

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 TO INITIATE THE PROPERTY DEALING PROCEDURE IN RESPECT OF THE POTENTIAL DISPOSAL OF VARIOUS PIECES OF LAND AND PROPERTY ACROSS TENDRING

(Report prepared by Jennie Wilkinson)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To consider whether to initiate the Property Dealing Procedure in respect of 25 pieces of land/property, listed in the Current Position section of this report and identified on the plans in Appendix A.

EXECUTIVE SUMMARY

As part of the rationalisation of the Council's assets, 25 pieces of land/property have been identified that may be of more benefit to TDC to dispose of rather than retain. All land and property identified is owned by TDC, with some areas leased for nominal amounts and others whilst being maintained have no specific purpose and do not appear to provide any quantifiable benefit. This report requests the initiation of the Property Dealing Procedure so that each piece of land or property can be valued and potential disposal explored.

RECOMMENDATION(S)

That the Portfolio Holder agrees to initiate the Property Dealing Procedure in respect of the 25 pieces of land/property identified in this report, whereby Officers can consider the potential transactions in accordance with the Council's Constitution.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The potential transactions are pertinent to the following Council priorities:

- Use assets to support priorities
- Balanced annual budget
- Supporting physical activity and wellbeing
- Public Spaces to be proud of in urban and rural areas

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

Freehold disposal will generate capital receipts as well as in some cases reduce revenue spending on maintenance or lease administration for nominal returns.

The average cost of a valuation report per piece of land/property is £750 + VAT.

Risk

There is not considered to be a significant risk

LEGAL

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.

Section 123(1) Local Government Act 1972 indicates that, a local authority may dispose of land held by it in any way it wishes so long as (section 123 (2)) the land is disposed for a consideration not less than the best that can reasonably be obtained.

Section 123(2A) Local Government Act 1972 indicates that, a local authority may not dispose of land held by it without advertising its intention to do so in the local press.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder/Equality and Diversity/Health Inequalities/Consultation/Public Engagement

- **Consultation/Public Engagement**

Advertisement of the potential disposal is necessary for areas of public open space.

- **Ward**

Various

- **Carbon Neutral by 2030**

In disposing of land/property that is not supporting Council priorities, carbon expenditure on maintenance, running and upkeep is saved.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The property strategy identifies the need to seek the most effective way in which unused assets can contribute to the Council's priorities. In this regard Officers have been tasked with identifying land that has no specific purpose and has the potential for sale for development or repurpose.

In putting together this list, other land/property has also been identified, where it may benefit TDC to dispose of them to third tier Councils in order for them to be managed on a more local level.

CURRENT POSITION

The following land/property has been identified for potential disposal and this report seeks to initiate the Property Dealing Procedure in order to obtain valuations and explore disposal options:

1. Allotments, Wivenhoe Road, Alresford
2. Land off Church View, Ardleigh
3. The lido, Promenade Way, Brightlingsea
4. Land Fronting Church Road, Brightlingsea

5. Land off Olde Forge, Brightlingsea
6. 2 x Garages to the rear of Town Council Offices, Victoria Place, Brightlingsea
7. Land off Station Road, Brightlingsea
8. Land in Orlando Court, Walton on the Naze
9. The Columbine Centre, Walton on the Naze
10. Allotments, Waltham Way, Frinton on Sea
11. Public Open Space, Poplar Way, Kirby Cross
12. The Hangings, Section 1, Harwich
13. The Hangings, Section 2, Harwich
14. Allotments adjacent to the Redoubt, Harwich
15. Lawford Estate Pathways
16. Land in High Street, Manningtree
17. Riverside Walk and Pathway from Car Park to Town, Manningtree
18. Land in Hilton Close, Manningtree
19. Land known as the old library site, Rear of Stour Street, Manningtree
20. Allotments to the rear of Middlefield Road, Mistley
21. Welfare Park, Parkeston
22. Land at The Bury, St Osyth
23. Land on the corner of Crow Lane, Weeley
24. Access Road and Landscaping area, off Clacton Road, Weeley
25. Allotments rear of Colchester Road, Wix

Location plans and Google Earth screenshots are provided for each area in Appendix A and assessments of disposal feasibility for each is attached at Appendix B.

FURTHER HEADINGS RELEVANT TO THE REPORT

None

APPENDICES

- Appendix A – Location Plan
- Appendix B – Assessment of disposal feasibility