

Key Decision Required:	No	In the Forward Plan:	No
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**PORTFOLIO HOLDER FOR
CORPORATE FINANCE AND GOVERNANCE**

15 JUNE 2021

REPORT OF ASSISTANT DIRECTOR (BUILDING & PUBLIC REALM)

A.1 INITIATION OF THE PROPERTY DEALING PROCEDURE IN RELATION TO THE POTENTIAL ACQUISITION OF 36 SEA WAY AND 26-27 TAMARISK WAY, JAYWICK.

(Report prepared by Izaak Marshall)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To consider whether to initiate the property dealing procedure in respect of the potential acquisition of 36 Sea Way and 26-27 Tamarisk Way, Jaywick as shown edged red on the attached plans.

EXECUTIVE SUMMARY

TDC have been approached by an individual who has offered to dispose of two properties located in Jaywick.

The first property is located in Sea Way and is a 2-bedroom residential dwelling. The second property is the disused building adjacent in Tamarisk Way. The most recent use was a café but it is also understood to have had residential use in the past.

The potential future uses of the properties has not yet been fully considered. However, the properties have the potential to be demolished in order to improve the local environment, be rebuilt for housing purposes or be repaired and converted back to some alternative business or community use.

The Portfolio Holder is therefore requested to consider whether to begin the procedure for the acquisition of these properties.

RECOMMENDATION(S)

That the Portfolio Holder initiates the property dealing procedure, whereby Officers consider the potential transaction in accordance with the Council’s Constitution.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The acquisition of the properties offers potential to contribute to Council Priorities of:

- Jaywick Sands – more and better housing; supporting the community.
- Building and managing our own homes.
- Use assets to support priorities.
- Local regeneration.
- Strong and focused Leadership.

FINANCE, OTHER RESOURCES AND RISK
<p>Finance and other resources</p> <p>In accordance with the property dealing procedure, if initiated, expenses will be incurred, as Officers will need to obtain external valuations.</p> <p>Risk</p> <p>There is not considered to be any significant risk in considering the potential acquisition of the properties in question.</p>
LEGAL
<p>Section 120(1) of Local Government Act 1972 provides for the Council to acquire land either within or outside the District for any purpose within that or any other Act or for the benefit, improvement or development of the area.</p> <p>Section 12 of the Local Government Act 2003 provides a general power to invest (a) for any purpose relevant to its functions under any Act or (b) for the purposes of the prudent management of its financial affairs.</p> <p>In coming to decisions in relation to management of assets, the Council must act in accordance with its statutory duties and responsibilities. Under case law following Section 120 of Local Government Act 1972, the Council is obliged to ensure that the management of its assets are for the benefit of the district.</p>
OTHER IMPLICATIONS
<p>Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.</p> <p>Crime and Disorder/Equality and Diversity/Health Inequalities/Consultation/Public Engagement</p> <p>The local Ward Members have been advised of this report.</p> <p>Ward</p> <p>West Clacton & Jaywick Sands</p>

PART 3 – SUPPORTING INFORMATION

BACKGROUND
<p>Officers have been in discussion with the owner of two vacant properties in Jaywick, who is potentially willing to dispose of them to TDC.</p> <p>The first property in Sea Way is a 2 bedroom residential bungalow, and second property which is adjacent in Tamarisk Way. Former uses for this were as a café and residential property, respectively.</p> <p>The properties are not in prime condition and lie immediately adjoining new homes constructed and offered for sale by TDC.</p> <p>Officers would like approval to initiate the property dealing procedure, in order to procure external valuations, in order to consider the potential acquisition of these two properties further.</p>
CURRENT POSITION
<p>Officers have obtained quotes for external valuations, which will be at cost to TDC, there is</p>

potential that a second valuation will be required which will be an additional cost.

Once valuations have been obtained, officers will be in the position to begin negotiations with the seller.

The Portfolio Holder is therefore requested to consider whether to initiate the procedure for the acquisition of the two properties.

APPENDICES

- Appendix A – Location Plans
- Appendix B – Assessment of Acquisition Feasibility