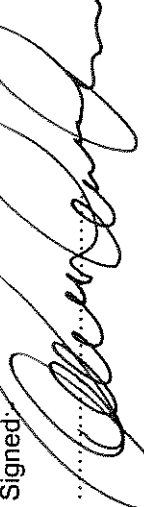
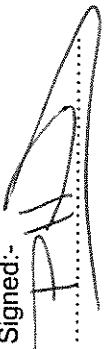


RECORD OF EXECUTIVE DECISION								
Ref. (for Democratic Services only)	Date	Decision Maker/s	Decision	Reason for Decision	Alternative Options Considered	Conflicts of Interest Declared (and Dispensations granted by Standards Committee)	Consultation with Ward Member(s)	Subject to Call-in? Yes/No
	19th March 2019	a) Portfolio Holder for Finance and Corporate Resources b) Portfolio Holder for Housing	That The Finance and Corporate Resources Portfolio Holder and Deputy Leader of the Council and The Portfolio Holder for Housing Approve the principle of and terms for: The sale of the greensward to the front and roadside of the privately owned bungalows 2a and 2b Laurel Avenue, Dovercourt to the owners of those bungalows for use as garden land.	The Portfolio Holder for Finance and Corporate Resources approval in September 2018 provided authority to proceed with negotiating the terms for the sale of the land in accordance with the Council's Property Dealing Policy. This requested Decision seeks authority to complete the transaction on the terms negotiated including sale for valuation price.	Not to approve sale and land to remain in informal use.	None known	Harwich	Yes
URGENT DECISIONS ONLY (If non-urgent go to "Agreement to Decision" below):-								
GENERAL EXCEPTION APPLIES? (Rule 15 Access to Information Procedure Rules)			NO	If yes, has at least 5 clear days notice been given to the Chairman of the relevant overview and scrutiny committee?				N/A
SPECIAL URGENCY APPLIES? (Rule 16 Access to Information Procedure Rules)			NO	If yes, has the Chairman of the relevant overview and scrutiny committee's consent been obtained?				N/A
EXEMPTION FROM CALL-IN APPLIES? Rule 16i Overview and Scrutiny Procedure Rules)			NO	If yes, has the Chairman of the relevant overview and scrutiny committee's consent been obtained?				N/A

URGENT & OUTSIDE BUDGET OR POLICY FRAMEWORK? (Rule 6 Budget and Policy Framework Procedure Rules)		NO	If yes, why is it not practical to convene a quorate meeting of full Council If yes, has the Chairman of the relevant overview and scrutiny committee		N/A
AGREEMENT TO DECISION:-					
Signed:  Decision Maker (a) Portfolio Holder for Finance and Corporate Resources and Deputy Leader of the Council.		Date:- 1-4-19		Delegated Power Reference (in Part 3 of the Constitution):- 3.31, Item 4.2.1	N/A
Signed:  Decision Maker (b) Portfolio Holder for Housing		Date:-		Delegated Power Reference (in Part 3 of the Constitution):- 3.31, Item 4.2.1	N/A

Original signed copy to be retained by Service.
 Electronic copy to be sent to Ian Ford and Katie Sullivan (Committee Services) for publication.

Key Decision Required:	NO	In the Forward Plan:	NO
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PORTFOLIO HOLDER FOR FINANCE AND CORPORATE RESOURCES

and

PORTFOLIO HOLDER FOR HOUSING

19th March 2019

A) Sale/disposal of greensward in Laurel Avenue, Dovercourt.

(Report prepared by Matthew Wicks)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek approval from the Portfolio Holder for Finance and Corporate Resources and The Portfolio Holder for Housing for the freehold sale/disposal of part of greensward in Laurel Avenue Dovercourt.

EXECUTIVE SUMMARY

Situated to the front and roadside of the privately owned bungalows 2a and 2b Laurel Avenue, Dovercourt, is a TDC owned greensward administered under the Housing Portfolio (HRA).

The greensward is currently an informally used space maintained under the Housing Service grounds maintenance contract and previously being highway land (see below). Evidence shows that this area is regularly used by nearby residents as an unofficial car park when roadside parking is not available.

The owners of 2a and 2b Laurel have obtained the necessary Planning Permission to alter the land from highway to private garden (No. 18/000497/FUL). They have also obtained a Town and Country Planning Act 1990 Stopping of Highway Order.

In January 2018 Portfolio Holder approval was obtained to initiate the Council's Property Dealing Procedure and to obtain an independent valuation of the land and to negotiate a price with the proposed purchasers.

The market valuation has now been obtained and the prices agreed, subject to contract, and approval of the Portfolio Holders, are as per the valuation.

RECOMMENDATIONS

- (1) That the Portfolio Holder for Finance and Corporate Resources and the Portfolio Holder for Housing authorise the sale of the land to the owners of 2a & 2b Laurel Avenue on the terms set out in this report; and
- (2) That the Portfolio Holder for Finance and Corporate Resources and the Portfolio Holder for Housing authorise the Corporate Director (Corporate Services) to enter in to any necessary contract and transfer deed to complete the sale of the land on the terms set out in this report, in compliance with any standard conditions of sale and subject to such other terms that he considers necessary.

- **PART 2 – IMPLICATIONS OF THE DECISION**

DELIVERING PRIORITIES
<p>Our priorities include:</p> <ul style="list-style-type: none"> • Delivering a quality living environment • Make the most of our assets
FINANCE, OTHER RESOURCES AND RISK
<p>Finance and other resources</p> <p>The sale of this land would provide a financial receipt which could be reinvested in future dwelling purchases within the HRA. The land is not utilised in terms of financial benefit at present and therefore this sale would, in the Officer's opinion, be a better use of the Council's assets.</p> <p>Risk</p> <p>There is no recognised risk with the proposed transaction other than the usual risk associated with selling land, but appropriate due diligence and reporting has been undertaken in that respect.</p>
LEGAL
<p>Section 32 of the Housing Act 1985 together with the General Housing Consent 2013 gives the Council discretionary power to dispose of land held under Part 11 of the Housing Act 1985 that has not been developed.</p> <p>In this case the land is held under Part 11 of the Housing Act 1985. It includes no dwellings. Accordingly, Secretary of State Authority is not necessary. The Council should seek the Best Consideration Reasonably Obtainable and it is the Officers view this has been done as the land is being sold for the amount it was valued at.</p>
OTHER IMPLICATIONS
<p>Consideration has been given to the implications of the proposed decision in respect of Crime and Disorder, Equality and Diversity, Health Inequalities, Consultation/Public Engagement and Wards; and any significant issues are set out below.</p> <p>None</p> <p>Ward</p> <p>Harwich</p>

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The greensward is currently an unused maintained under the Housing Service grounds maintenance contract. However, evidence shows that this area is regularly used by nearby residents as an unofficial car park when roadside parking is not available.

CURRENT POSITION

Situated to the front and roadside of the privately owned bungalows 2a and 2b Laurel Avenue, Dovercourt, is a TDC owned greensward administered under the Housing Portfolio (HRA).

The greensward is currently an informally used space maintained under the Housing Service grounds maintenance contract and previously being highway land (see below). Evidence shows that this area is regularly used by nearby residents as an unofficial car park when roadside parking is not available.

The owners of 2a and 2b Laurel have obtained the necessary Planning Permission to alter the land from highway to private garden (No. 18/000497/FUL). They have also obtained a Town and Country Planning Act 1990 Stopping of Highway Order.

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FURTHER HEADINGS RELEVANT TO THE REPORT

None

BACKGROUND PAPERS FOR THE DECISION

None

APPENDICES

Appendix A – Site photos and Plan

APPENDIX A



