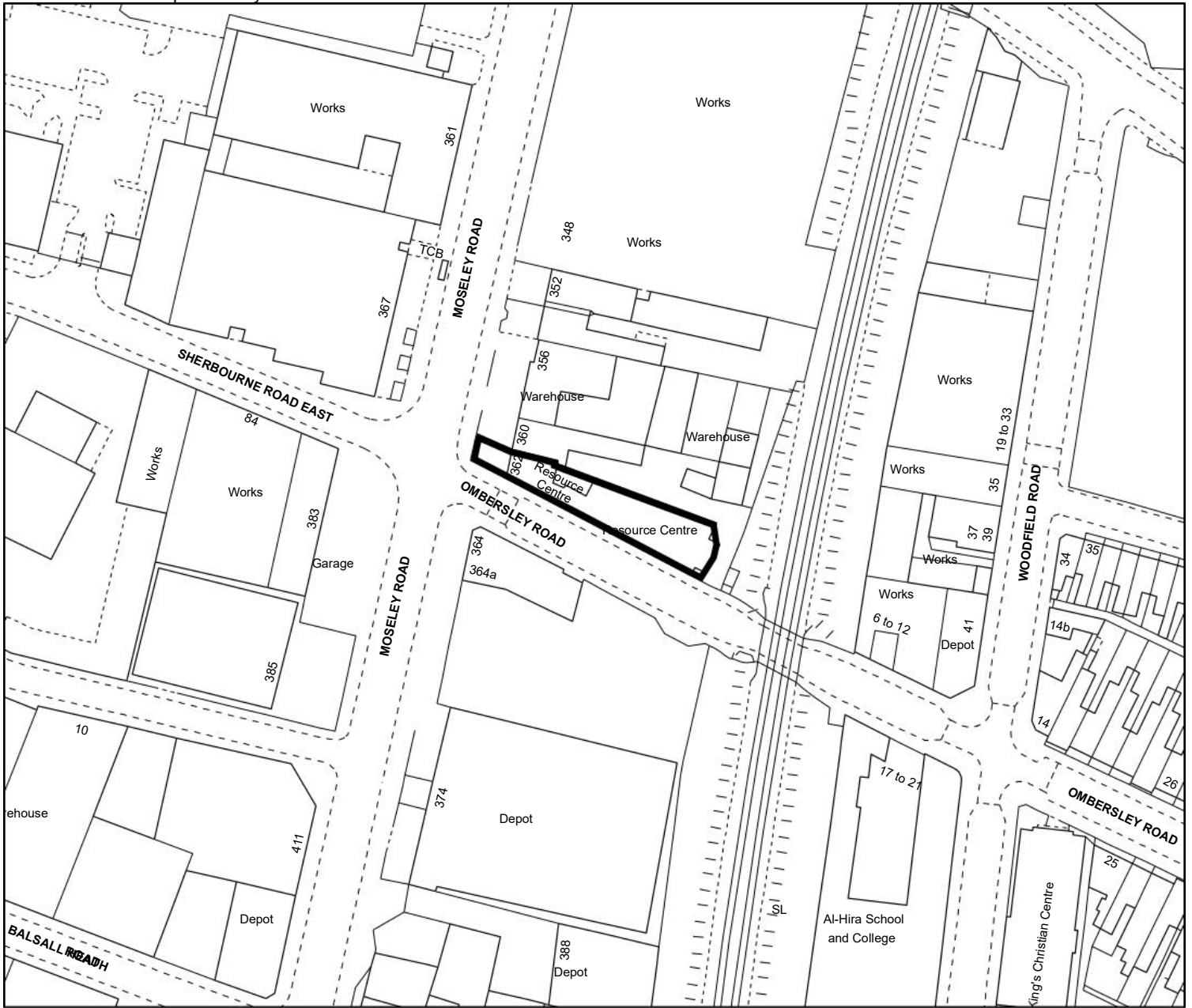
 <b>Birmingham City Council</b>		Kathryn James Assistant Director of Investment and Valuation Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
<b>289 - 297 Lichfield Rd &amp; Thimblemill Road          Nechells</b>		Scale (Main Map)	Drawn	Date
		1:1,250	Bharat Patel	07/02/2024
		Page 36 of 102 O.S.Ref SP0889NE		






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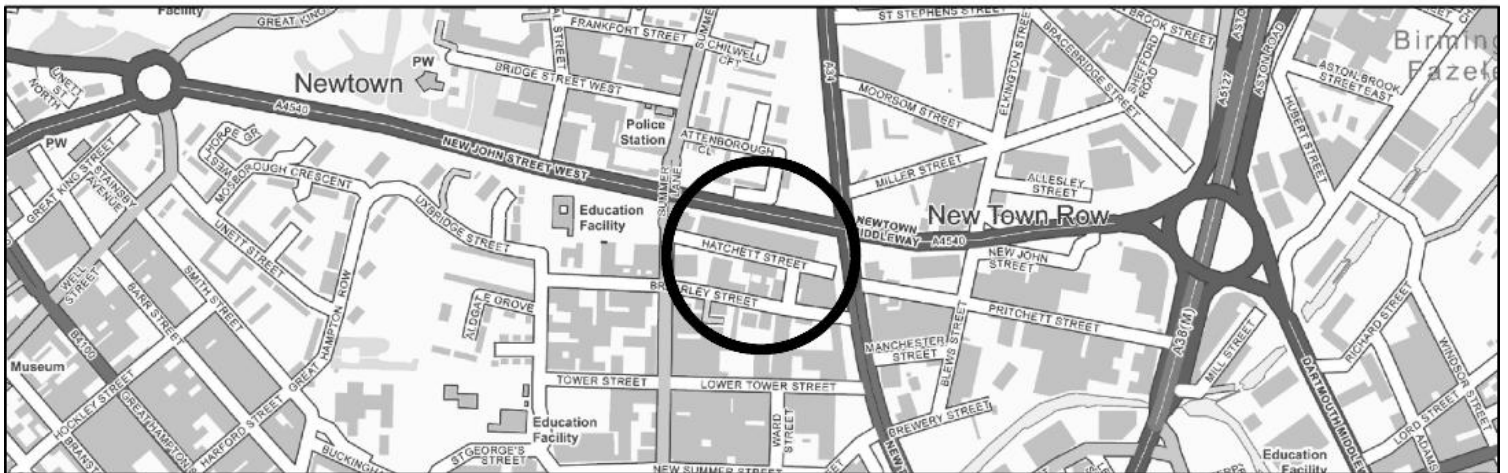
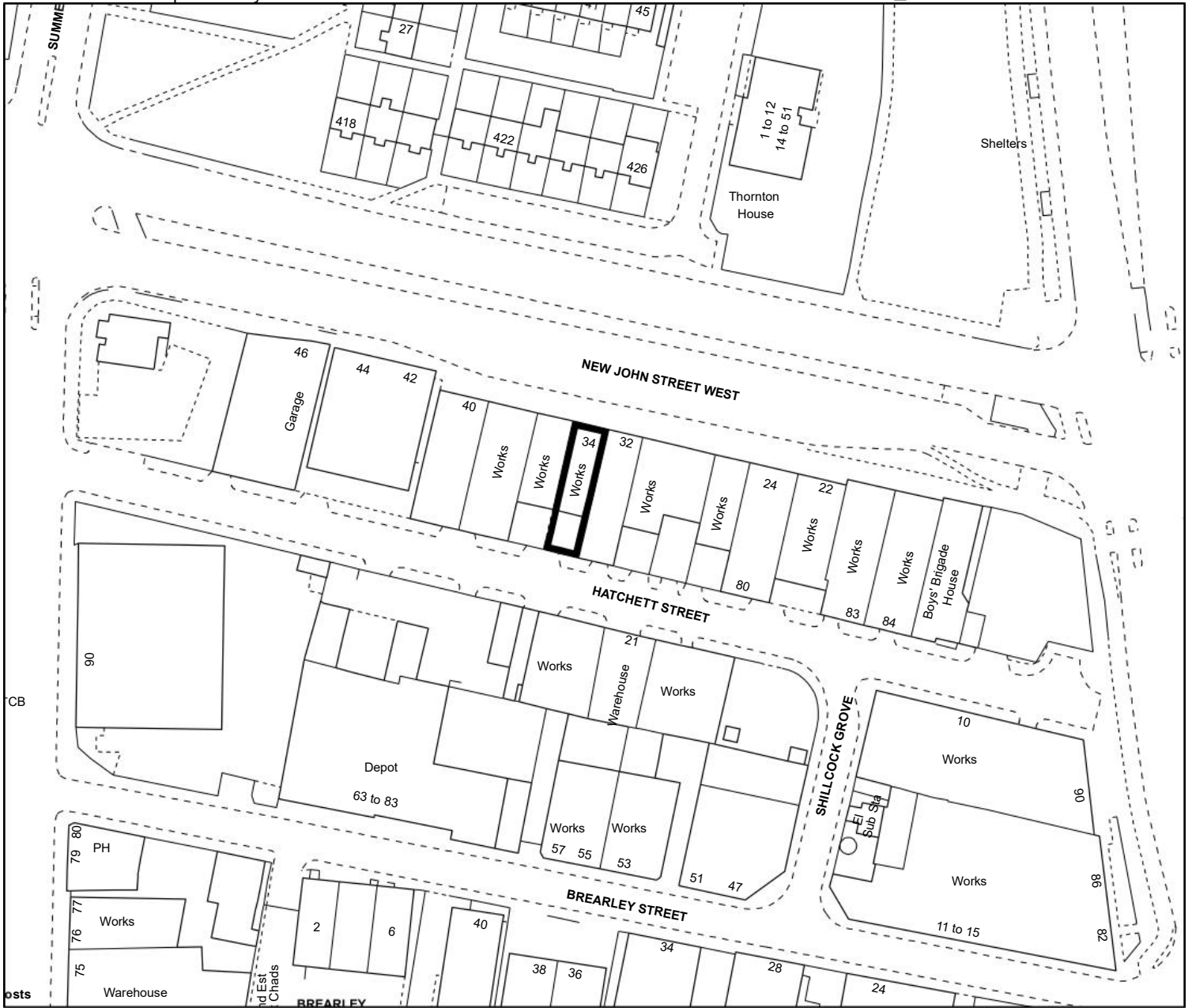
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	539 Lichfield Road Nechells	 Scale (Main Map) 1:1,250 O.S.Ref SP0990SW	Drawn Bharat Patel





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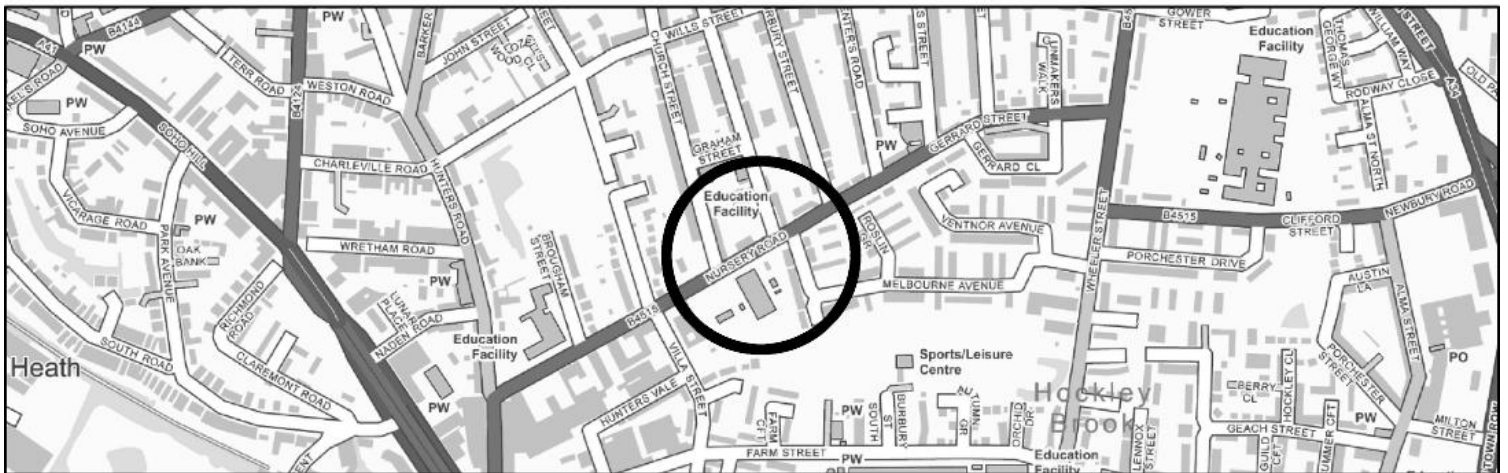
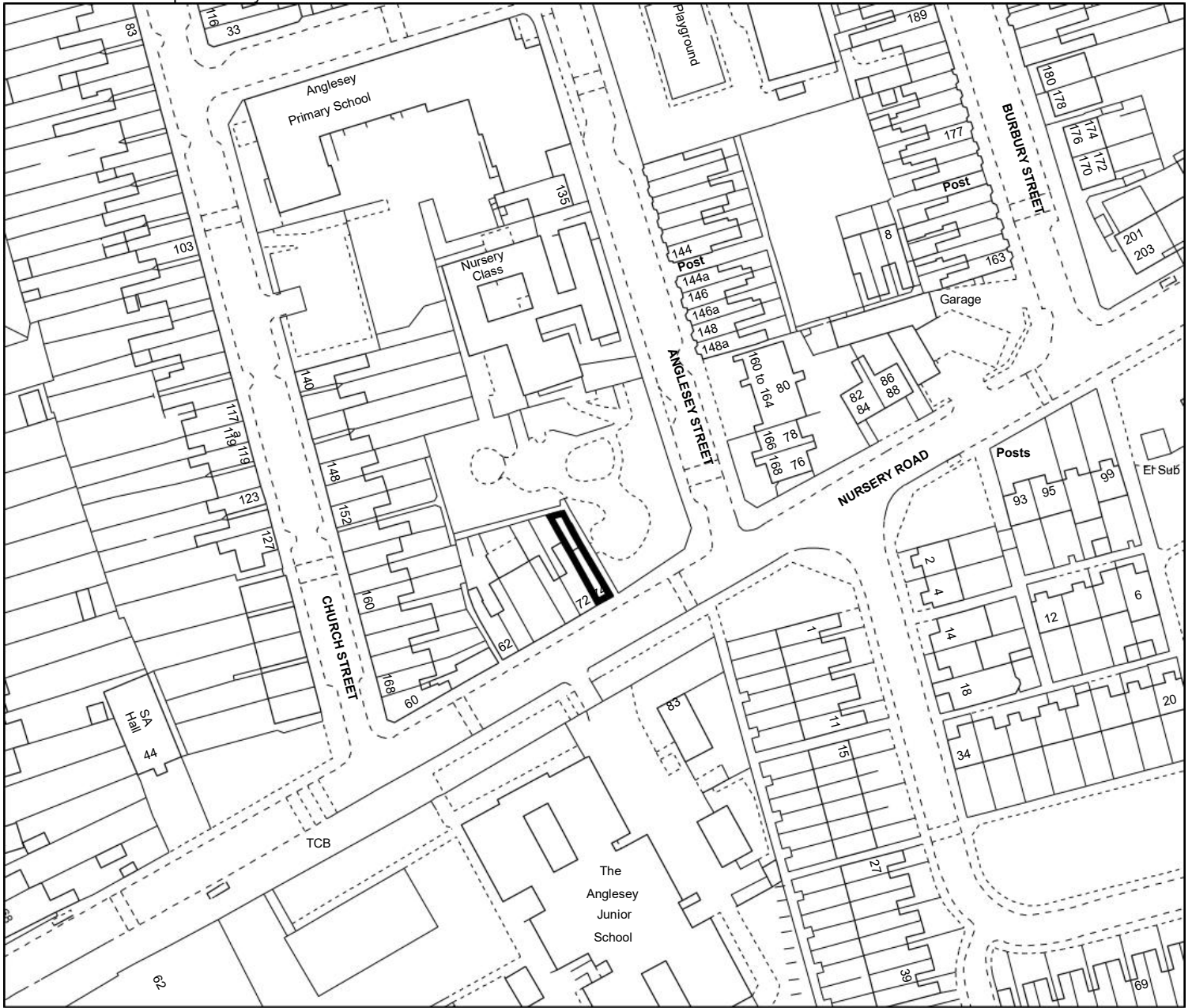
 <p><b>Birmingham</b> City Council</p>	Kathryn James MRICS Assistant Director of Investment and Valuation Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
<p><b>362 Moseley Road</b> <b>B12 9AZ</b></p>	<p>Scale (Main Map) 1:1,250</p>	<p>Drawn AK</p>	<p>Date 14/02/2024</p>







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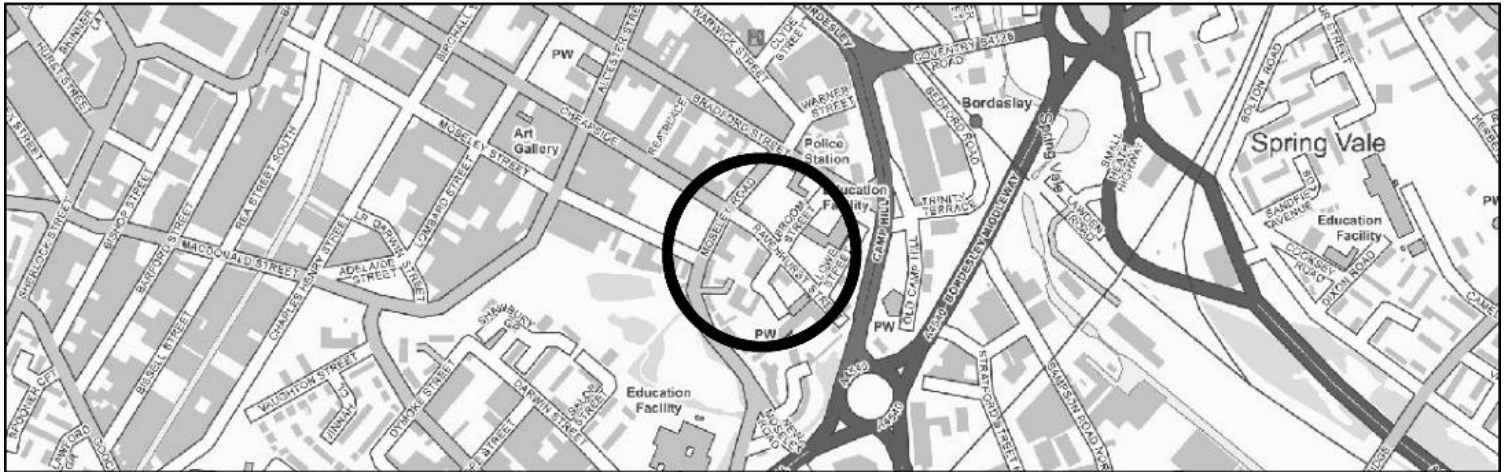
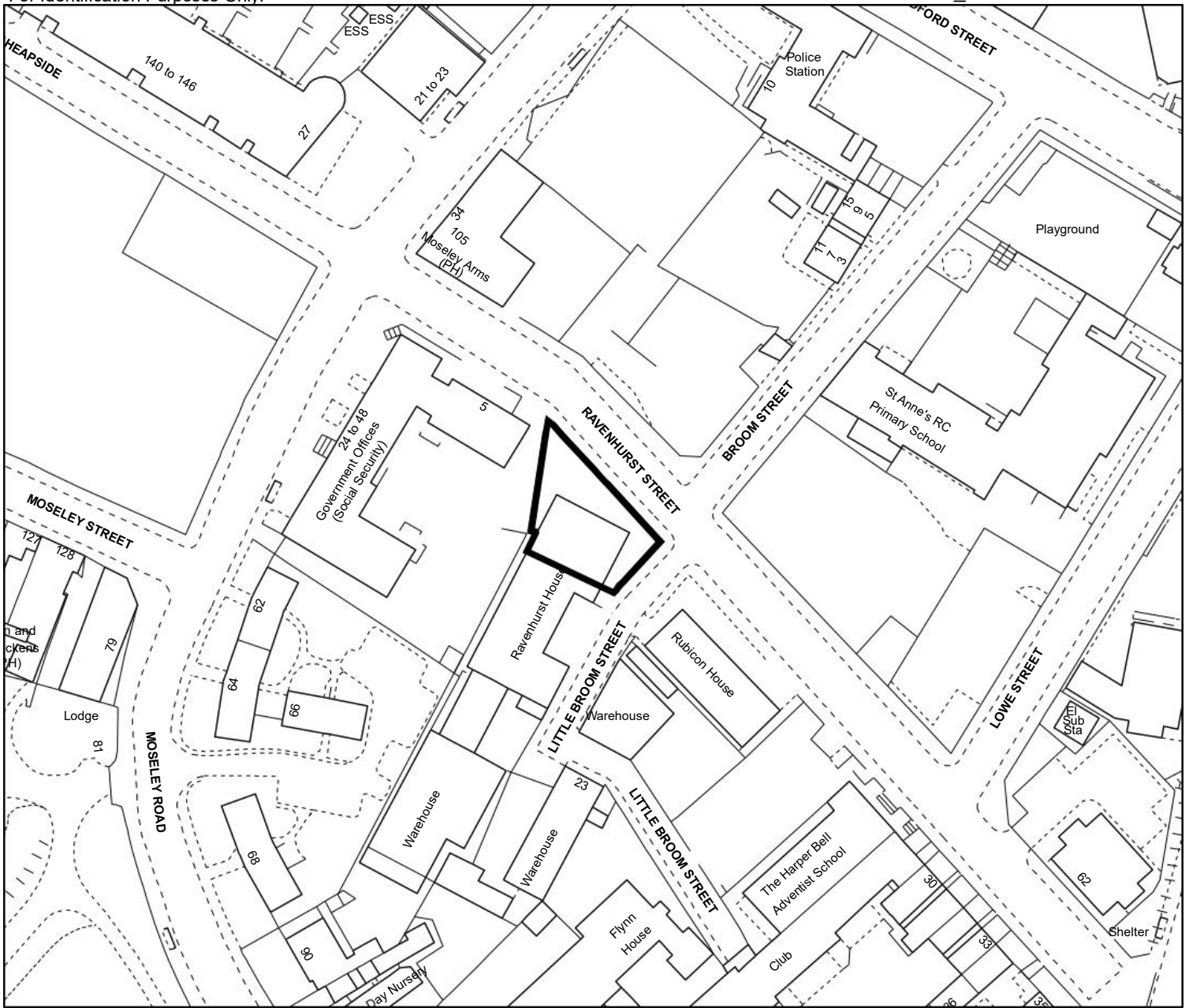
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	34 New John Street West B19 3NB	 Scale (Main Map) 1:1,250 Page 39 of 102	Drawn AK





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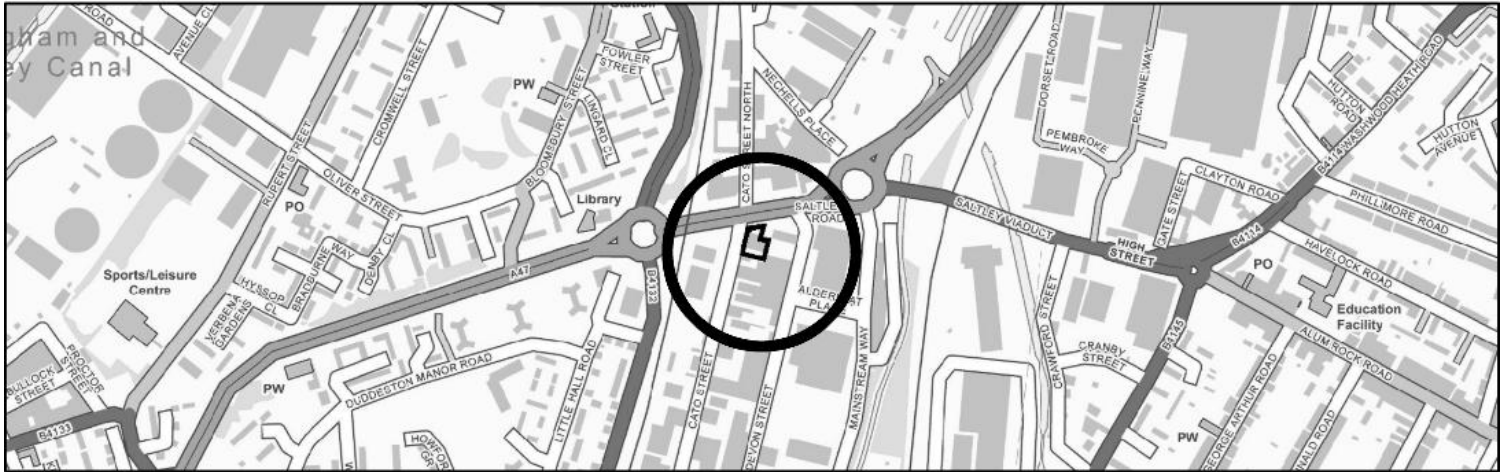
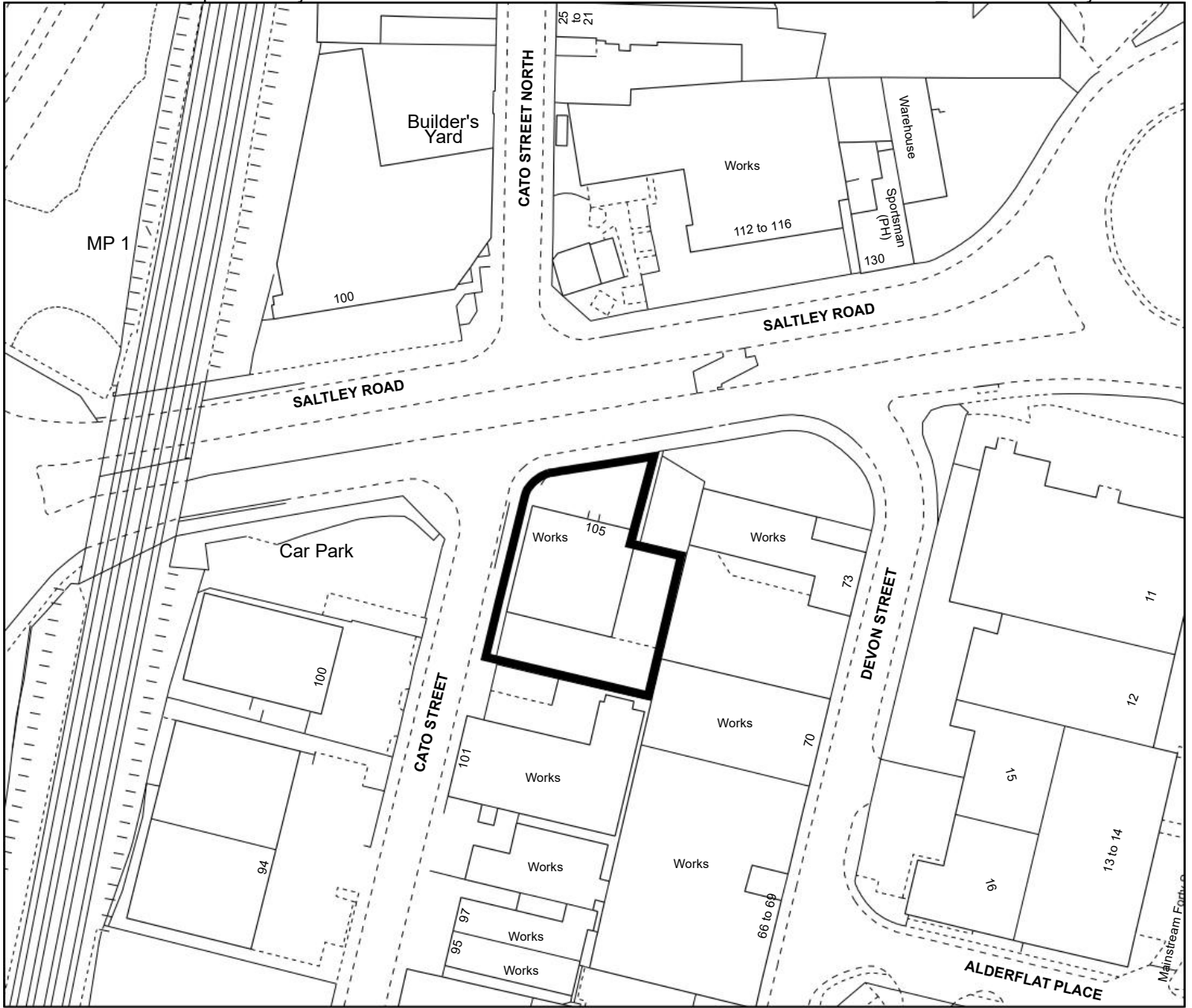
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	74 Nursery Road B19 2YA	 Scale (Main Map) 1:1,250 Page 40 of 102	Drawn AK





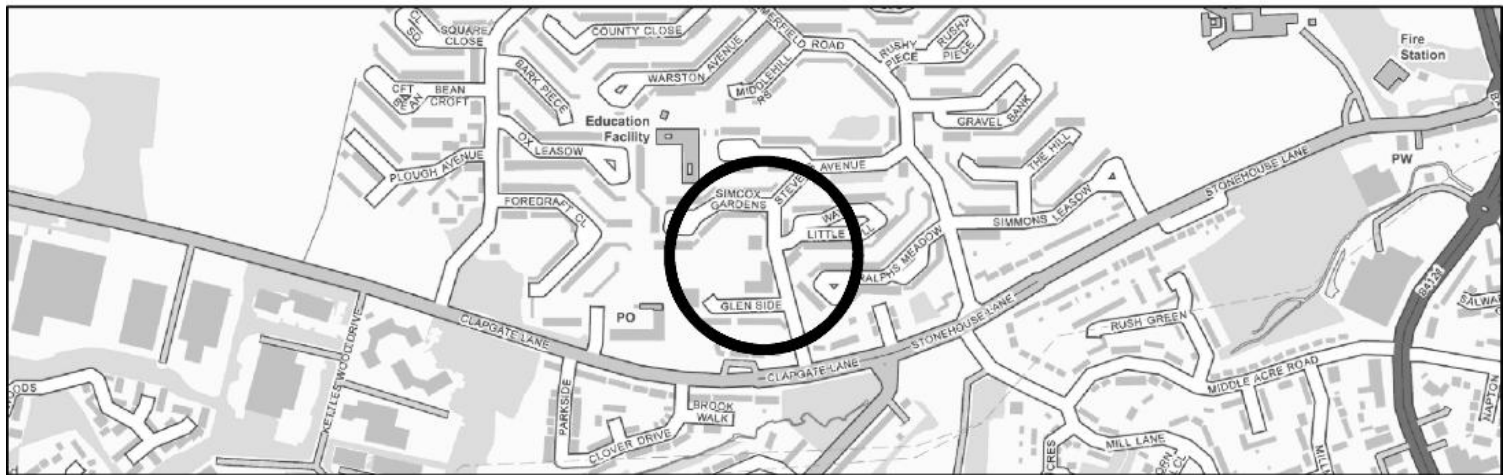
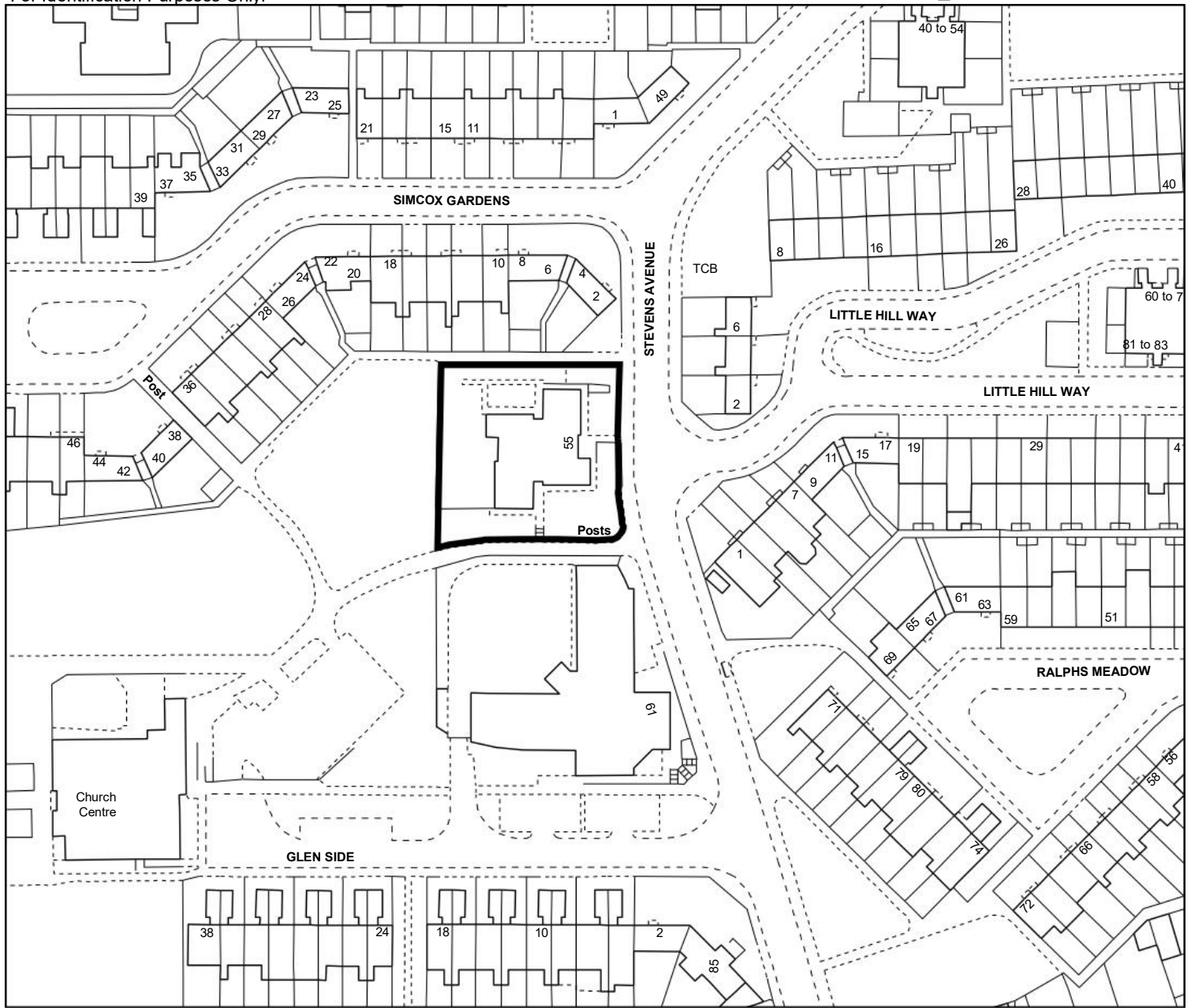
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 <p><b>Birmingham</b> City Council</p>	Kathryn James MRICS Assistant Director of Investment and Valuation Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG			
<p><b>Land At</b>  <b>Ravenhurst Street</b>  <b>Bordesley &amp; Highgate</b></p>	 <p>Page 41 of 102</p>	<p>Scale (Main Map)</p>	<p>Drawn</p>	<p>Date</p>
		<p>1:1,250</p>	<p>MI</p>	<p>15/02/2024</p>




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	<h1>Birmingham City Council</h1>	Kathryn James Assistant Director of Investment and Valuation Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
<b>105 Saltley Road Nechells</b>		Scale (Main Map)	Drawn	Date
		1:1,250	Bharat Patel	14/02/2024
Page 42 of 102 O.S.Ref SP0988SW				

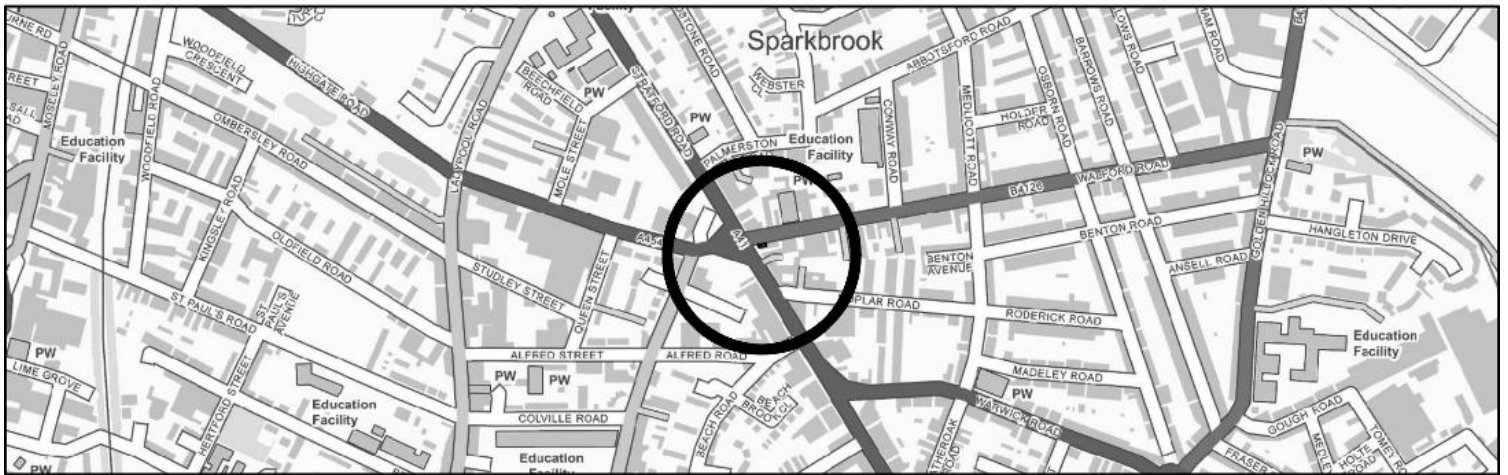
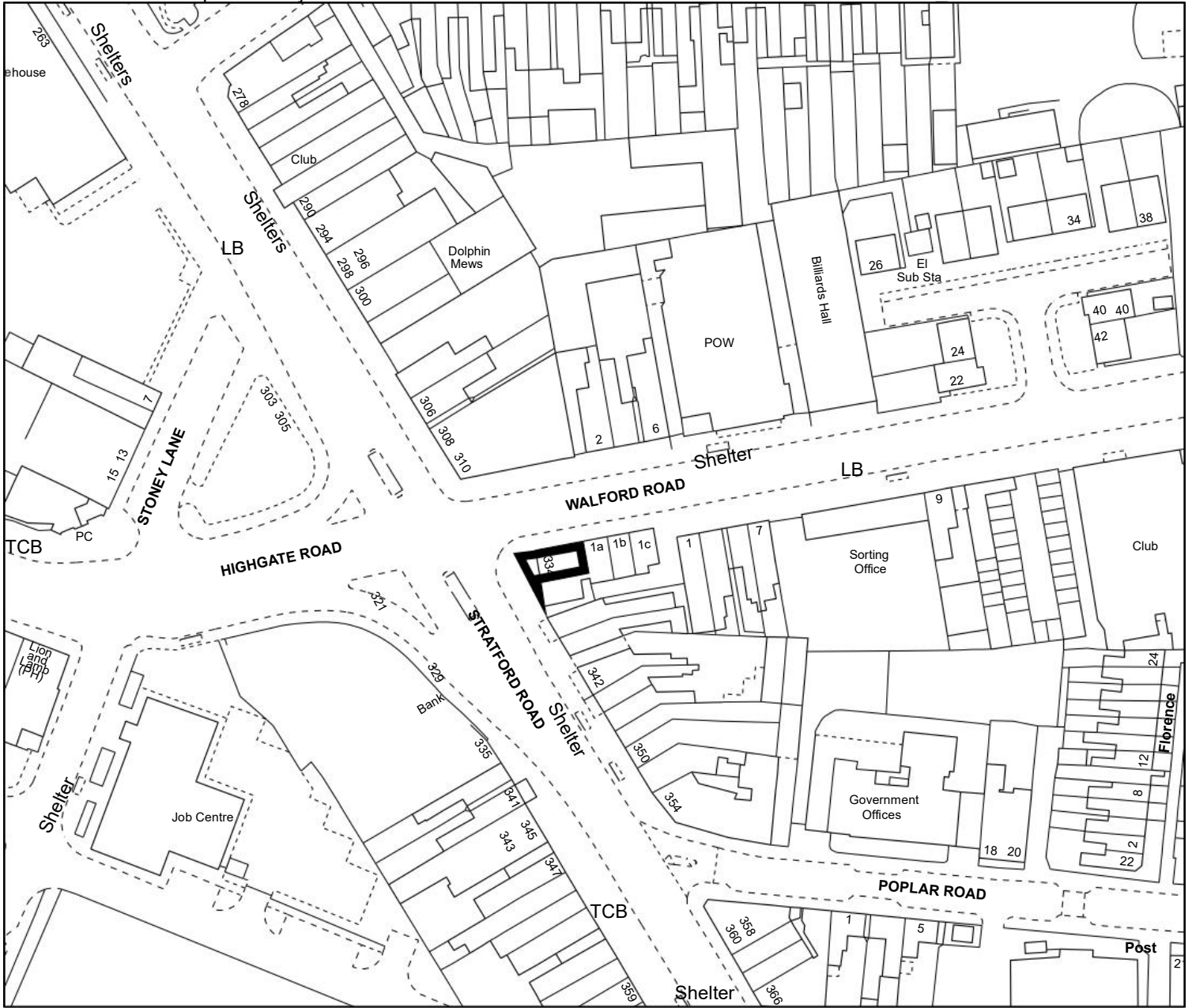


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 <p><b>Birmingham</b> City Council</p>	Kathryn James MRICS Assistant Director of Investment and Valuation Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
<p><b>55 Stevens Avenue</b> <b>B32 3SD</b></p>	<p>Scale (Main Map) 1:1,250</p>	<p>Drawn John Pedersen</p>	<p>Date 13/02/2024</p>



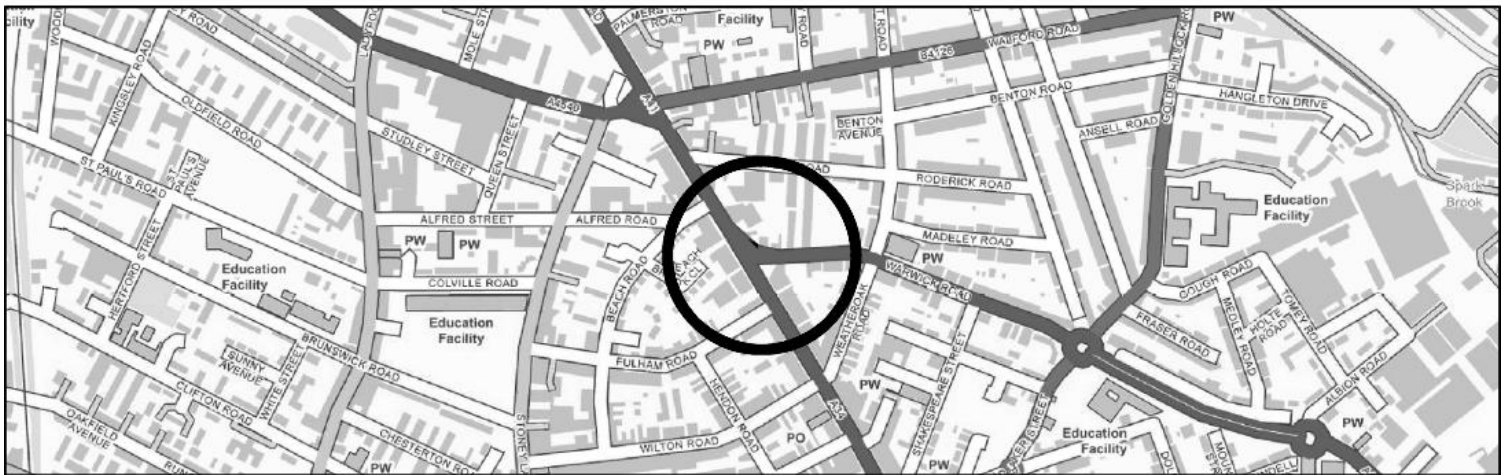






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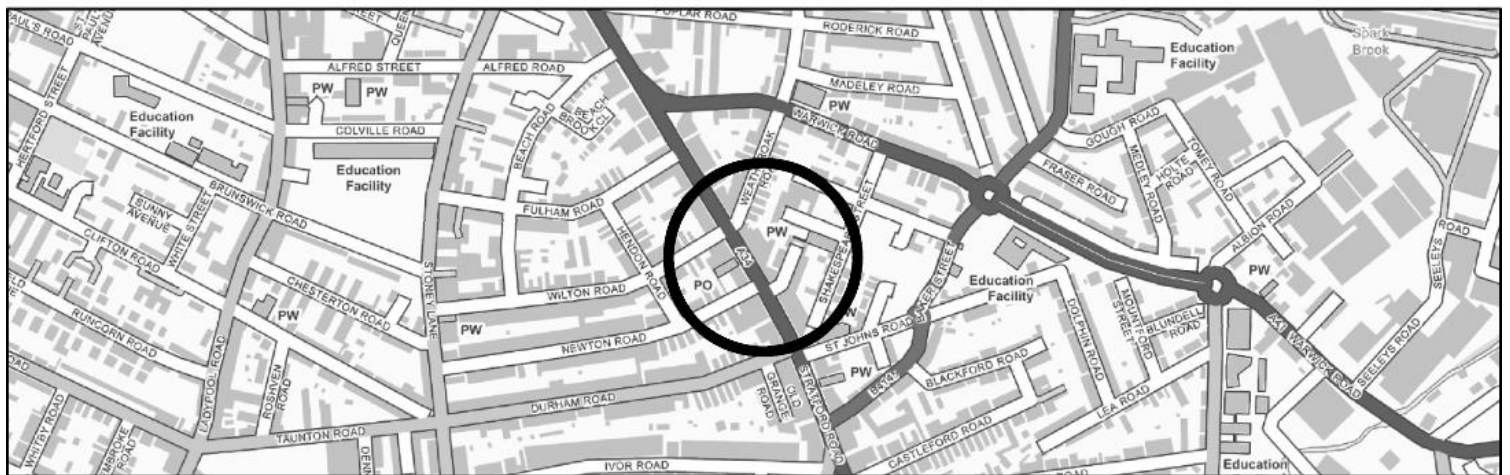
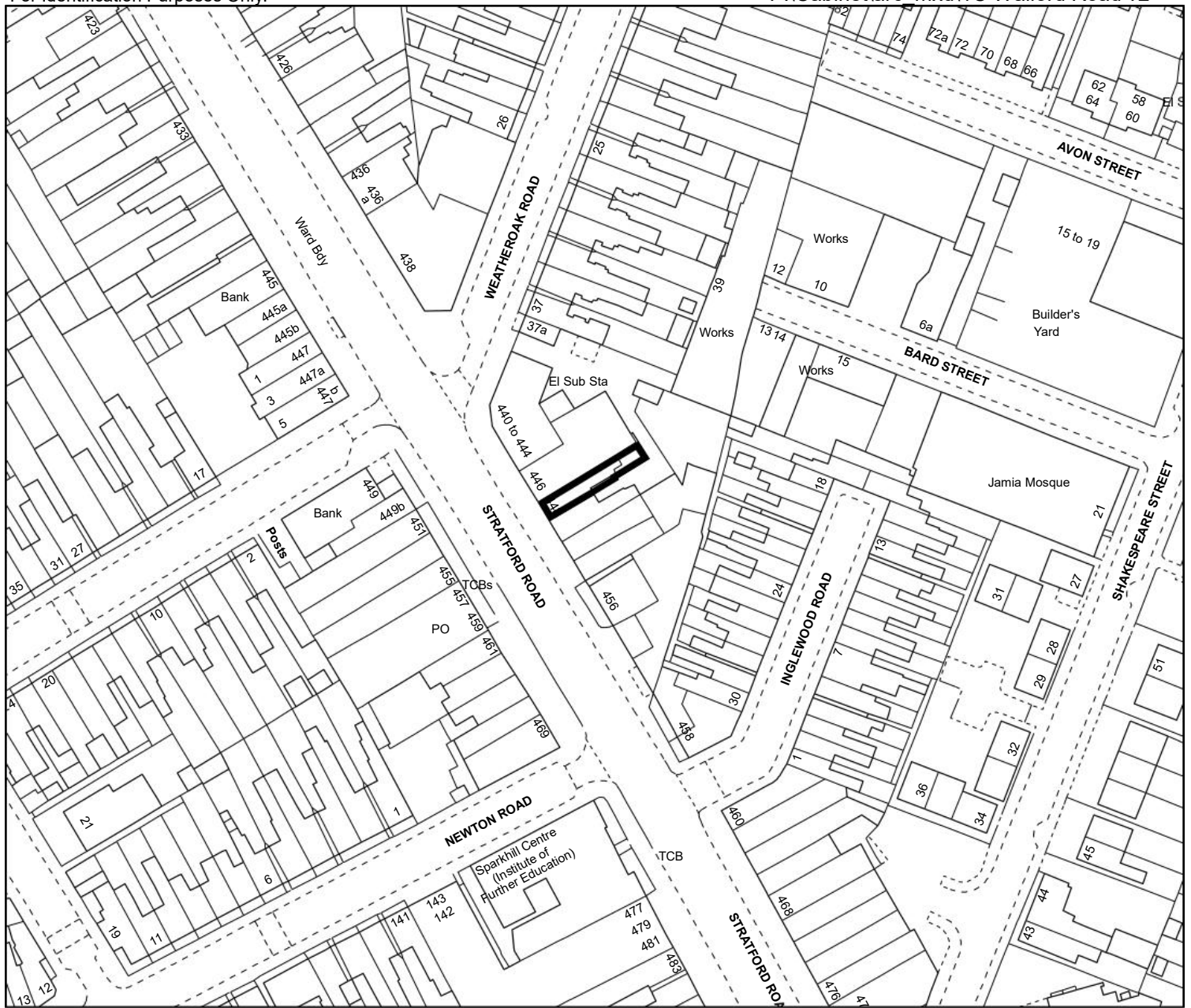
	<h1>Birmingham City Council</h1>	Kathryn James Assistant Director of Investment and Valuation Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
<p><b>334 Stratford Road Sparkhill</b></p>	 <p>Page 44 of 102 O.S.Ref SP0884NE</p>	<p>Scale (Main Map)</p>	<p>Drawn</p>	<p>Date</p>
		<p>1:1,250</p>	<p>Bharat Patel</p>	<p>13/02/2024</p>
		<p>O.S.Ref SP0884NE</p>		







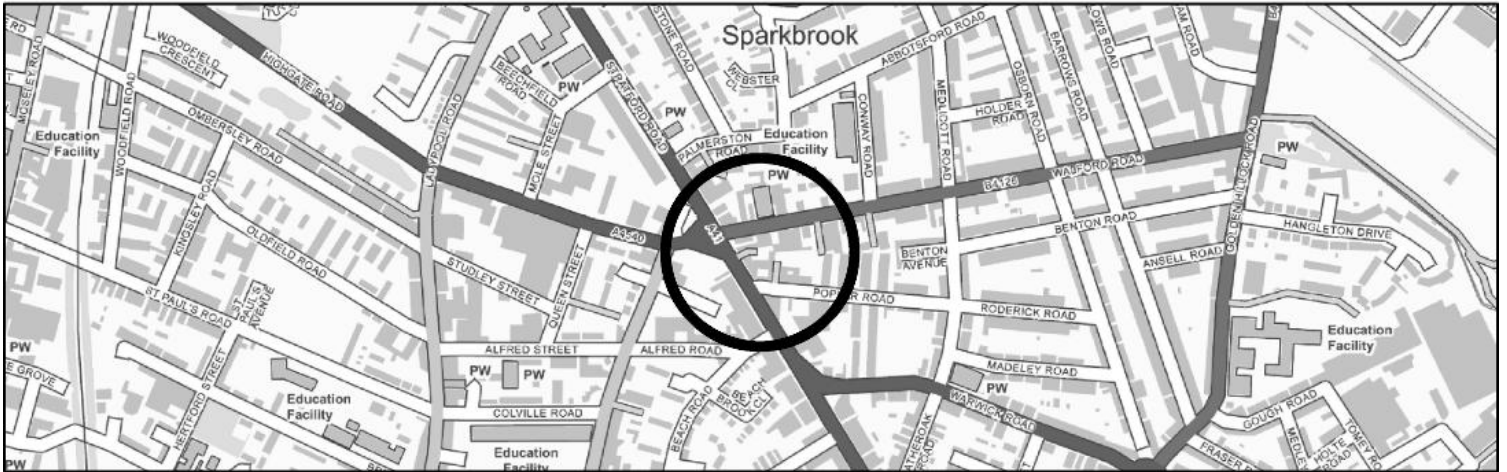
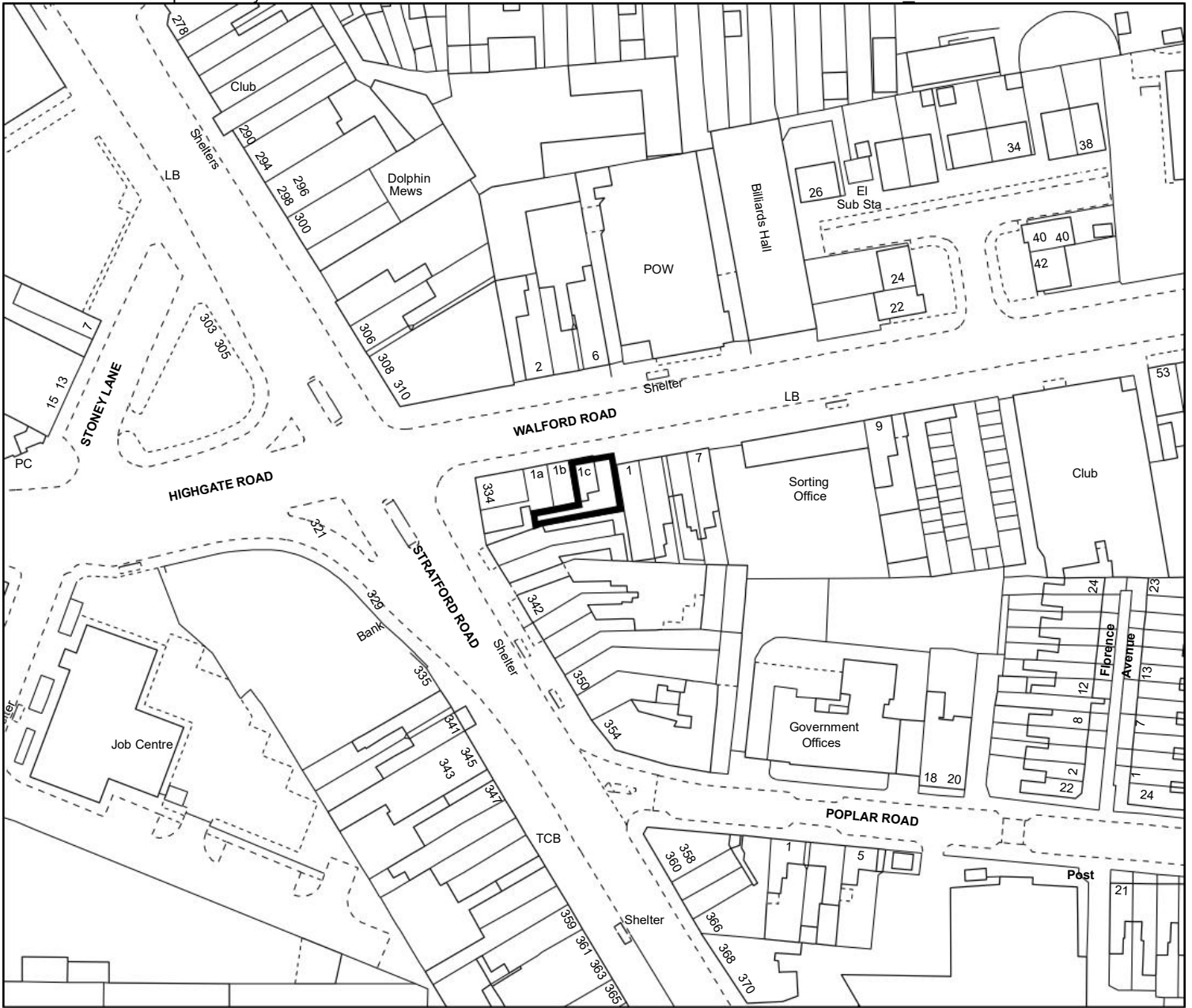
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 <p><b>Birmingham</b> City Council</p>	<p>Kathryn James          Assistant Director of Investment and Valuation          Place, Prosperity &amp; Sustainability Directorate          10 Woodcock Street          Birmingham, B7 4BG</p>			
<p><b>400-404 Stratford Road</b>  <b>B11 4AB</b></p>	 <p>Page 45 of 102</p>	<p>Scale (Main Map)</p>	<p>Drawn</p>	<p>Date</p>
		<p>1:1,250</p>	<p>JP</p>	<p>07/02/2024</p>



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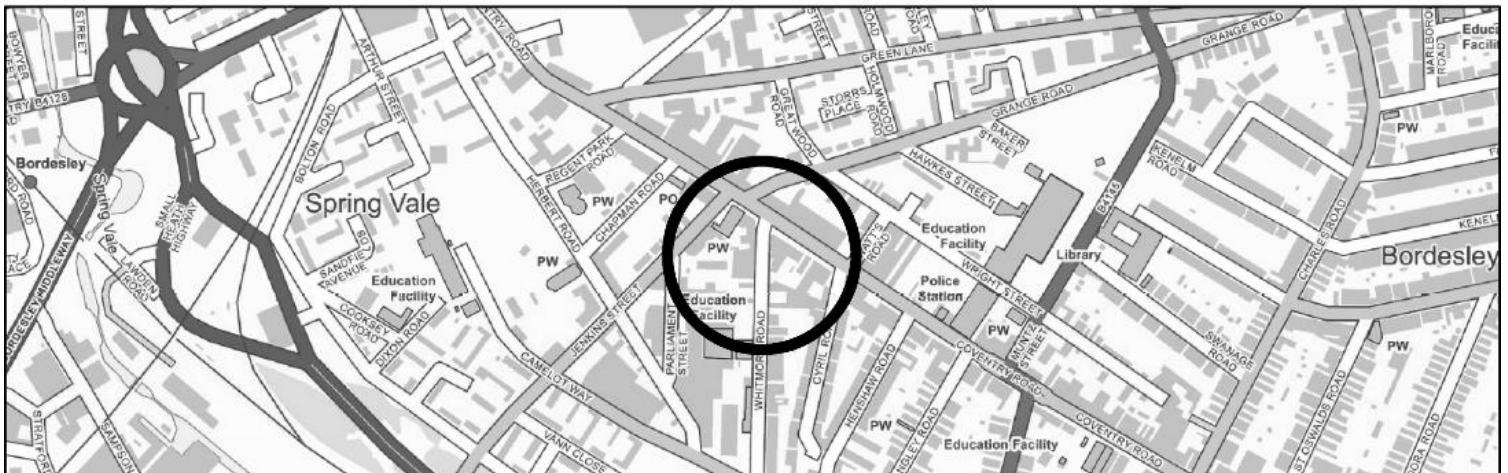
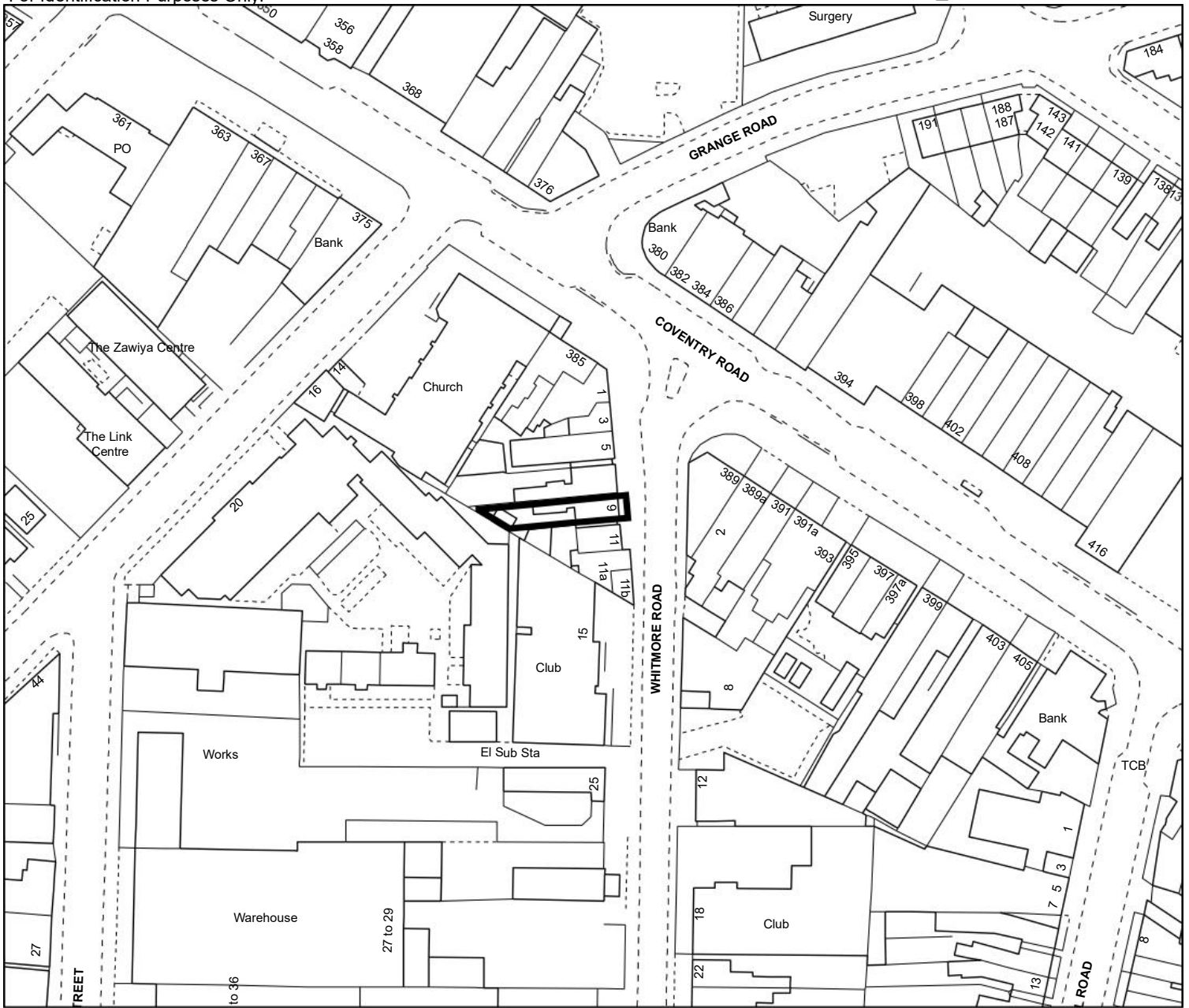
 <b>Birmingham</b> City Council	Kathryn James Assistant Director of Investment and Valuation Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
	448 Stratford Road B11 4AE	 Scale (Main Map) 1:1,250 Page 46 of 102	Drawn AK





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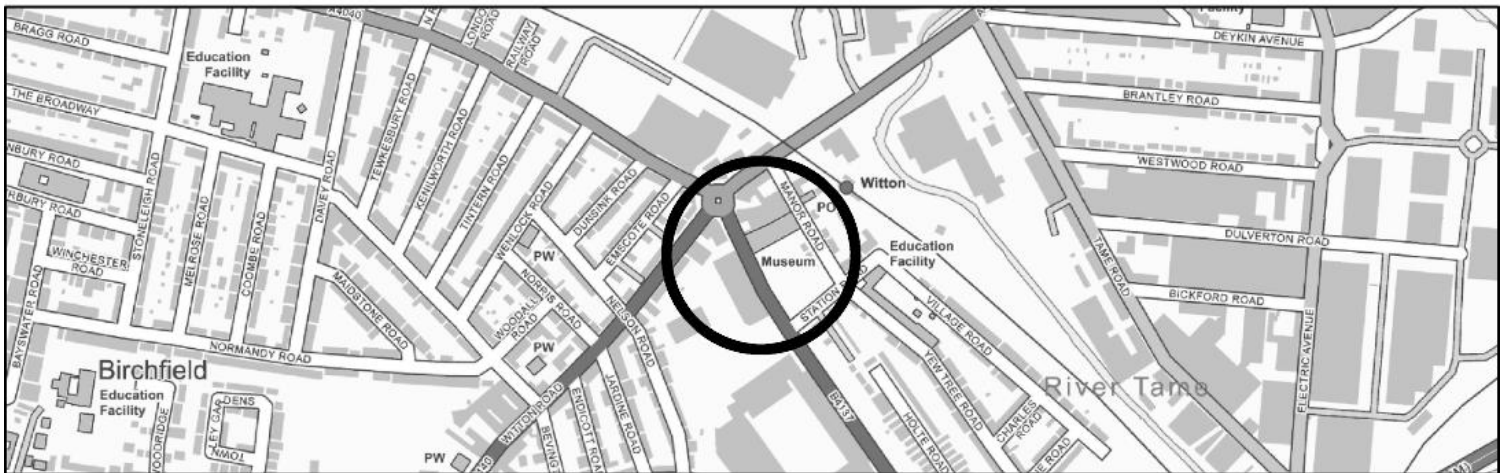
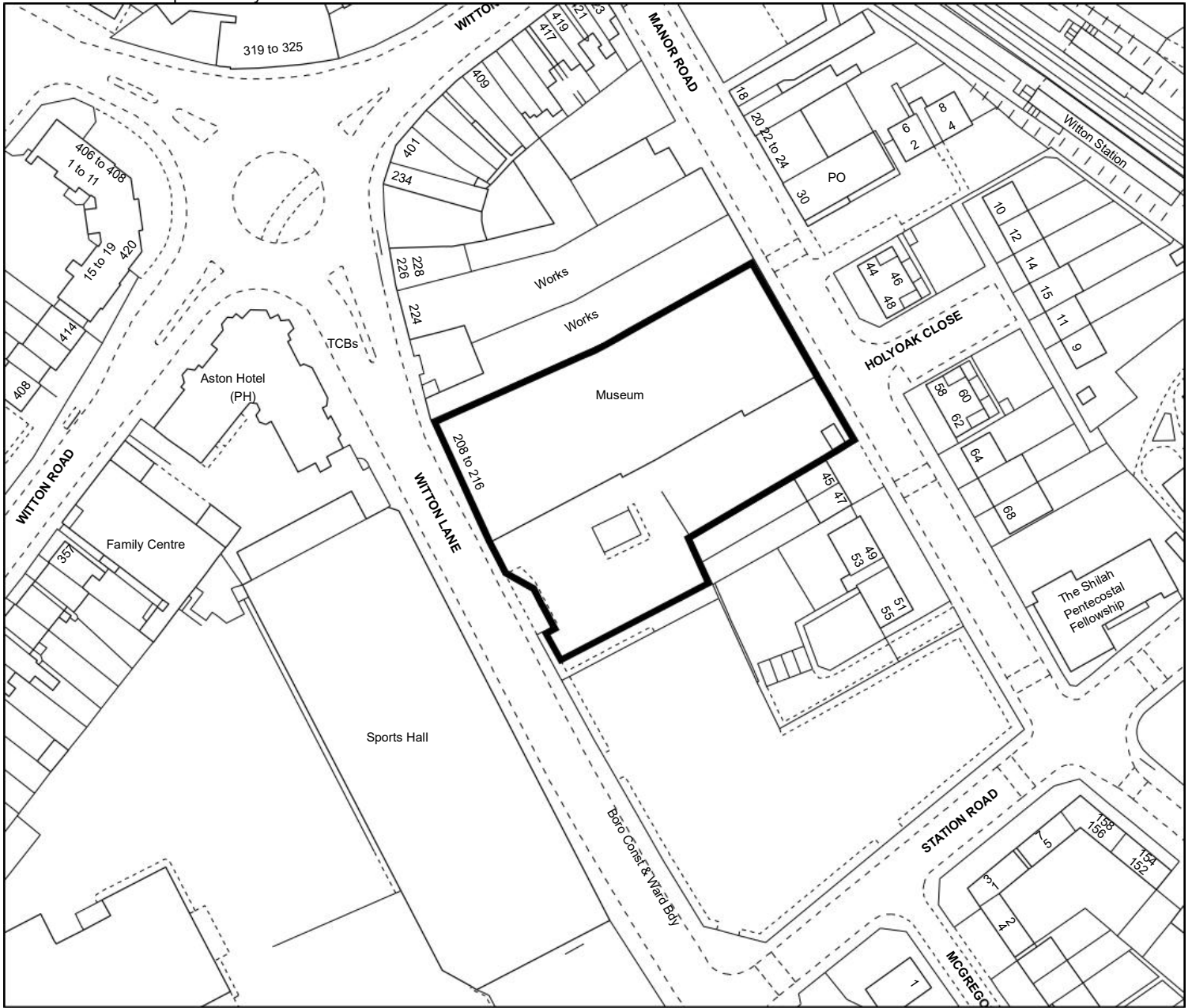
	<h1>Birmingham</h1> <h2>City Council</h2>	Kathryn James Assistant Director of Investment and Valuation Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
<b>1C Walford Road</b> <b>B11 1NP</b>		Scale (Main Map)	Drawn	Date
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	9 Whitmore Road B10 0NR	 Scale (Main Map) 1:1,250	Drawn John Pedersen



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	208-216 Witton Lane B6 6QE	 Scale (Main Map) 1:1,250	Drawn AK



# EQUALITY IMPACT ASSESSMENT

Click or tap here to enter text. Proposed Sale of Surplus  
Freehold Property Assets by Public Auction

Reference: EIA000376

Date: 27th February 2024

Submitted by: robert.king@birmingham.gov.uk



### EIA Form – About your EIA

Reference number	EIA000364
Date Submitted	09/02/2024
Subject of the EIA	Proposed Sale of Surplus Freehold Property Assets by Public Auction
Brief description of the policy, service or function covered by the EIA	This activity is related to the sale of the Council's Freehold Property interests of a number of assets in a number of wards across the city by public auction. Any implications relating to the protected characteristics for prospective buyers and citizens will be addressed accordingly. Having undertaken an assessment against each of the protected characteristics it is determined there are no negative impacts requiring further analysis at this stage.
Equality Assessment is in support of...	["Amended policy", "New strategy", "Amended/refreshed strategy "]
How frequently will you review impact and mitigation measures identified in this EIA?	Annually
Due date of the first review	2025/02/27

### Directorate, Division & Service Area

Which directorate(s) are responsible for this EIA?	["Places, Prosperity and Sustainability"]
Division	Investment and valuation
Service area	Valuation and sales
Budget Saving	Yes

### Officers

What is the responsible officer's email address?	robert.king@birmingham.gov.uk
What is the accountable officer's email address?	kathryn.james@birmingham.gov.uk

### Data Sources

Data sources	["Relevant reports/strategies"]
Data source details	Information internal to the Council has been utilised to prepare this report

### Protected Characteristics

#### Protected Characteristic – Age





Does this proposal impact people due to their age as per the Equality Act 2010?	Yes
What age groups are impacted by your proposal?	["20-29 years", "30-39 years", "40-49 years", "50-59 years", "60-69 years", "70-79 years", "80-89 years", "90 years or over"]
Please describe the impact to the age characteristic	No impact as these assets are being sold to groups / individuals who are of an adult age.
How will you mitigate against any negative impact to the age characteristic?	N/A

### Protected Characteristic – Disability

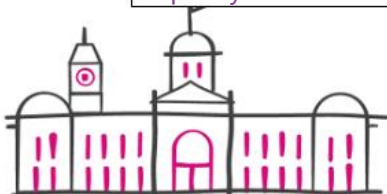
Does this proposal impact those people with a disability as per the Equality Act 2010?	Yes
Please describe the impact to the disability characteristic	The sale of these assets will be via public auction and there are no criteria or implications which impact any individual with a disability seeking to acquire this asset.
How will you mitigate against any negative impact to the disability characteristic?	N/A

### Protected Characteristic – Sex

Does this proposal impact citizens based on their sex as per the Equality Act 2010?	Yes
What sexes will be impacted by this proposal?	["N/A"]
Please describe the impact to the sex characteristic	No – The sale of these assets by public auction is not on the basis of gender. Therefore there are no implications for the purchasers on the grounds of gender seeking to acquire this asset.
How will you mitigate against any negative impact to the sex characteristic?	N/A

### Protected Characteristic - Gender Reassignment

Does this proposal impact people who are proposing to undergo, undergoing or have undergone a process to reassign one's sex as per the Equality Act 2010?	Yes
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Please describe the impact to the gender reassignment characteristic	The sale of these assets by public auction is not on the basis of gender reassignment. Therefore there are no implications for the purchaser on the grounds of gender reassignment seeking to acquire this asset.
How will you mitigate against any negative impact to the gender reassignment characteristic?	N/A

### Protected Characteristic - Marriage and Civil Partnership

Does this proposal impact people who are married or in a civil partnership as per the Equality Act 2010?	Yes
What legal marital or registered civil partnership status will be impacted by this proposal?	["Surviving partner from civil partnership", "Widowed", "Divorced", "Formerly in a civil partnership now legally dissolved", "Separated, but still in a registered civil partnership", "Separated, but still married", "In a registered civil partnership: Opposite sex", "In a registered civil partnership: Same sex", "Married: Opposite sex", "Married: Same sex", "Never married and never registered a civil partnership", "Single"]
Please describe the impact to the marriage and civil partnership characteristic	The sale of these assets is by public auction and there are no criteria or implications which impact any individual on the basis of their marital status.
How will you mitigate against any negative impact to the marriage and civil partnership characteristic?	N/A

### Protected Characteristic - Pregnancy and Maternity

Does this proposal impact people covered by the Equality Act 2010 under the protected characteristic of pregnancy and maternity?	Yes
Please describe the impact to the pregnancy and maternity characteristic	As these assets are being sold by public auction the status of the person being pregnant or maternity is not a criteria or factor in undertaking the sale.
How will you mitigate against any negative impact to the pregnancy and maternity characteristic?	N/A

### Protected Characteristic - Ethnicity and Race



Does this proposal impact people due to their race as per the Equality Act 2010?	Yes
What ethnic groups would be impacted by this proposal?	["N/A"]
Please describe the impact to the ethnicity and race characteristic	The sale of these assets is not on the basis of ethnicity or race. Therefore there are no implications for the purchaser on the grounds of ethnicity or race seeking to acquire these assets.
How will you mitigate against any negative impact to the ethnicity and race characteristic?	N/A

### Protected Characteristic - Religion or Beliefs

Does this proposal impact people's religion or beliefs as per the Equality Act 2010?	Yes
What religions could be impacted by this proposal?	["N/A"]
Please describe the impact to the religion or beliefs characteristic	The sale of these assets is by public auction and there are no criteria or implications which impact any individual's religion or beliefs.
How will you mitigate against any negative impact to the religion or beliefs characteristic?	N/A

### Protected Characteristic - Sexual Orientation

Does this proposal impact people's sexual orientation as per the Equality Act 2010?	Yes
What sexual orientations may be impacted by this proposal?	["All other sexual orientations"]
Please describe the impact to the sexual orientation characteristic	As these assets are being sold by public auction irrespective of their sexual orientation, this is not a criterion which will influence the outcome of the sale.
How will you mitigate against any negative impact to the sexual orientation characteristic?	N/A

### Monitoring



How will you ensure any adverse impact and mitigation measures are monitored?	As part of the disposal's strategy officers will be required to ensure full due diligence is undertaken to ensure the sale of assets by public auction is compliant with the Equality Act.
Please enter the email address for the officer responsible for monitoring impact and mitigation	robert.king@birmingham.gov.uk



**Birmingham City Council**  
**Report to Cabinet Committee Property**  
28 March 2024



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**Subject:** **Disposal of 8 sites to registered providers all appendices exempt except for appendix 1 (plan) and appendix 5 (EIA)**

**Commissioner's Review:**

Commissioners support the recommendations.





# Birmingham City Council

## Report to Cabinet Committee – Property



28 March 2024

**Subject:** Disposal of 8 Sites for Affordable Housing

**Report of:** Strategic Director: Place, Prosperity & Sustainability Directorate

**Relevant Cabinet Member:** Cllr Jayne Francis, Housing and Homelessness

**Relevant O &S Chair(s):** Cllr Mohammed Idrees, Homes  
Andrew Howells

**Report author:** Senior Land & Partnership Officer  
Email: [Andrew.howells@birmingham.gov.uk](mailto:Andrew.howells@birmingham.gov.uk)

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): Bartley Green, Brandwood & Kings Heath, Bromford and Hodge Hill, Erdington, Soho and Jewellery Quarter, Moseley, Yardley East, Tyseley and Hay Mills		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 012445/2024		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential: Schedule 12A of the Local Government Act 1972 (as amended): Paragraph 3. Information relating to the financial or business affairs of any particular person (including the Council). Commercially confidential information included in Appendices 2, 3 and 4.		

## **1.0 Executive Summary**

- 1.1 This report sets out the detail of the transaction for the sale of eight Council-owned sites for delivery of affordable housing. The approach reflects the parameters and constraints of the HRA Business Plan (2024) and Asset Management Strategy 2024 - 2029, whilst also taking into account the high demand for good quality affordable housing in the City.
- 1.2 This report follows the report to Cabinet in May 2023 which sought to approve the disposal of eight sites for affordable housing and establish the principle for the sale of the Council's freehold interest in identified surplus land to Registered Housing Providers and / or Developer Partners.
- 1.3 This report builds on that approval and identifies the preferred bidder as part of a tender exercise. The sites for housing development were identified in the May 2023 report and are shown on the plans at Appendix 1, comprising land that can accommodate approximately 230 homes.
- 1.4 The recommendations contained in this report are fully in line with the Council's Housing Strategy 2023-2028 presented to Cabinet on 13<sup>th</sup> December 2022, that provides the strategic platform and direction for the Council to increase the number of affordable homes delivered through partnership routes such as disposal to Registered Providers. This package of sites for disposal will provide much needed quality, energy efficient accommodation for the citizens of Birmingham.

## **2.0 Recommendations**

- 2.1 To agree to the freehold disposal of the sites listed in Appendix 1 to a developer as detailed in Exempt Appendix 2.
- 2.2 Approve the principle that the General Fund sites will be sold unconditionally after a period of due diligence from the developer, and the Housing Revenue Account sites will be sold conditional on planning.
- 2.3 Note the land assets have been identified for sale from both the Council's General Fund and Housing Revenue Account (HRA) to provide affordable housing across the city, with the Council retaining Nomination Rights for those on its housing register. General Fund receipts will be paid into the General Fund (minus disposal costs) and HRA receipts will be paid into the HRA.
- 2.4 Delegate authority to the Strategic Director for Place, Prosperity, and Sustainability (or their delegate), the Interim Director of Finance (s151 Officer), (or their delegate), and the Interim City Solicitor & Monitoring Officer (or their delegate) to approve any non-material variance to the terms in this approval and to agree the final terms of the Sale Agreement.

- 2.5 Note that the purchaser will engage with the local community and Ward members via the planning approval process.
- 2.6 Authorise the Interim City Solicitor and Monitoring Officer to prepare, execute, and complete all relevant legal documentation to give effect to the above.

### **3.0 Background**

- 3.1 The demand for affordable housing across the city and surrounding areas is extremely high, with over 20,000 households on the housing register and over 6,000 in temporary accommodation. With a higher than national average waiting list and increased numbers of families in temporary accommodation, it is a key priority and objective of the City Council over the coming years to accelerate affordable housing delivery.
- 3.2 The Housing Strategy 2023-2028 approved by Cabinet on 13<sup>th</sup> December 2022, provides the strategic platform, and clear direction for the Council to increase the number of affordable homes. Affordable housing is delivered through a variety of routes including planning gain, direct delivery by the City Council and through Registered providers. Whilst the Council has an established programme of direct delivery by the HRA, the delivery through this route alone cannot meet the city's need. This report is set in this context as well as the financial position of the City Council/resource available in the HRA.
- 3.3 The recommendations above will enable the Council to accelerate the delivery of affordable homes on the identified sites and assist the city in meeting its housing target (as detailed in the Birmingham Development Plan (BDP) Policy PG1) of 19,400 affordable dwellings over the BDP period (2011 to 2031). Therefore, it is a strategic aim to speed up delivery of affordable homes. As finances are constrained, as detailed in the HRA Business Plan, this route allows for delivery without immediate impact on the HRA finances.
- 3.4 It has been agreed by the purchaser that the Council will benefit from being able to nominate new tenants into all new homes developed on these sites (called nomination rights) for a minimum of ten years.
- 3.5 As sites are being disposed of without planning consent and therefore without final known development proposals, an Environment and Sustainability Impact Assessment cannot be completed at this stage. Any development outputs arising from the recommendations of this report will be monitored as part of the Affordable Housing Delivery Programme and via the planning process.
- 3.6 The package of 8 sites were tendered as part of a two-stage process from November 2023 to January 2024 and concluded with the selection of the bidder

considered to be most compliant with objectives of the disposal. The under bidder has been notified and will be notified if necessary.

3.7 The sites to be disposed:

Site name	Ward	Approx site capacity	HRA or General Fund
Bromford Lane	Pype Hayes	12	HRA
Cadine Gardens	Moseley	7	HRA
Clissold Street	Soho & Jewellery Quarter	8	General Fund
Illeybrook Square	Bartley Green	52	HRA
Key Hill, Hockley	Soho & Jewellery Quarter	45	General Fund
Olton Boulevard West	Tyseley & Hay Mills	21	HRA
Partons Road	Brandwood & Kings Heath	23	HRA
Station Road, Stechford	Yardley East	70	General Fund

4.0 Options considered and Recommended Proposal

4.1 **Option 1 – Do Nothing.** The Council is not meeting the current demand for affordable housing through its existing delivery and needs to bring in additional providers to help meet the demand (90% of all new housing units would need to be affordable to meet current demand). The Council has a General Fund disposal target of £0.5 billion and the sale of General Fund sites is necessary and will contribute to meeting this target. Constraints on the HRA finances have resulted in the need to identify other routes to deliver new affordable homes. Doing nothing would not address this issue as the demand is not being met and the Council's finances are not sufficient to develop the homes itself. If nothing is done this vacant land will remain in its current state and the opportunity to bring investment into the City and potential affordable housing delivery will be lost, whilst still incurring holding costs and liabilities. The temporary accommodation bill is placing a significant pressure on the General Fund and not providing additional affordable housing is exacerbating the issue. The financial impact of not doing anything therefore is not being able to reduce the temporary accommodation liabilities which are a direct cost of not having enough affordable housing.

4.2 **Option 2 - Development sites through a sale to a Registered Provider to accelerate affordable housing delivery.** The Housing Strategy 2023 – 28 highlights the need to accelerate affordable housing delivery. The route of disposing of some of the Council's surplus land to Registered Providers/ Developer Partners/ other public sector bodies is just one of the key ways the Council can accelerate the delivery of affordable housing.

This route will enable stakeholders to secure additional inward private investment and Homes England grant funding into the city. It also speeds up development because the developer partner will be responsible for design and planning of schemes; this puts less pressure on our planning resources by reducing planning



amendments after a contractor is engaged. It will also facilitate the ability to offer different tenure types such as Shared Ownership and Rent to Buy. Registered Providers (RPs) and their contractor partners have large development portfolios and a variety of different specialisms from sheltered housing to supported accommodation; their stock makes up just over 40,000 units in the city. The Council is already committed to be 'Open for Business' and has welcomed several partners and investors into the city. There are also private RPs/ pension fund investment models that can be explored within this option, again bringing investment into the city.

This option includes both land sales and land disposal via the ability to draw partners to deliver new affordable housing at BCC's specification/timescales.

**4.3 Option 3 – Accelerate Direct Development of sites.** BCC is directly delivering some sites. However, due to the current financial constraints and pressures on the HRA budget, this is not a viable option to continue with direct delivery in its existing form.

**4.4 Option 4 – Sale of sites for a policy compliant mix of tenures.** The sites can be sold on the open market for a planning policy compliant mix where 35% of the homes are affordable on sites of 15 dwellings or more. The Council is seeking to dispose of surplus sites and these sites could contribute to that. However, many of these sites are below the threshold of 15 units, and being brownfield may not achieve 35% affordable housing due to site constraints and viability challenges without housing grant. The Cabinet approval in May 2023 was for the disposal of these sites for 100% affordable housing. Therefore, for this reason, this option has been discounted.

**4.5 Recommended Option:** The recommended option is Option 2 which will see the acceleration housing delivery whilst reducing build cost and risk to the Council and generating a land receipt to the Council. The General Fund sites will be sold unconditionally to minimise financial risk to the Council.

## **5.0 Consultation**

5.1 Engagement with Ward Members took place prior to the May 2023 Cabinet paper and included some site visits with Ward Members in the lead up to Cabinet approval. As part of the development process there will be a requirement on the developer to undertake appropriate local engagement at key stages, which will include Ward Councillors.

## **6.0 Risk Management**

6.1 The approach recommended in this report seeks to mitigate a number of risks, including financial, that the Council is experiencing.

## 6.2 Risk and Issues Register:

Risk No.	Risk description	Risk mitigation	Residual/current risk			Additional steps to be taken
			Likelihood	Impact	Priority	
1	Land receipt is reduced due to abnormal site conditions – developer seeks to re-negotiate contract.	Developer to undertake due diligence prior to contract exchange	Low	Medium	Medium	Not required.
2	Scheme costs rise and developer doesn't have the funds to continue with the development.	Developer has provided proof of funds for delivery.  Developer has Homes England grant funding and are a Strategic Partner.	Low	Low	Low	Not required.
3	Sites do not gain planning consent.	This risk that all eight sites do not gain planning consent is very low, as they had been earmarked by BCC for direct housing delivery and have all been subject to a planning pre-application process. There is a risk that one or two of the sites either have a reduction in planned unit numbers or are unable to get planning consent.	Low	Low	Low	Developer has agreed to buy three of the sites unconditionally and therefore assumes the planning risk. Those sites which are sold conditionally on planning will not transfer to the purchaser if planning is not gained, and can be auctioned at a later date.
4	Capacity within the Council to manage process.	Review capacity and skills within existing team and consider how efficiency can be made in process with colleagues in property.	Low	Medium	Low	Monitor situation

		Include a % allowance to fund resourcing on each transaction.				
5	Outcome of poor-quality schemes which don't meet the needs of City.	Developer has previously delivered schemes of good quality and provided examples of completed schemes.	Low	Medium	Low	Work with providers who build high quality stock and consider this as part of selection process.

**7.0 Compliance Issues**

**7.1 How are the recommended decisions consistent with the City Council’s priorities, plans and strategies?**

7.1.1 The site disposals are fully aligned to the Housing Strategy 2023- 28 which aims to increase the supply of affordable housing up to a Local Plan policy requirement of over 1,000 new homes per annum. These sites for development help meet that requirement.

7.1.2 These Schemes are in accordance with the objectives of the housing revenue account (HRA) Business Plan 2023+. These Schemes will make a direct contribution and are consistent with The Council’s Corporate Plan 2022 to 2026 main priorities (as updated in December 2022) priorities and outcomes as outlined below:

- A Bold Prosperous Birmingham: Making sites available for development to Registered Providers and their Partners will allow the Council to capitalise on inward investment, increase the supply of affordable housing and enable successful development to help regenerate communities.
- A Bold Healthy Birmingham: the provision of new affordable housing types will improve the health of citizens by ensuring safe, sustainable, and suitable homes are delivered.
- A Bold Green Birmingham: the provision of new homes will go some way to meet the City’s commitment to route to zero.
- A Bold Inclusive Birmingham: the new affordable homes will be allocated under the council’s policy and help families affected by the cost-of-living crisis as the homes will be built to new higher quality and EPC standards saving money on energy bills.

**7.2 Legal Implications**

- 7.2.1 Sections 120 - 123 of the Local Government Act 1972 authorise the Council to hold, appropriate and dispose of land. The disposal power in Section 123 of the Local Government Act 1972 is subject to the best consideration test. The Assistant Director of Investment and Valuation will monitor the sales process to ensure it complies with legislation and, in the event an under value transaction is recommended under 2.6 above, will seek to comply with Circular 06/03: Local Government Act 1972 general disposal consent (England) 2003 disposal of land for less than the best consideration that can reasonably be obtained, or seek specific consent from the Secretary of State to proceed, if required. Any disposal at an undervalue may amount to a subsidy which is regulated under the Subsidy Control Act 2022 and will need to be made in accordance with the provisions of that Act.
- 7.2.2 Section 1 of the Localism Act 2011 contains the Council's general power of competence, which is circumscribed only to the extent of any applicable pre-commencement restrictions, and any specific post-commencement statutory restriction of the power, and Section 111 of the Local Government Act 1972 contains the Council's ancillary powers in relation to the discharge of its functions including the expenditure or borrowing of money and the disposal and acquisition of property.
- 7.2.3 Sections 32 to 34 of the Housing Act 1985 contain the Council's powers to dispose with the consent of the Secretary of State of land held for the purposes of the provision of housing accommodation under part 2 of that Act. The General Housing Consents 2013 (issued March 2013 and corrected July 2013) set out the circumstances where such disposals can take place without the need for specific consent.
- 7.2.4. Sections 24 to 26 of the Local Government Act 1988 govern the matter of provision of assistance by local authorities to any persons in connection with property intended to be privately let as housing accommodation and the circumstances in which the consent of the Secretary of State may be required for such assistance. The General Consents under Section 25 of the Local Government Act 1925 (Local Authority Assistance for Privately let Housing) 2010 set out the circumstances where such assistance may be given without the need for specific consent.

### **7.3 Financial Implications**

- 7.3.1 The recommendations in this paper allow the authority to generate land receipts to reduce general fund and HRA borrowing, while increasing the potential for supply of affordable housing across the City.
- 7.3.2 Disposal of General Fund sites will progress the Council towards its strategy of capital receipts generation, while encouraging development from external sources, which will benefit residents through greater supply of affordable housing in the

future. It should be noted that there is currently a General Fund asset disposal target to raise £500m of capital receipts by the end of 2024. It is acknowledged that any General Fund sites referenced in this paper which are sold will have a direct contribution to this objective.

- 7.3.3 Receipts generated from sale of HRA assets are ringfenced to the HRA and will fall in line with the HRA Business Plan priority of investing in existing Housing stock to meet Decency Standards. Partnership working will ensure the ongoing development of certain sites is in recognition of that Business Plan's secondary priority of replacement of stock lost through Right to Buy.
- 7.3.4 The General Fund sites will also be sold on an unconditional basis in order to support delivery of capital receipts within the timescale required.
- 7.3.5 The bidder has considered whether the General Fund sites can be developed for a mixed tenure housing and if so whether the value would be greater. They have confirmed that the highest land value is for 100% affordable housing, due to the ability to draw in grant funding.
- 7.3.6 It is Government policy that local authorities should dispose of surplus land wherever possible. Generally, it is expected that land will be sold for the best consideration reasonably obtainable. However, there is recognition that there may be circumstances where an authority considers it appropriate to dispose of land at less than the best consideration that may be available under the circumstances. The consequential costs to the Council of non-delivery of sufficient affordable homes needs to be considered and therefore there needs to be a balance between generating capital receipts and ensuring sufficient delivery of affordable homes. The temporary accommodation budget is significant and the need to reduce the expenditure on the General Fund, along with any other factors that impact the Council's financial consequences needs to be factored in when considering the s123 Best Consideration confirmation. These factors will be considered in the Options Appraisal presented to Cabinet Committee Property for each site.
- 7.3.7 VAT advice will be sought for each disposal to ensure the most tax efficient method is being used for each disposal transaction.
- 7.3.8 The purchaser will pay a contribution towards the Council's professional costs.
- 7.3.9 **Spend Control**
- Spend Control Approval was given in September 2023 for the use of external solicitors to expedite the transaction.

## 7.4 Procurement Implications

7.4.1 There are no procurement implications with the recommendations of this report as this is a sale of land exempt from the Public Contracts Regulations 2015. The sites are being disposed of as a land sale and no standards or specifications beyond planning and housing adopted policy are being sought. Therefore, the sale is being undertaken via a Sale Agreement.

## **7.5 Human Resources Implications (if required)**

7.5.1 None have been identified; internal staff resource is being used to deliver this workstream.

## **7.6 Public Sector Equality Duty**

7.6.1 An Equality Impact Assessment (EIA) has been undertaken (reference EIA000108, dated 11<sup>th</sup> January 2024) and identifies no adverse impacts on any groups protected under the Equality Act 2010. The Equalities Impact Assessment is included in Appendix 5.

## **8.0 Appendices**

Appendix 1 – Site Plans

Exempt Appendix 2 – Recommendation for Sale - Terms of Transaction

Exempt Appendix 3 – Best Consideration Report

Exempt Appendix 4 – Valuation Report

Appendix 5 – Equalities Impact Assessment

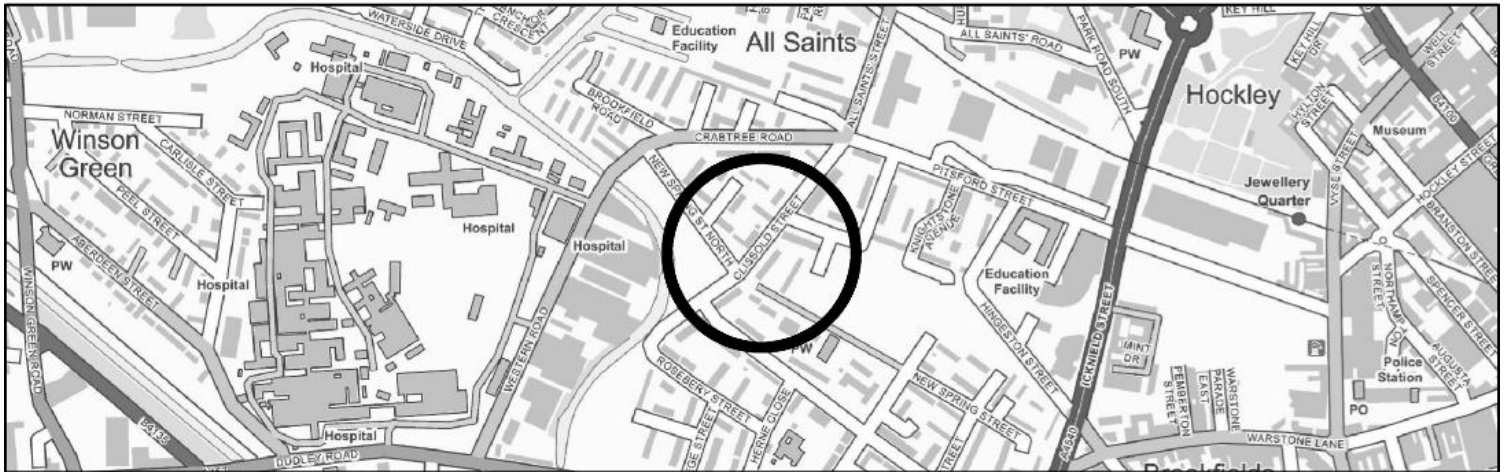
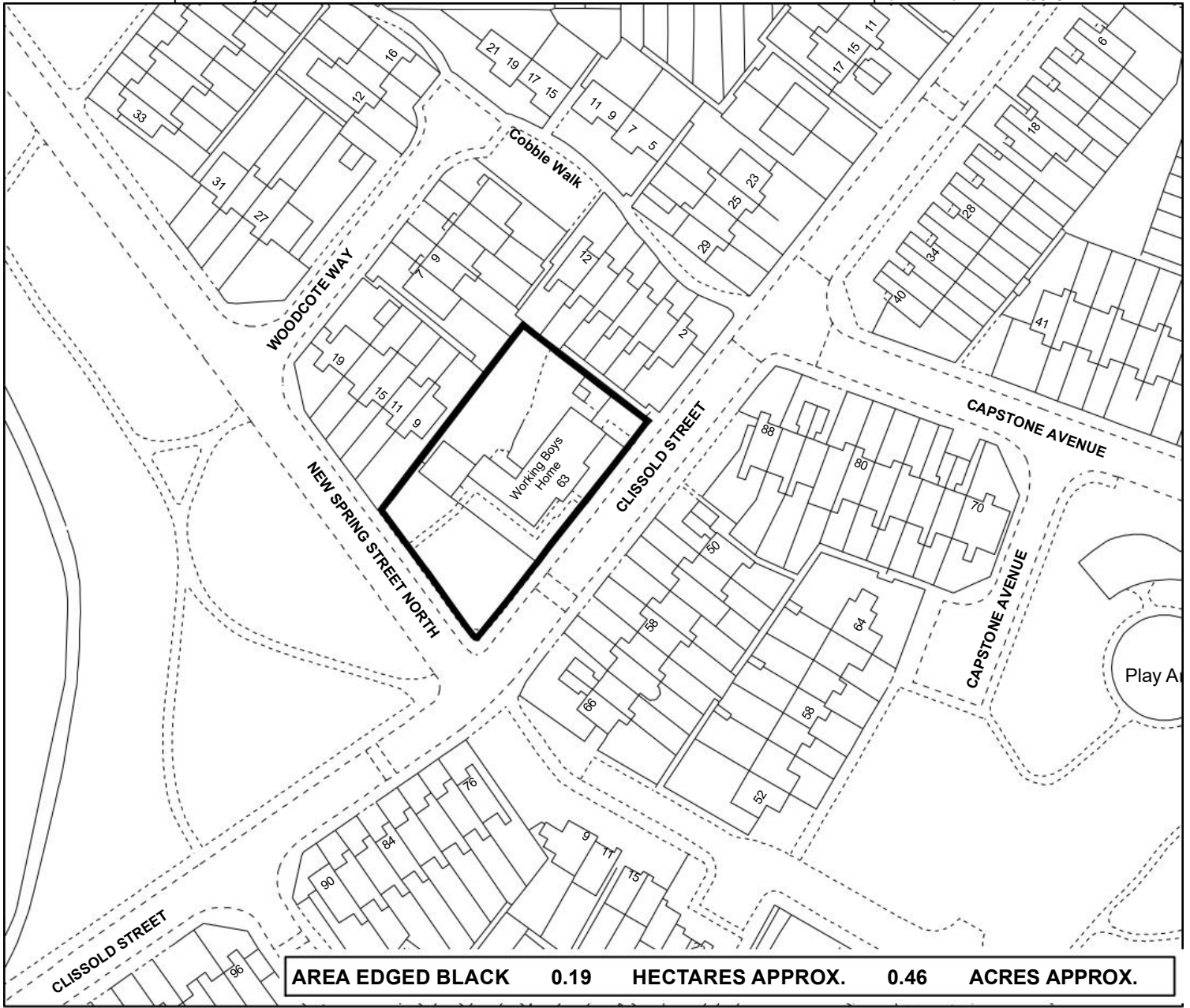
## **9.0 Background Documents**

Affordable Housing – Sites for Disposal Report to Cabinet May 2023


HRA Business Plan – Cabinet report 16 January 2024 report ref 010770/2023

Building Birmingham – Cabinet Report 16 January 2024 report ref 011496/2023

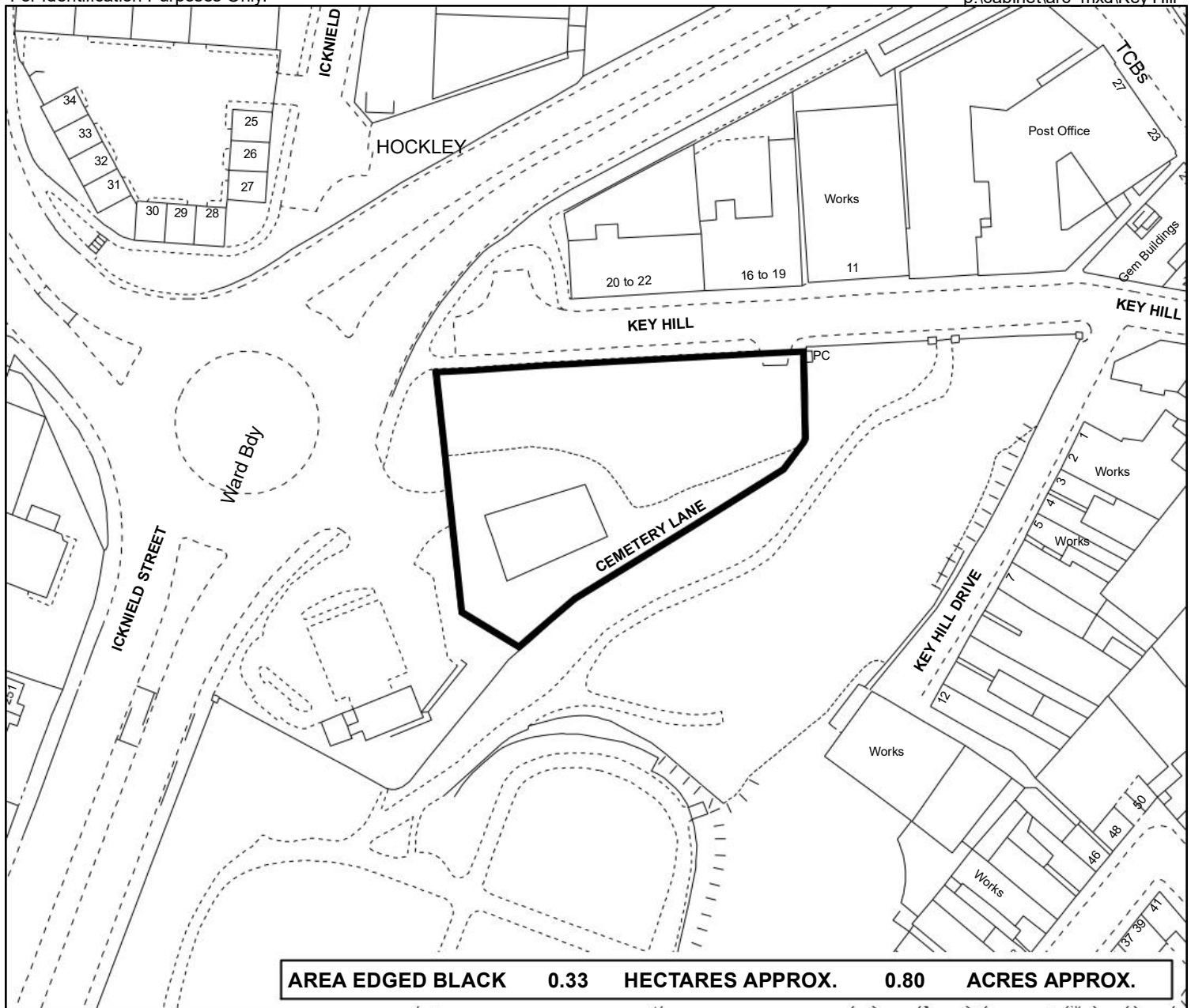






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 <b>Birmingham City Council</b>	Kathryn James Assistant Director Property Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
	<b>Former Childrens Home</b> 63 Clissold Street Soho & Jewellery Quarter	Scale (Main Map) 1:1,250 O.S.Ref SP0587NW	Drawn Bharat Patel

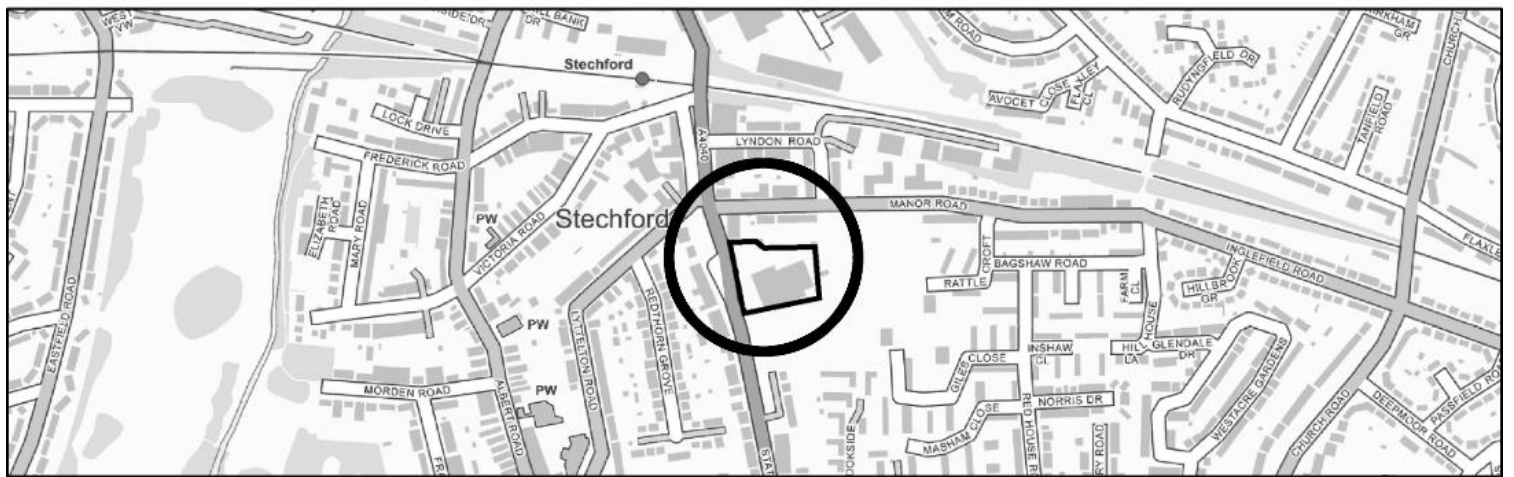
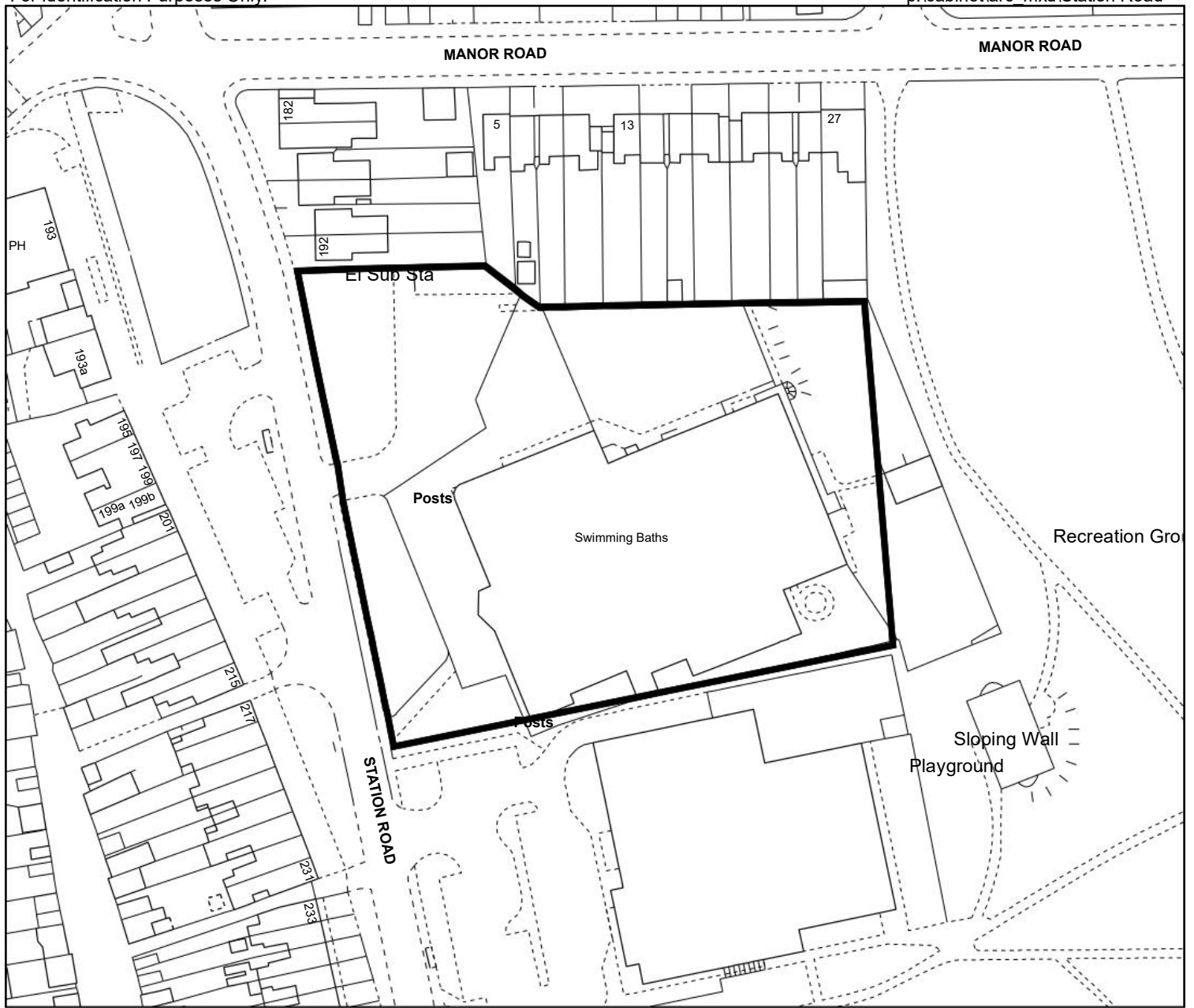






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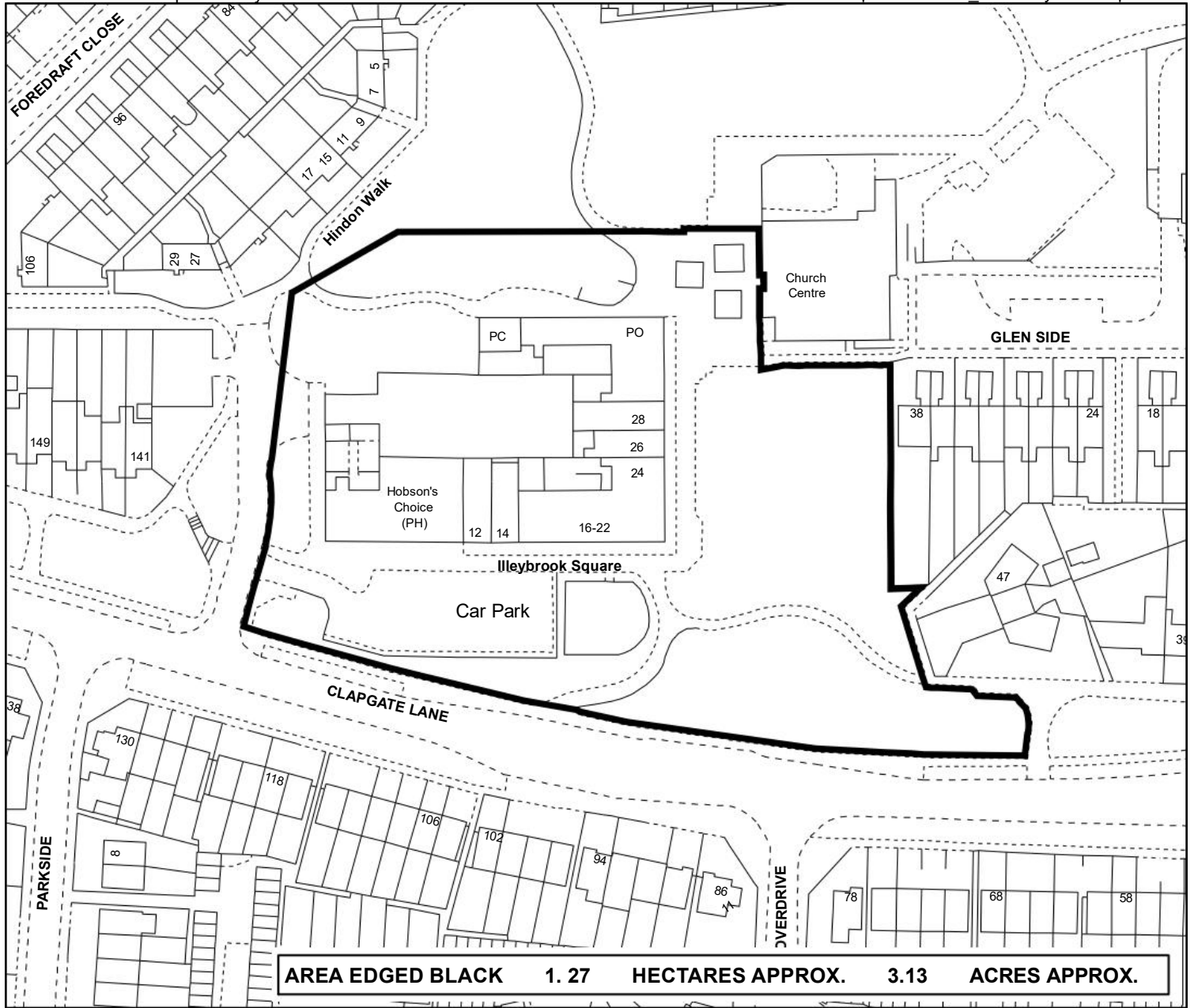
	<h1>Birmingham City Council</h1>	Kathryn James Assistant Director Property Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
<p>Land At Key Hill Ladywood</p>	 <p>Page 70 of 102 O.S.Ref SP0588SE</p>	<p>Scale (Main Map)</p>	<p>Drawn</p>	<p>Date</p>
		<p>1:1,250</p>	<p>Bharat Patel</p>	<p>10/11/2022</p>



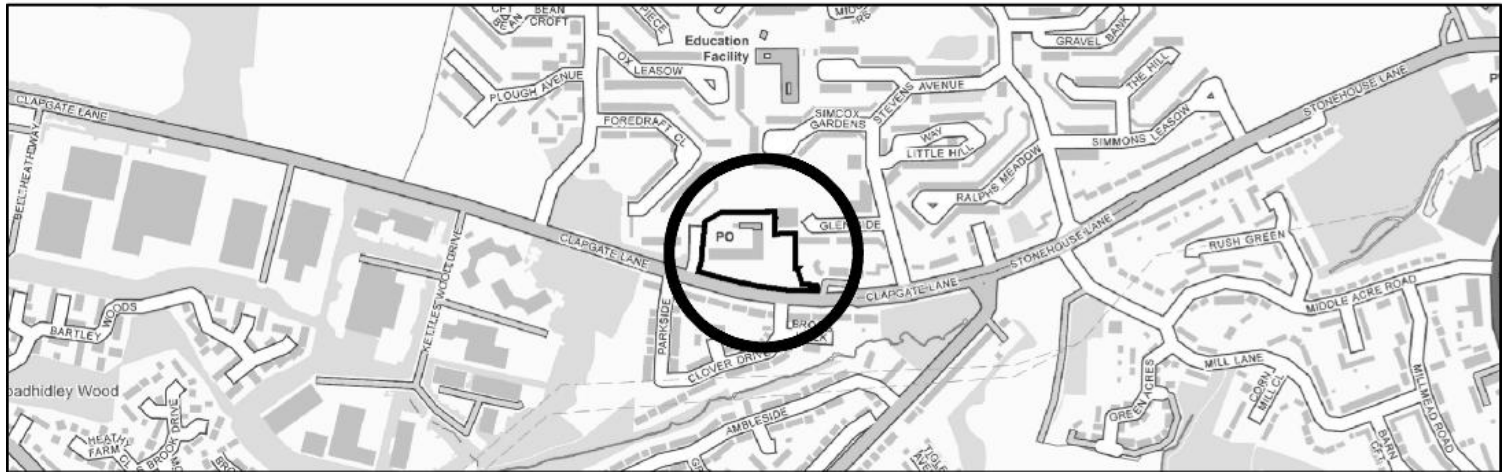


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 <b>Birmingham</b> City Council	Kathryn James Assistant Director Property Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
	Land At Station Road Yardley East	 Scale (Main Map) 1:1,250 O.S. Ref SP1387SW	Drawn Bharat Patel

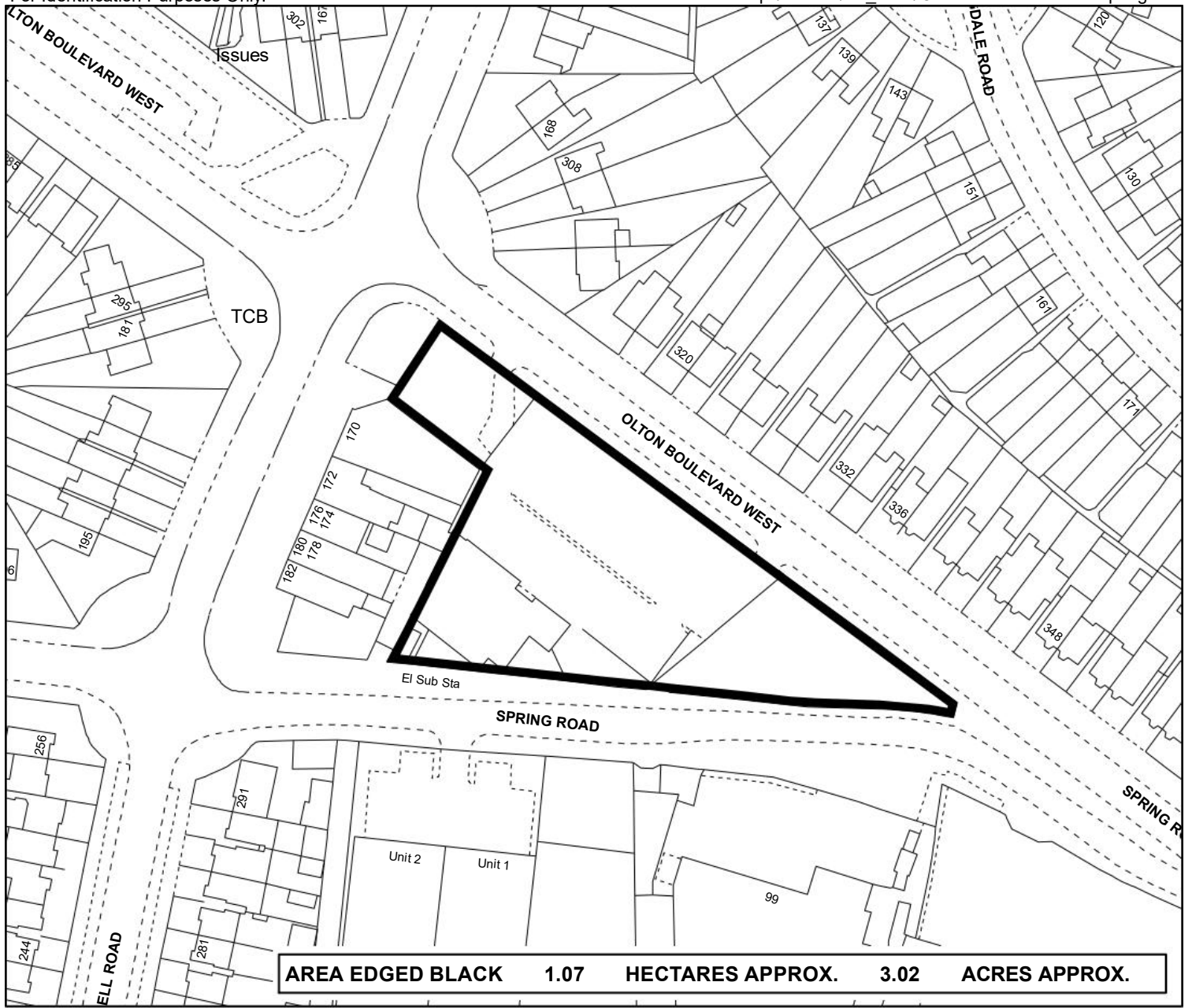


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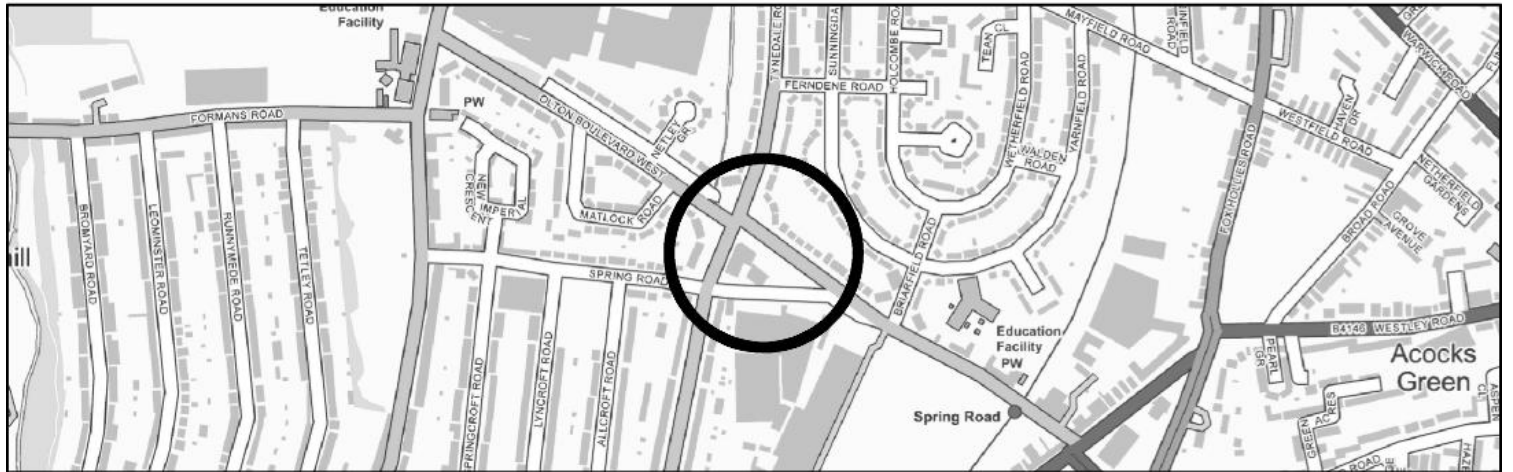


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 <b>Birmingham City Council</b>	Kathryn James Assistant Director Property Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
	Illeybrook Square Bartley Green	 Scale (Main Map) 1:1,250 O.S. Ref SP0082NE	Drawn Bharat Patel

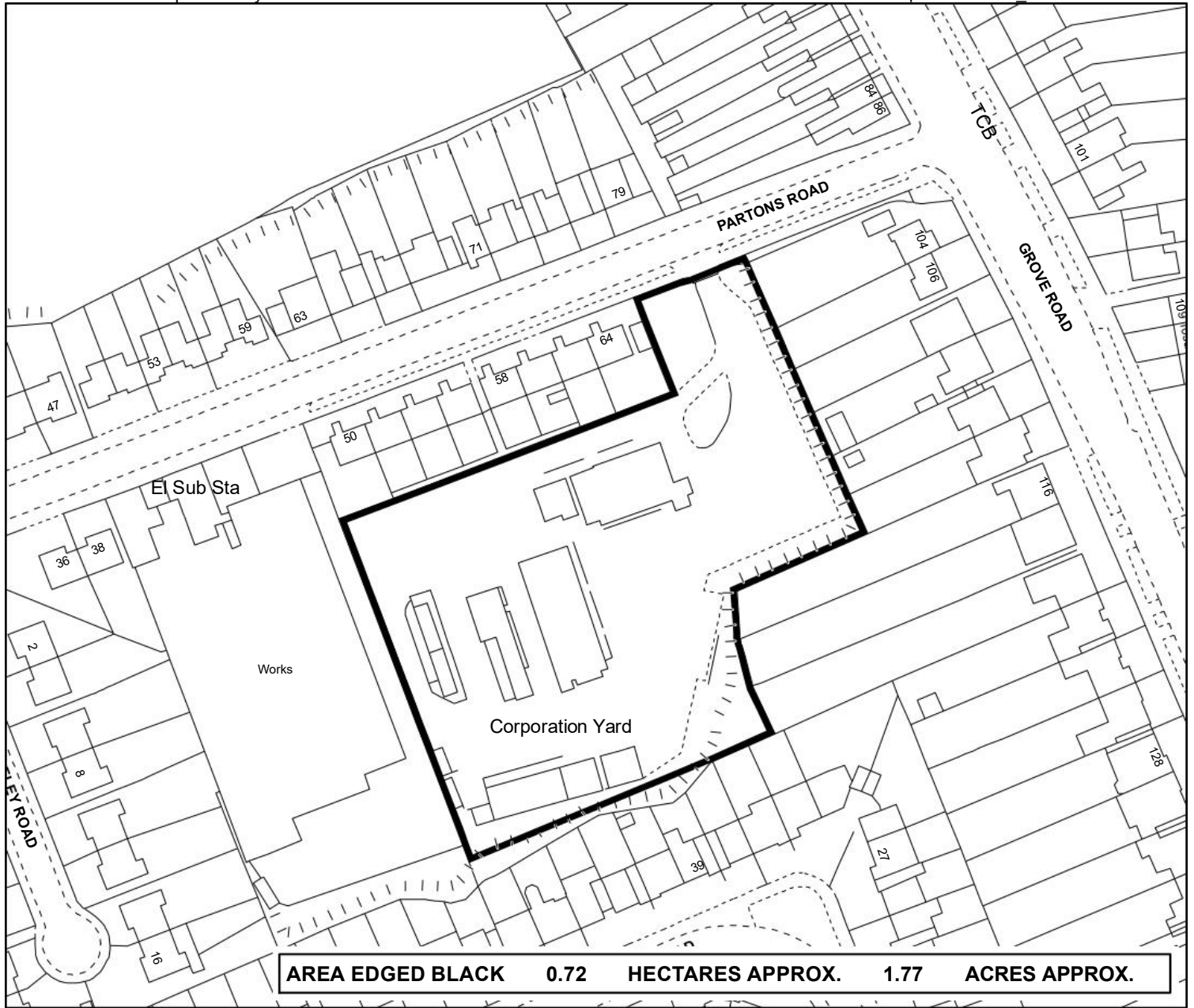


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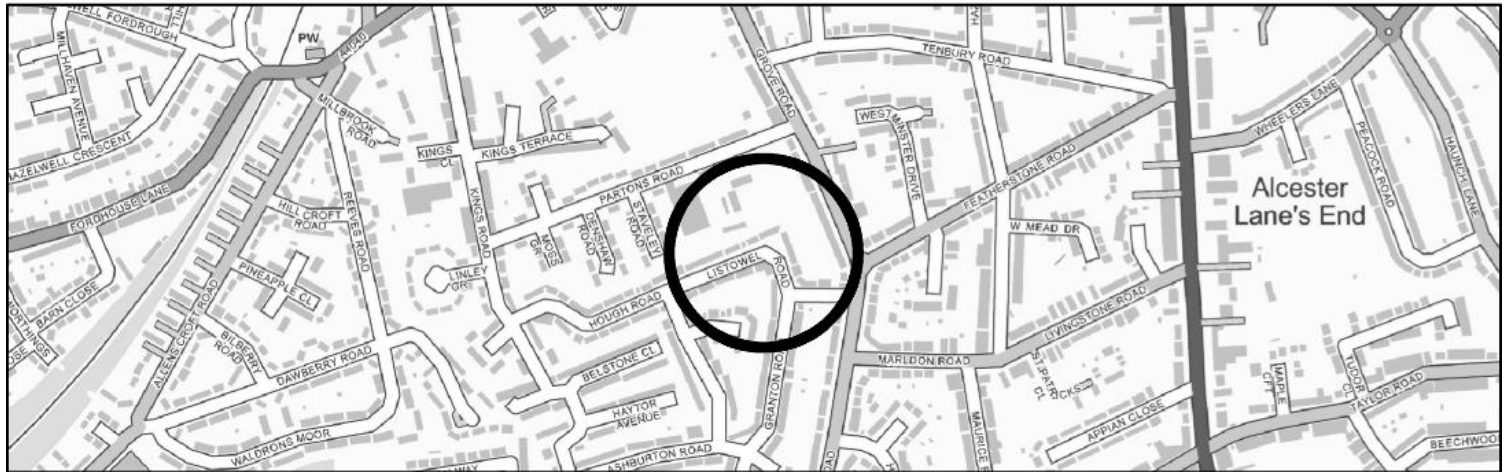


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 <b>Birmingham City Council</b>	Kathryn James Assistant Director Property Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
	<b>Land At</b> <b>Olton Boulevard West-Spring Road</b> <b>Tyseley &amp; Hay Mills</b>	 Scale (Main Map) 1:1,250 O.S.Ref SP1083SE	Drawn Bharat Patel



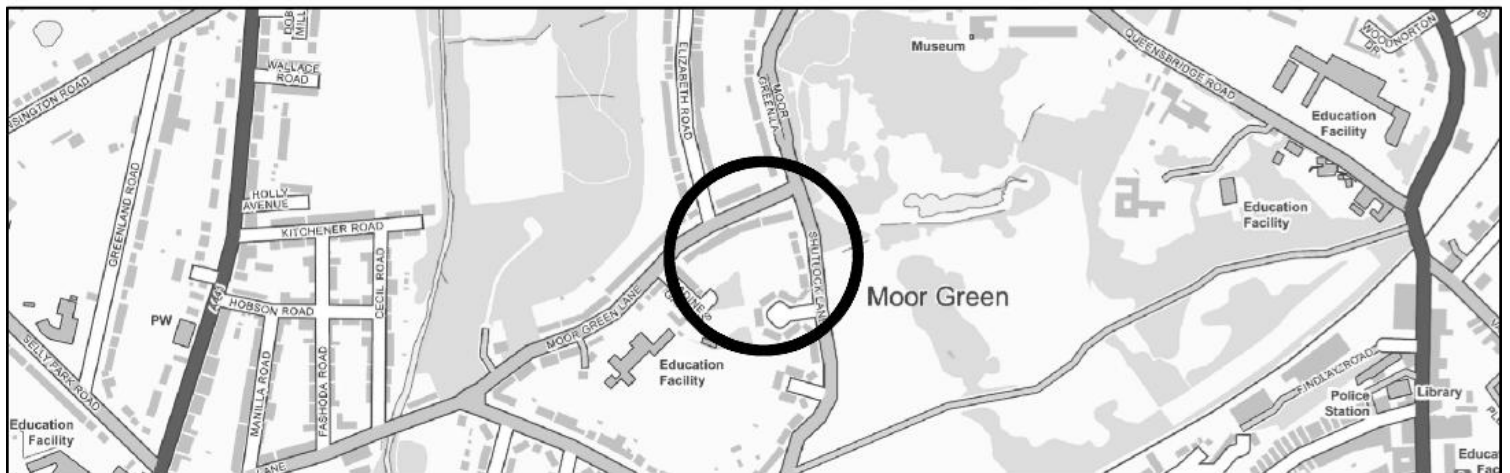
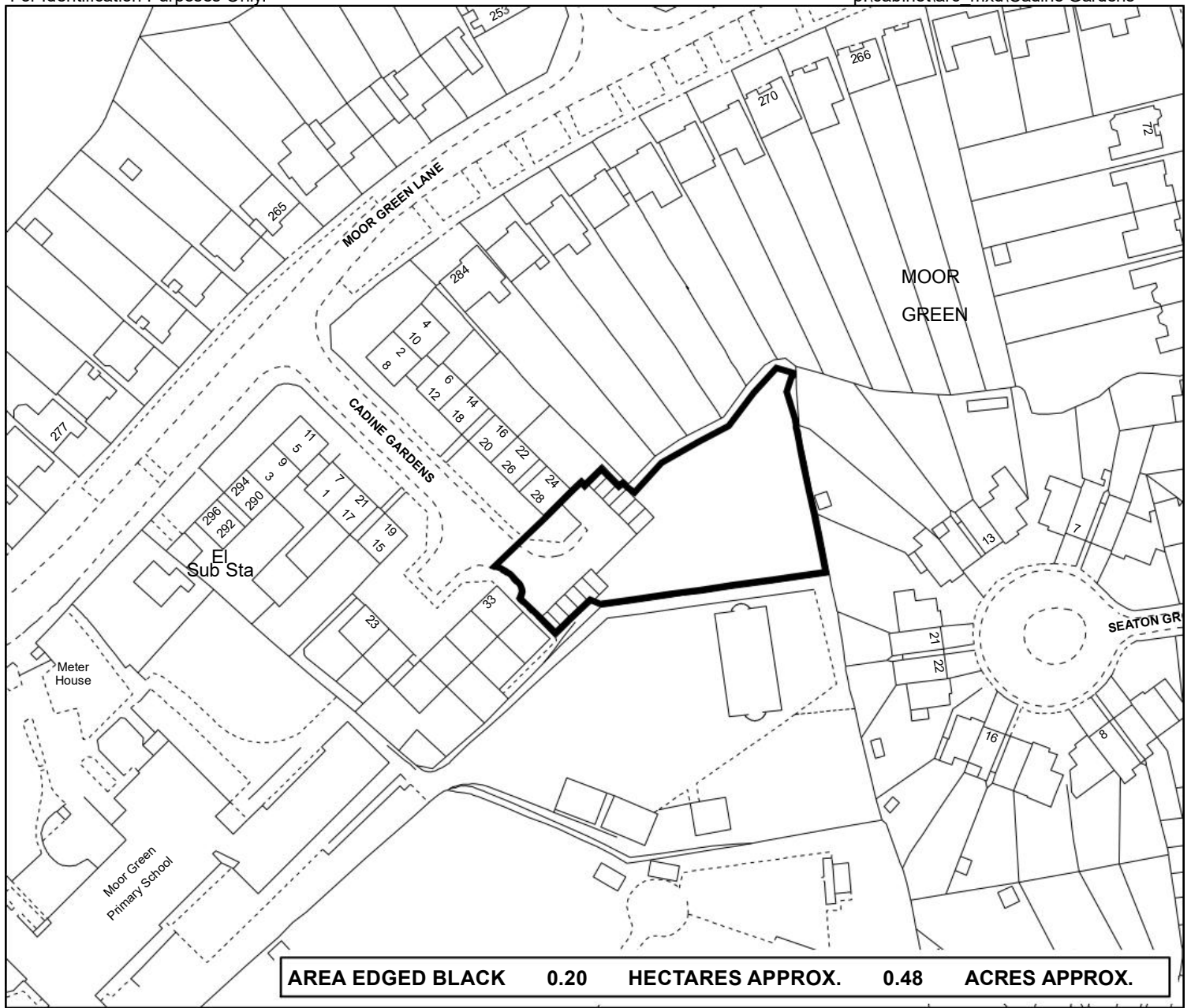
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 <b>Birmingham City Council</b>	Kathryn James Assistant Director Property Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
	<b>Site At</b> Partons Road Brandwood & King's Heath	 Scale (Main Map) 1:1,250 O.S.Ref SP0680NE	Drawn Bharat Patel

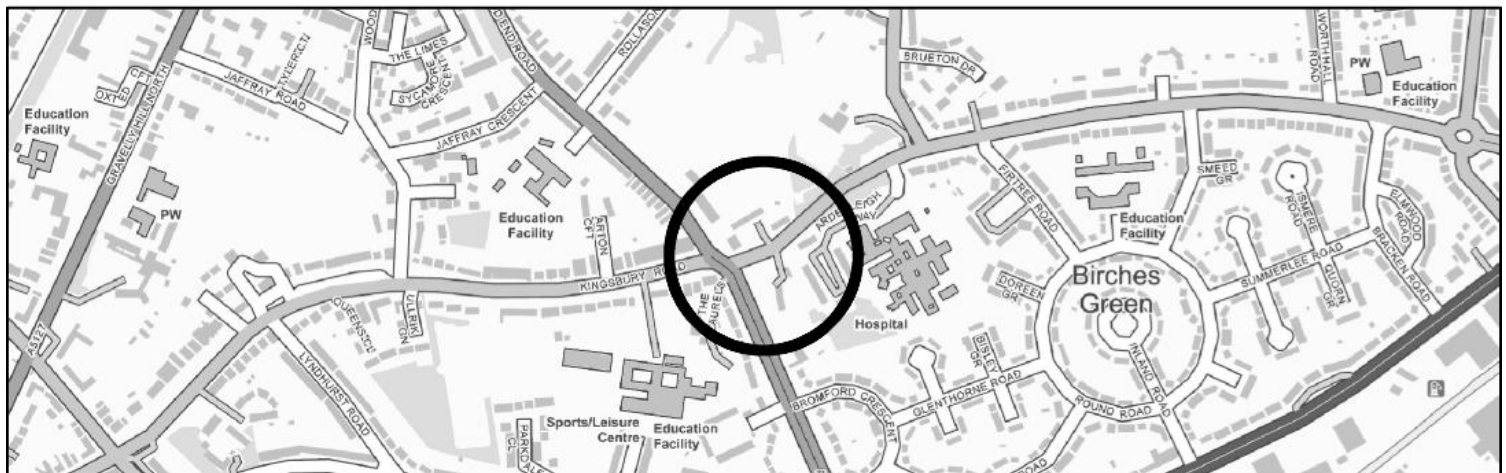
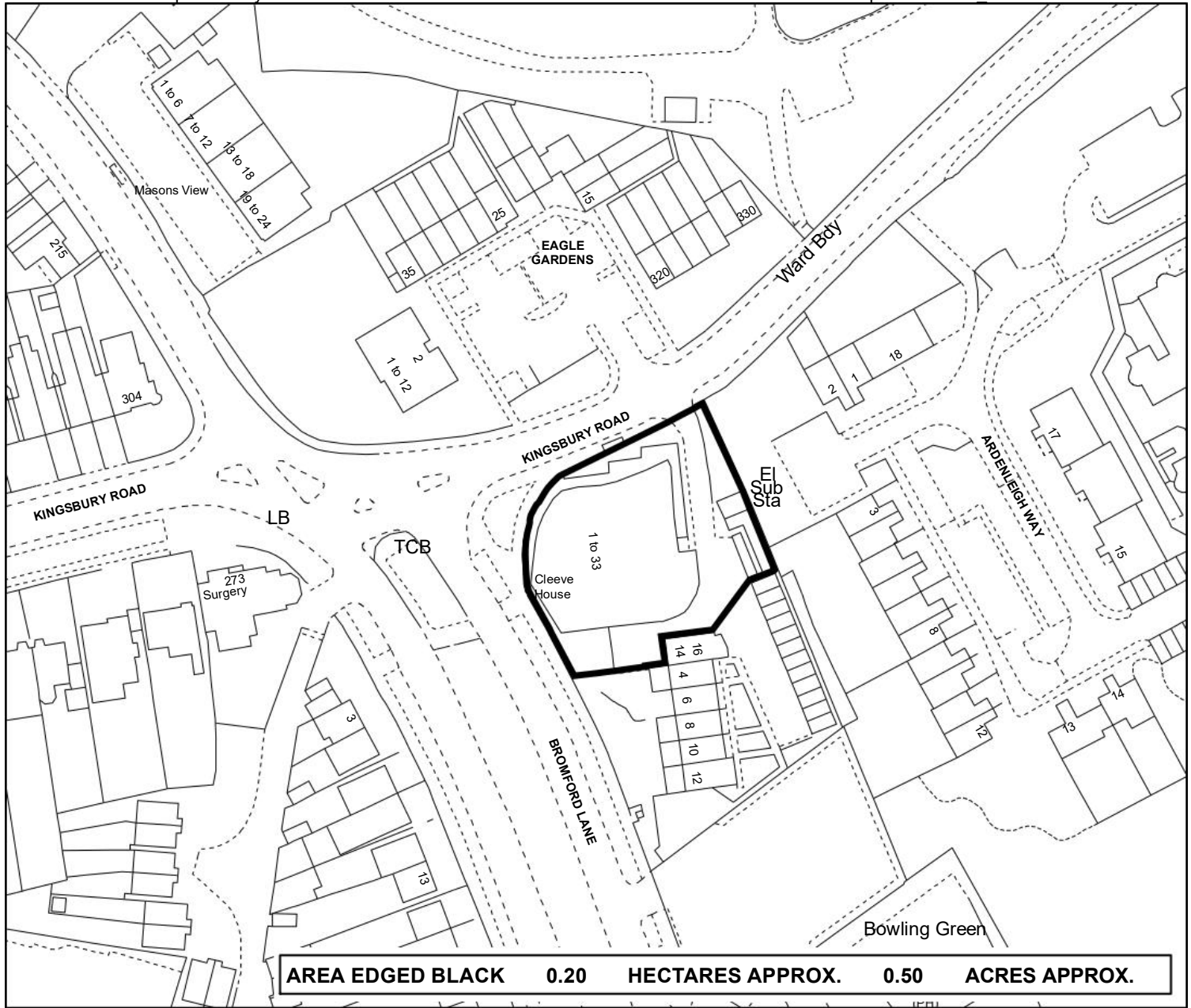





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 <b>Birmingham</b> City Council	Kathryn James Assistant Director Property Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
	<b>Cadine Gardens</b> (Land to the rear of 276-284) Moor Green Lane Hall Green	Scale (Main Map) 1:1,250 O.S.Ref. SP0682SW	Drawn Bharat Patel





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 <b>Birmingham</b> City Council	Kathryn James Assistant Director Property Place, Prosperity & Sustainability Directorate 10 Woodcock Street Birmingham, B7 4BG		
	Site at Bromford Lane Erdington	Scale (Main Map) 1:1,250 O.S.Ref. SP1190NW	Drawn Bharat Patel





# EQUALITY IMPACT ASSESSMENT

Disposal of 8no. Sites to Registered Providers

Reference: EIA000108

11/01/2024

Submitted by: [andrew.howells@birmingham.gov.uk](mailto:andrew.howells@birmingham.gov.uk)



### EIA Form – About your EIA

Reference number	EIA000108
Date Submitted	11/01/2024
Subject of the EIA	Disposal of 8no. Sites to Registered Providers
Brief description of the policy, service or function covered by the EIA	Disposal of 8no. sites to registered providers to facilitate construction of residential properties
Equality Assessment is in support of...	["New function"]
How frequently will you review impact and mitigation measures identified in this EIA?	Not required
Due date of the first review	2024-01-09

### Directorate, Division & Service Area

Which directorate(s) are responsible for this EIA?	["Places, Prosperity and Sustainability"]
Division	Housing Development
Service area	Land, Regeneration and Partnerships
Budget Saving	No

### Officers

What is the responsible officer's email address?	andrew.howells@birmingham.gov.uk
What is the accountable officer's email address?	claire.flowers@birmingham.gov.uk

### Data Sources

Data sources	
Data source details	

### Protected Characteristics

#### Protected Characteristic – Age

Does this proposal impact people due to their age as per the Equality Act 2010?	No
What age groups are impacted by your proposal?	
Please describe the impact to the age characteristic	
How will you mitigate against any negative impact to the age characteristic?	



**Protected Characteristic – Disability**

Does this proposal impact those people with a disability as per the Equality Act 2010?	No
Please describe the impact to the disability characteristic	
How will you mitigate against any negative impact to the disability characteristic?	

**Protected Characteristic – Gender**

Does this proposal impact citizens based on their gender as per the Equality Act 2010?	No
What genders will be impacted by this proposal?	
Please describe the impact to the gender characteristic	
How will you mitigate against any negative impact to the gender characteristic?	

**Protected Characteristic - Gender Reassignment**

Does this proposal impact people who are proposing to undergo, undergoing or have undergone a process to reassign one's sex as per the Equality Act 2010?	No
Please describe the impact to the gender reassignment characteristic	
How will you mitigate against any negative impact to the gender reassignment characteristic?	

**Protected Characteristic - Marriage and Civil Partnership**

Does this proposal impact people who are married or in a civil partnership as per the Equality Act 2010?	No
What legal marital or registered civil partnership	





status will be impacted by this proposal?	
Please describe the impact to the marriage and civil partnership characteristic	
How will you mitigate against any negative impact to the marriage and civil partnership characteristic?	

### Protected Characteristic - Pregnancy and Maternity

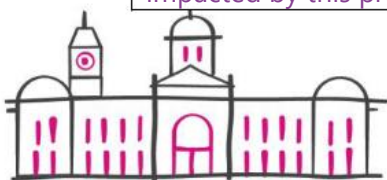
Does this proposal impact people covered by the Equality Act 2010 under the protected characteristic of pregnancy and maternity?	No
Please describe the impact to the pregnancy and maternity characteristic	
How will you mitigate against any negative impact to the pregnancy and maternity characteristic?	

### Protected Characteristic - Ethnicity and Race

Does this proposal impact people due to their race as per the Equality Act 2010?	No
What ethnic groups would be impacted by this proposal?	
Please describe the impact to the ethnicity and race characteristic	
How will you mitigate against any negative impact to the ethnicity and race characteristic?	

### Protected Characteristic - Religion or Beliefs

Does this proposal impact people's religion or beliefs as per the Equality Act 2010?	No
What religions could be impacted by this proposal?	





Please describe the impact to the religion or beliefs characteristic	
How will you mitigate against any negative impact to the religion or beliefs characteristic?	

### Protected Characteristic - Sexual Orientation

Does this proposal impact people's sexual orientation as per the Equality Act 2010?	No
What sexual orientations may be impacted by this proposal?	
Please describe the impact to the sexual orientation characteristic	
How will you mitigate against any negative impact to the sexual orientation characteristic?	

### Monitoring

How will you ensure any adverse impact and mitigation measures are monitored?	No impact and mitigation measures are considered to be required.
Please enter the email address for the officer responsible for monitoring impact and mitigation	anita.pearce@birmingham.gov.uk





**Birmingham City Council**  
**Report to Cabinet Committee Property**  
28 March 2024



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**Subject:** **Sale of Land at Bordesley Park all appendices except plan (appendix 1) and equality analysis (appendix 3) are exempt**

**Commissioner's Review:**

Commissioners support the recommendations. The capital receipts will contribute to the target set in the budget.



# Birmingham City Council

## Report to Cabinet Committee Property



28th March 2024

**Subject:** **DISPOSAL OF COUNCIL OWNED LAND AT BORDESLEY PARK BIRMINGHAM**

**Report of:** Strategic Director – Place, Prosperity & Sustainability

**Relevant Cabinet Member:** Councillor John Cotton, Leader of the Council

**Relevant O &S Chair(s):** Councillor Jack Deakin, Finance and Resources  
Councillor Katherine Iroh, Economy and Skills

**Report author:** Ronnie Robinson, Principal Surveyor  
Place, Prosperity & Sustainability Property Services, Tel: 07780 957026  
Email Address: ronnie.robinson@birmingham.gov.uk

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): <i>Bordesley &amp; Highgate</i>		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 012550/2024		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Exempt Appendices 2,4 and 5 Information relating to the financial or business affairs of any particular person (including the council)		
Schedule 12A Local Government Act 1972		

### 1 Executive Summary

- 1.1 The City Council has recently received an unsolicited offer for the site.
- 1.2 This report seeks approval to dispose of the freehold interest in the Bordesley Park site, together with additional Council owned land interests as detailed in Exempt Appendix 2. The sites are shown at Appendix 1 highlighted in green.

## **2 Recommendations**

- 2.1 Approves the disposal on a freehold basis of Council owned land at Bordesley Park, together with additional Council owned land interests as detailed in Exempt Appendix 2.
- 2.2 Delegates approval of the final sale terms agreed under 2.1 above to the Assistant Director of Investment and Valuation.
- 2.3 Authorises the City Solicitor (or their delegate) to negotiate, execute and complete all relevant documentation to give effect to the above recommendation.
- 2.4 Notes that the purchaser will reimburse the City Council's reasonable and proper surveyor and legal costs on completion.
- 2.5 Notes that upon disposal, the City Council will continue to consult with the Department for Levelling Up, Housing and Communities (DLUHC) on options to apply the Levelling Up Fund (LUF) grant awarded for Bordesley Park for future remediation, reclamation, and acquisition within the area and consistent with the purposes of the grant application.

## **3 Background**

- 3.1 The Bordesley Park (former Wheels) site is a significant site of 48 acres and is identified as a key opportunity for development close to the city centre and within East Birmingham. The Birmingham Development Plan (2017) (BDP) recognises the City as one of the most important employment areas within the UK and that strengthening this position and ensuring a successful and prosperous economy will require the provision for a wide range of opportunities for economic development and job creating activity. The Wheels site and its environs is identified both in the Bordesley Park Area Action Plan (AAP) and BDP as a major opportunity for transformational change and job growth in the area.
- 3.2 The East Birmingham Inclusive Growth Strategy (2021) sets out the strategy for a comprehensive multi-agency approach focussed on East Birmingham that seeks to ensure that the benefits of growth are shared more fairly, providing new opportunities for local people to change their lives for the better and delivering lasting improvements to living standards, education and skills, access to jobs and opportunities, health, the environment, local places and transport. It is intended that future development will deliver employment and training opportunities to people in East Birmingham and the Council will work with employers, and training and employment support providers, to develop clear pathways for local people into jobs. The initial proposals estimate that 3,000 jobs will be created by the purchaser's proposed scheme.
- 3.3 On the 28<sup>th</sup> June 2022 Cabinet gave authority to dispose of the site, however this did not proceed to completion. Since then, the Council has continued to progress the remediation of the site using a grant secured from the LUF with the intention to facilitate its development and secure a developer at a future date.



- 3.4 A offer for the site has been received and is detailed in Exempt Appendices 4 and 5. The offer has been reviewed and evaluated by Savills based on the level of financial offer and the proposed scheme. The future development of the site is to be delivered by an experienced project team with access to significant levels of funding.
- 3.5 The Bordesley Park AAP identifies the site as an employment site. The current proposal will bring an equivalent, if not greater, number of jobs to the area, and generate the potential benefits below:
- The delivery of long-term regeneration benefits driven by a major anchor occupier and new economic clusters that will create a centre of excellence for sport.
  - The development will be a conduit for further investment. It will align with the growth interests of the City Council, having international prominence and connections, which will be leveraged to drive wider investment into the area.
  - The generation of business rates - driving value through the delivery of commercial uses and complementing the recently awarded Levelling Up Zone status for this part of East Birmingham.
  - Social value investment, including the stimulation of growth through investment in local communities and infrastructure.
- 3.6 The development of the Bordesley Park site will also provide the catalyst for the regeneration of the wider area including Bordesley Green Local Centre and the adjacent Cherrywood Road and Adderley Park areas. The site will be a catalyst for regeneration in a part of the city where unemployment rates are significantly above the city and UK average (as evidenced by unemployment claimant counts of 16.6% and 17.5% in Ladywood and Hodge Hill respectively (January 2024)).
- The development of this underutilised site will contribute to the creation of up to 3000 jobs within the AAP area with employment and skills programmes put in place to connect these opportunities to the local community. The proposals will also complement and reinforce other opportunities that will be generated in the area including through the arrival of HS2 in the city centre at the new Curzon Street Station, the extension of the Midland Metro from the City Centre to Birmingham Airport and the proposed HS2 Interchange Station.
- 3.7 The proposed sale represents best consideration under S123 of the Local Government Act 1972 and has been validated by Savills and the Assistant Director of Property and Valuation. The report appended at Exempt Appendix 5 provides confidential financial information on this point.

- 3.8 On 31<sup>st</sup> January 2020, the City Council regained control of the Wheels site following non-payment of rent and forfeiture of the lease. A temporary contracted out lease was then granted to one of the former occupiers of the site which expired on the 31<sup>st</sup> October 2021. As matters stand, the City Council has taken vacant possession of the site and is now responsible for the site's management and maintenance.
- 3.10 A LUF Bid for the remediation of Bordesley Park was submitted to the DLUHC on 17<sup>th</sup> June 2021 totalling £19.05m (£17.145 from government with City Council match funding of £1.905m (the LUF guidelines require a 10% contribution)). The bid was successful, and work has been undertaken including treating the substantial Japanese Knotweed on site and the remediation of Phase 1 (land off Bordesley Green Road and Venetia Road). A planning application has also been submitted for the remediation of Phase 2, the main body of the former Wheels site. If the disposal proceeds, officers will liaise with government and the purchaser regarding the use of the LUF grant going forward.

#### **4 Options Considered and Recommended Proposal**

- 4.1 The City Council and its property advisors have previously considered a range of options for the development of the site as set out in earlier reports.
- 4.2 The Savills report at Exempt Appendix 5 concludes that the proposed disposal as recommended represents the best way forward and, in their opinion, fulfils the requirements of S123 of the Local Government Act 1972.
- 4.3 The sale of the sites will promote investment into the city region economy and enable the City Council to receive an early receipt.

#### **5 Consultation**

- 5.1 As the proposals for development of the Bordesley Park site are progressed, further public consultation will take place including all future planning applications relating to the site.
- 5.2 No external consultation has taken place regarding the contents of this report.
- 5.3 The transaction is recommended by the Council's external agent as detailed in the Report at Exempt Appendix 5.
- 5.4 Bordesley & Highgate Ward Councillor Yvonne Mosquito has been briefed. Shabana Mahmood MP, and Liam Byrne MP were contacted on 5th March 2024 to arrange a briefing, but we have had no response to date.
- 5.5 The Economy and Skills Overview and Scrutiny Committee carried out pre-decision scrutiny of this report on 20 March 2024. A summary of its recommendations, key points and a response are provided in Exempt Appendix 6.

## 6 Risk Management

- 6.1 To meet the expectations of the prevailing property market the Council has committed to deliver a programme of land and property sales in accordance with the Property Strategy. Approval of this report will support adherence to these objectives and enable sale receipts to be realised.
- 6.2 From completion the purchaser will assume the project management risks associated with the development of the site including future remediation and ongoing obligations to maintain the Japanese Knotweed (JKW) treatment with the Council's appointed JKW contractor, together with site maintenance and site security.

## 7 Compliance Issues:

### 7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

The decisions recommended in this report will facilitate the development of the Site:

- 7.1.1 The proposed sale transaction and generation of a capital receipt supports the **Financial Recovery Plan** by generating resources and thus helping to achieve a balanced budget.
- 7.1.2 It is consistent with the City Council **Financial Plan 2020-2024** and Financial Plan 2021-2025 as the additional income helps the Council to meet the aspirations to be:
- Prosperous: through continued economic growth, tackling unemployment, attracting inward investment and infrastructure. The scheme will deliver on actions within the Council Plan to concentrate on significant areas of opportunity, by facilitating jobs and training opportunities in an area of deprivation within East Birmingham, using the City Council's property assets to accelerate regeneration and investment.
  - Inclusive: through empowered citizens, supporting young people to fulfil potential, and promoting diversity, opportunities, and culture.
  - Safe: through tackling anti-social behaviour & hate crime, housing provision and addressing homelessness, and improving living environments, civic pride & culture.
  - Healthy: through tackling health inequalities, encouraging and enabling physical activity and healthy living, quality of care, and helping to support mental health.
  - Green: by improving the cleanliness of our city and its streets, improving the environment and air quality, carbon reduction and enabling an inclusive green transition.

- 7.1.3 The development of the Wheels Site for employment uses is a key part of the **BDP, Bordesley Park AAP and East Birmingham Inclusive Growth Strategy** and will be complemented by skills and training programmes to connect the local community to the job opportunities created.
- 7.1.4 **Prosperity and Opportunity for All: Birmingham City Council's Levelling Up Strategy** sets out the vision of levelling up for the city rooted in the belief that we must encourage growth and stimulate investment in the city, whilst at the same time making Birmingham a fairer and more equal place. Levelling up must mean that our citizens share in the economic benefits of Birmingham's development and live longer, healthier, and happier lives.
- 7.1.5 **Everyone's Battle, Everyone's Business: Birmingham's Equality Action Plan 2022/2023.** The proposal accords with the objectives of Everyone's Battle, Everyone's Business to make long term council-wide improvement to embed equity in a wide range of policy and practice. This includes Place Matters, one of five key principles, which focuses on place approaches that improve access to opportunities for local communities.
- 7.1.6 **Net Zero Carbon Measures** – The preparation of the Bordesley Park AAP was both supported and informed by a Sustainability Appraisal (a statutory process incorporating the requirements of the European Union Strategic Environmental Assessment (SEA) Directive). Both the SA and the AAP were subject to independent examination by an Inspector appointed by the Secretary of State and found to be sound.
- 7.1.7 The purchaser's proposals will be required to meet the policies within the BDP including Policy TP3 Sustainable Construction and Policy TP4 Low and Zero Carbon Energy Generation. The City Council's Route to Zero (R20) initiative will also be at the heart of the proposals for the site going forward including a zero-carbon approach to development. The remediation of an under-utilised and contaminated site in an accessible location close to the city centre and local communities will be a significant brownfield and sustainable development within East Birmingham supporting the Route to Zero objectives.

## 7.2 Legal Implications

- 7.2.1 The power to dispose of land is contained in Section 123 of the Local Government Act 1972. The disposal power in Section 123 of the Local Government Act 1972 is subject to the best consideration test. The Council's appointed property consultant and the Assistant Director of Investment & Valuation have confirmed that the recommended transaction, as detailed in Exempt Appendices 4 and 5 represents best

consideration and satisfies the Council's obligations under Section 123 of the Local Government Act 1972.

- 7.2.2 Section 1 of the Localism Act 2011 contains the Council's general power of competence, which is circumscribed only to the extent of any applicable pre-commencement restrictions and any specific post-commencement statutory restriction of the power, and Section 111 of the Local Government Act 1972 contains the Council's ancillary financial and expenditure powers in relation to the discharge of its functions including the disposal and acquisition of property.
- 7.2.3 The relevant legal powers for the making of a Compulsory Purchase Order (CPO) are contained in section 226 Town and Country Planning Act 1990. In considering whether to make a CPO the Public Sector Equality Duty and Human Rights considerations apply. Any proposed compulsory acquisition will be in accordance with the requirements of the Department for Levelling Up, Housing and Communities, Compulsory Purchase Process Guidance February 2018 (updated July 2019) which governs the use of Compulsory Purchase Powers. Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 is relevant in respect of acquiring new rights.
- 7.2.4 The giving of subsidies or the making of subsidy schemes is governed by the subsidy control requirements contained in the Subsidy Control Act 2022.
- 7.2.5 The information in Exempt Appendices 2, 4 and 5 is commercially sensitive with regard to the disposal process. Exempt information is set out in Schedule 12A of the Local Government Act 1972 (as amended) paragraph 3 includes information relating to the financial or business affairs of any particular person (including the council). It is in the public interest to treat the information in Exempt Appendices 3 and 4 as exempt information as they contain commercially sensitive information of a financial or business nature, which if disclosed to the public could be prejudicial to a named, individual or company.

### 7.3 **Financial Implications**

- 7.3.1 The transaction will generate a capital receipt for the Council, as set out in Exempt Appendix 4. The use of the capital receipt from this asset is intended to support the City Council's Financial Recovery Plan to ensure a balanced budget and prioritise the generation of capital receipts.
- 7.3.2 The Assistant Director of Investment & Valuations and external advisors consider this proposed sale represents best consideration based upon analysis of the bidders' proposal.

- 7.3.3 The loss of rental income totalling £0.130m p.a. from the acquisition of additional Council interests listed in Exempt Appendix 2 can be accommodated from the revenue budget for loss of rental income built into the 2024/25 Medium Term Financial Plan.
- 7.3.4 The purchasers will be responsible for paying the Council's reasonable surveyors, and legal fees on completion of the contract.
- 7.3.5 The purchaser will be required to take on ongoing site management obligations to maintain active JKW spraying / treatment with the Councils appointed JKW contractor, together with site maintenance and site security.
- 7.3.6 A LUF bid totalling £19.05m (£17.145 from government with City Council co-funding of £1.905m) has been secured and works on site have commenced. If the disposal progresses officers will consult with government on the future use of the LUF grant at the site. This will include options to apply the grant awarded for further remediation, reclamation, and acquisition consistent with the purposes of the grant application.
- 7.3.7 The DLUHC have paid £5.561m of LUF grant to date, which is more than the £2.77m of current LUF spend (£90% of £3.084m total spend). If not spent, theoretically the DLUHC could ask for the unspent money back, but the City Council has planned projects such as the upgrading of Adderley Road South and further demolition on site which will utilise the amounts received.

## 7.4 Procurement Implications

7.4.1 There are no procurement implications with the recommendations of this report.

## 7.5 Human Resources Implications (if required)

7.5.1 The Council is using existing staff from the Investment and Valuation team and the Planning and Development Service to progress this project. External consultants have been used to provide an independent assessment of value and sale recommendation as well as legal advice.

## 7.6 Public Sector Equality Duty

7.6.1 An Equality Assessment has been carried out EIA000386 dated 4th March 2024 and is attached at Appendix 3. This identifies no adverse impacts on any groups protected under the Equality Act 2010.

## 7.7 Appendices

List of Appendices accompanying this report:

1. Site plan
2. Exempt - Additional Land Schedule



3. Equality Impact Assessment
4. Exempt - Report
5. Exempt - Disposal Recommendation Report (Savills)
6. Exempt – Economy and Skills Overview and Scrutiny Committee – Pre Decision Scrutiny - Summary of Recommendations – to follow

## **8 Background Documents**

- 8.1 Bordesley Park Area Action Plan (BPAAP) 2020 adopted by Council 14<sup>th</sup> January 2020.
- 8.2 East Birmingham Inclusive Growth Strategy 2021 Cabinet report to 9<sup>th</sup> February 2021 meeting for adoption.
- 8.3 Wheels Strategic Business Case, Report to Council 17<sup>th</sup> March 2020.
- 8.4 Levelling Up Fund - Tranche 1 Bids, Report to Cabinet 8<sup>th</sup> June 2021.
- 8.5 Bordesley Park (Wheels Site) Strategic Business Case Update, Report to Cabinet 12<sup>th</sup> October 2021.
- 8.6 Prosperity and Opportunity for All: Birmingham's Levelling Up Strategy, November 2021
- 8.7 Disposal of Council owned land at Bordesley Park, Report to Cabinet 28 June 2022.
- 8.8 Bordesley Park Remediation (former Wheels site): Full Business Park, Report to Leader 28 July 2023
- 8.9 Everyone's Business, Everyone's Battle, Birmingham's Equality Action Plan 2022/23.







AREA EDGED RED X SQ. METRES APPROX. X SQ. YARDS APPROX.



**Birmingham**  
City Council

Kathryn James MRICS  
Assistant Director of Investment and Valuation  
Place, Prosperity & Sustainability Directorate  
10 Woodcock Street  
Birmingham, B7 4BG

**Birmingham Wheels Site & Adjoining Land**  
**Bordesley Green Road**  
**Bordesley & Highgate**



SCALE	DRAWN	DATE
1:3,100	MI	12/03/2024





# EQUALITY IMPACT ASSESSMENT

Disposal of Council Owned Land at Bordesley Park,  
Birmingham

Reference: EIA000386

Date: 04/03/2024

Submitted by: [ronnie.robinson@birmingham.gov.uk](mailto:ronnie.robinson@birmingham.gov.uk)



### EIA Form – About your EIA

Reference number	EIA000386
Date Submitted	04/03/2024
Subject of the EIA	Disposal of Council Owned Land at Bordesley Park, Birmingham
Brief description of the policy, service or function covered by the EIA	This activity is related to the sale of the Council's Freehold Property interest in the 48 acre site of the former 'Birmingham Wheels' and some additional related land parcels by private treaty. Any implications relating to the protected characteristics for existing tenants and citizens will be addressed accordingly. Having undertaken an assessment against each of the protected characteristics it is determined there are no negative impacts requiring further analysis at this stage.
Equality Assessment is in support of...	["Amended/refreshed strategy ", "New policy", "New strategy"]
How frequently will you review impact and mitigation measures identified in this EIA?	Annually
Due date of the first review	2025-03-03

### Directorate, Division & Service Area

Which directorate(s) are responsible for this EIA?	["Places, Prosperity and Sustainability"]
Division	Property and Investment
Service area	Investment and Valuation
Budget Saving	No

### Officers

What is the responsible officer's email address?	ronnie.robinson@birmingham.gov.uk
What is the accountable officer's email address?	kathryn.james@birmingham.gov.uk

### Data Sources

Data sources	["Relevant reports/strategies"]
Data source details	Information internal to the Council has been utilised to prepare this report

### Protected Characteristics

#### Protected Characteristic – Age





Does this proposal impact people due to their age as per the Equality Act 2010?	No
What age groups are impacted by your proposal?	
Please describe the impact to the age characteristic	
How will you mitigate against any negative impact to the age characteristic?	

#### Protected Characteristic – Disability

Does this proposal impact those people with a disability as per the Equality Act 2010?	No
Please describe the impact to the disability characteristic	
How will you mitigate against any negative impact to the disability characteristic?	

#### Protected Characteristic – Sex

Does this proposal impact citizens based on their sex as per the Equality Act 2010?	No
What sexes will be impacted by this proposal?	
Please describe the impact to the sex characteristic	
How will you mitigate against any negative impact to the sex characteristic?	

#### Protected Characteristic - Gender Reassignment

Does this proposal impact people who are proposing to undergo, undergoing or have undergone a process to reassign one's sex as per the Equality Act 2010?	No
Please describe the impact to the gender reassignment characteristic	
How will you mitigate against any negative impact to the gender reassignment characteristic?	



**Protected Characteristic - Marriage and Civil Partnership**

Does this proposal impact people who are married or in a civil partnership as per the Equality Act 2010?	No
What legal marital or registered civil partnership status will be impacted by this proposal?	
Please describe the impact to the marriage and civil partnership characteristic	
How will you mitigate against any negative impact to the marriage and civil partnership characteristic?	

**Protected Characteristic - Pregnancy and Maternity**

Does this proposal impact people covered by the Equality Act 2010 under the protected characteristic of pregnancy and maternity?	No
Please describe the impact to the pregnancy and maternity characteristic	
How will you mitigate against any negative impact to the pregnancy and maternity characteristic?	

**Protected Characteristic - Ethnicity and Race**

Does this proposal impact people due to their race as per the Equality Act 2010?	No
What ethnic groups would be impacted by this proposal?	
Please describe the impact to the ethnicity and race characteristic	
How will you mitigate against any negative impact to the ethnicity and race characteristic?	



### Protected Characteristic - Religion or Beliefs

Does this proposal impact people's religion or beliefs as per the Equality Act 2010?	No
What religions could be impacted by this proposal?	
Please describe the impact to the religion or beliefs characteristic	
How will you mitigate against any negative impact to the religion or beliefs characteristic?	

### Protected Characteristic - Sexual Orientation

Does this proposal impact people's sexual orientation as per the Equality Act 2010?	No
What sexual orientations may be impacted by this proposal?	
Please describe the impact to the sexual orientation characteristic	
How will you mitigate against any negative impact to the sexual orientation characteristic?	

### Monitoring

How will you ensure any adverse impact and mitigation measures are monitored?	As part of the disposal's strategy officers will be required to ensure full due diligence is undertaken to ensure the sale to the existing tenants is compliant with the Equality Act.
Please enter the email address for the officer responsible for monitoring impact and mitigation	ronnie.robinson@birmingham.gov.uk



