

<b>Key Decision Required:</b>	<b>No</b>	<b>In the Forward Plan:</b>	<b>No</b>
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**REPORT FOR CORPORATE DIRECTOR OPERATIONS FOR FREEHOLD PURCHASE OF 10 MASON ROAD CLACTON-ON-SEA ESSEX CO16 7AN**

**3 June 2022**

**(Report prepared by Saira Mahboob)**

**PART 1 – KEY INFORMATION**

**PURPOSE OF THE REPORT**

To authorise completion of the purchase transaction of 10 Mason Road Clacton-on-Sea Essex CO16 7AN to the Council. The property is to be included as part of the Council's Housing Stock at the purchase price of £195,000.

**EXECUTIVE SUMMARY**

The proposal is to purchase the freehold of a two bedroom house namely, 10 Mason Road. The property is a former Right to Buy property under a Transfer dated 9 January 2017.

Tendring District Council already owns numerous properties on the road. Buying back this property would make general improvement works and day to day management an easier process.

**RECOMMENDATION(S)**

That the Corporate Director (Operations and Delivery) notes the contents of the report and authorises:

- (i) Completion of the purchase of 10 Mason Road Clacton-on-Sea Essex CO16 7AN to the Council at the purchase price of £195,000.

**PART 2 – IMPLICATIONS OF THE DECISION**

**DELIVERING PRIORITIES**

The purchase of 10 Mason Road has the potential to contribute to the Council priority to deliver a quality living environment by:

- Supporting the supply of affordable housing.
- Managing public money effectively meaning value for money principles are embedded in the delivery of all our services.

**FINANCE, OTHER RESOURCES AND RISK**

**Finance and other resources**

As referred to in the Cabinet – Joint Report of the Portfolio Holder for Corporate Finance

and Government and Portfolio for Housing dated 25 March 2022.

### **Risk**

The land abutting the front and rear of the Property coloured and hatched brown on the plan attached to the Transfer dated 9 January 2017 is not adopted. The potential risk of adjoining property owners may not agree the cost of repairing and maintaining as and when such works are required.

### **LEGAL**

In coming to decisions in relation to the management or procurement 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 17 of the Housing Act 1985 provides the principal power for the acquisition of land for housing purposes, including land as a site for the erection of houses; this includes the power to acquire land for the purposes of disposing of the land to a person who intends to provide housing accommodation on it.

Pursuant to Section 9 of the Housing Act 1985 (“the 85 Act”), a local housing authority may provide housing accommodation by acquiring houses. Section 24 of the 85 Act provides that the Council acting as a housing authority may make such reasonable charges as they may determine for the tenancy or occupation of their houses.

The Corporate Director (Operations and Delivery) has the delegated powers to make this decision on the terms set out in the Joint Report of the Corporate Finance and Governance Portfolio Holder and the Housing Portfolio Holder and in accordance with paragraph (b) of the Cabinet Decision dated 25 March 2022.

### **OTHER IMPLICATIONS**

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.

None

### **Ward**

Bluehouse Ward Clacton-on-Sea

### **BACKGROUND INFORMATION/ PAPERS FOR THE DECISION**

Transfer dated 9 January 2017.

10 Mason Road is a former Right to Buy property under a transfer dated 9 January 2017. The Property is subject to the standard Right to Buy covenants and the covenants mentioned in i) and ii) below which the Council is required to observe once the purchase transaction is completed:

- i) Any works and the cost of all works relating to the Property, which will benefit adjoining properties and vice versa, will be carried and shared jointly.
- ii) The owner of the Property and adjoining properties owners and occupiers are required to pay a fair proportion towards repairing and maintaining the land coloured and hatched brown on the plan attached to the Transfer dated 9 January 2017..

## **APPENDICES**

**Appendix A:** Transfer dated 9 January 2017

**Appendix B:** Draft Transfer Deed TR1