



# Cabinet report

Date	<b>12 MAY 2022</b>
Title	<b>TO TREAT WITH THE WILDHEART TRUST AS A SPECIAL PURCHASER OF LAND ADJOINING THE WILDHEART SANCTUARY (FORMERLY SANDOWN ZOO)</b>
Report of	<b>CABINET MEMBER FOR STRATEGIC FINANCE, CORPORATE RESOURCES AND TRANSFORMATIONAL CHANGE</b>

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## EXECUTIVE SUMMARY

1. The paper seeks approval for the council to negotiate with the Wildheart Trust as a special purchaser for a strip of land adjoining Wildheart Animal Sanctuary, Culver Parade, Sandown (formerly Sandown Zoo).
2. The Trust is a registered charity and are keen to grow and develop the Wildheart Animal Sanctuary so it can go on supporting the community and rescued animals and the purchase of the land would enable them to deliver their ambitions for the site which is a long-standing tourism attraction on the Island that contributes to and supports the visitor economy.
3. Any final terms to be agreed with the Wildheart Trust as a special purchaser would be subject to a further Cabinet report to confirm that the council is achieving best consideration from the disposal.

## RECOMMENDATION

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| <ol style="list-style-type: none"><li>4. To treat with the Wildheart Trust as a special purchaser of land adjoining the Wildheart Animal Sanctuary, Culver Parade, Sandown.</li></ol> |
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## BACKGROUND

5. The Council have been engaging with the Wildheart Trust over the past 18 months regarding their plans and interest in acquiring council land adjoining the site at Culver Parade. Following a site meeting between council staff and representatives from the Trust, the council received a formal request (Appendix 1) that they be considered as a special purchaser of a strip of land to the rear of their facility (Appendix 2).

6. In summary, they state that whilst the land is currently unmanaged it has huge potential for the Trust to expand their offering to tourists and support its charitable activities. They require the land because there is no room to expand their operation to the front of the site and state that sustainability and the environment is key to the trusts mission and see their ambition as wholly aligned with the biosphere designation.
7. They want to develop the charity responsibly and sympathetically with the surrounding habitat and in line with the council's regeneration ambitions for the Bay area.
8. They have also carried out some of their own early due diligence including environmental surveys of the land and state there are no species or habitats that would prevent the lands use in association with the sanctuary.

## CORPORATE PRIORITIES AND STRATEGIC CONTEXT

### Responding to climate change and enhancing the biosphere

9. The area of land subject to the special purchaser request is an unused small area of scrub between Browns Golf course and the Sanctuary. At this stage there are no specific plans for the use of the land but proposals for future investment in the facility would enable consideration of wider environmental issues and the opportunities to address these in the context of the facility as a whole. This includes the 10% bio diversity net gain as required by the new Environment Act.
10. The recommendation supports the UN sustainable development goals for: (8) Decent Works and Economic Growth by supporting local growth of a business that employs local staff and supply chain,(11) Sustainable Communities by generating green and culturally inspiring setting within the community ( 13) Climate Action (15) Life on Land – by committing already to ecological surveys and development that supports the Biosphere and will harmonise with local habitats

### Economic Recovery and Reducing Poverty

11. The proposal would enable the Wildheart Sanctuary to progress its long term investment plans with the aim of sustaining and growing the facility which would benefit the local economy of Sandown and the visitor economy of the Island.

### Impact on Young People and Future Generations

12. The investment plans for the site would sustain and create additional job opportunities for young people in this area of the Island.

### Corporate Aims

13. The proposal will support the following aspirations of the Corporate Plan:
  - (a) Keep the council solvent and take all the measures we can to improve the financial position of the council.

## COMMERCIAL LEISURE SERVICES

14. The land subject to this report (outlined on the attached plan) is not currently used as part of the wider council land holding at Browns Golf Course which is the subject of a two year lease which concludes on 31 October 2022. It is not considered that the disposal of this land would inhibit or restrict the future marketing of the Browns site or that its value would be enhanced by the inclusion of the land in any lease, indeed it may well limit interest given its location, character and potential liabilities.

## CONSULTATION

15. The Wildheart Trust state that they have engaged with the local community including the Sandown Forum and Yaverland Residents Association regarding their plans for the site and for which they have received support including from the local member.

## FINANCIAL / BUDGET IMPLICATIONS

16. The disposal of the land will result in a capital receipt to the council. The potential capital receipt will only be known once an independent valuation of the land is undertaken and received if terms of disposal are agreed with Wildheart Sanctuary. The costs of the valuation will be borne by the purchaser. There are no other direct financial or budget implication as the site is currently unused and not subject to any maintenance costs.

## LEGAL IMPLICATIONS

17. The Council has the power to dispose of property under section 123 of the Local Government Act 1972, which requires it to achieve 'best consideration' in any disposal. The council can dispose of property at an undervalue using a general consent of the Secretary of State. The difference between the unrestricted value of the property and the disposal consideration must not exceed £2 million and the purpose of the disposal must be likely to contribute to the achievement of the promotion or improvement of economic well-being; the promotion or improvement of social well-being; and/or the promotion or improvement of environmental well-being in its area or for residents in its area. Subsidy control implications will also need to be considered.

## EQUALITY AND DIVERSITY

18. The council, as a public body, is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and to foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
19. There are no direct implications for equality and diversity as a result of the specific recommendations of this report.

## PROPERTY IMPLICATIONS

20. The land is not part of any operational site as it sits outside the current Browns Golf Course land, which is subject to a separate lease. The site itself is not identified as surplus to requirements but is small with very limited potential for any income generating use and is not considered to have any strategic value to the council. Whilst not currently having any direct liabilities its disposal to a third party would remove any such future risks.
21. The site boundary requested by the Trust does have some slight overlaps with existing parcels of IWC registered land, including a grazing licence, but these matters of detail can be dealt with as part of the further report to Cabinet if the Trust are afforded special purchaser status.

## OPTIONS

22. Not to dispose of the land adjoining Wildheart Sanctuary, Culver Parade, Sandown.
23. To offer the land adjoining Wildheart Sanctuary, Culver Parade, Sandown on the open market.
24. To treat with the Wildheart Trust as a special purchaser of land adjoining the Wildheart Sanctuary, Culver Parade, Sandown.

## RISK MANAGEMENT

25. If the council does not agree to the proposed special purchaser status for Wildheart Trust and, instead, chooses to retain the land it would leave the authority responsible for any liabilities and future management of the site when there is no budget allocated to do so.
26. The council may receive a higher consideration for the land if it offered on the open market but it is in a land locked location between Browns golf course and the Sanctuary which would make this highly unlikely. Independent valuation of the land will inform the final disposal agreement with Wildheart Trust and will ensure that the council is fully aware of the land's value in reaching an agreement.
27. There remains the risk that even if the council agrees to the special purchaser arrangements it may not be able to agree terms for disposal of the land with Wildheart Trust that offers best consideration for the council (and for the Island). The council would then re evaluate the other options.

## EVALUATION

28. The Wildheart Trust are managing a popular and long established tourism attraction and are seeking to invest and grow their facility and the additional land will enable them to fulfil their ambitions. The land in question whilst owned by the council is currently unused and unmanaged and is not identified as having any strategic value.
29. The disposal to the Trust would support their investment in the facility, help sustain the tourism economy and potentially provide the opportunity to create additional

employment and increased visitor numbers to the Bay area. It would also provide a capital receipt to the council for land that has no realistic alternative potential.

APPENDICES ATTACHED

Appendix 1 - supporting statement from Wildheart Trust

Appendix 2 - plan of the land shown edged red

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