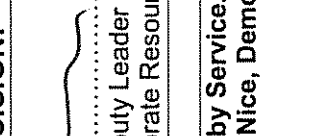


RECORD OF EXECUTIVE DECISION

Ref. (for Democratic Services only)	Date	Decision Maker	Decision	Reason for Decision	Alternative Options Considered	Conflicts of Interest Declared (and Dispositions granted by Standards Committee)	Consultation with Ward Member(s)	Subject to Call-in? Yes/No
	17 th October 2017	Portfolio Holder for Finance and Corporate Resources	To initiate the property dealing procedure in relation to the potential acquisition of Garage Plot 5 Blenheim Rd, Clacton..	To consider the request received to in accordance with the Council's Property Dealing Policy.	Not initiating the process.	None	To be confirmed	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	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	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	N/A	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			N/A	N/A
				If yes, has the Chairman of the relevant overview and scrutiny committee			N/A	N/A
AGREEMENT TO DECISION:-								
Signed:-			Date:- 9/12/17	Delegated Power Reference (in Part 3 of the Constitution):- 3.31, Item 4.2.1				
Decision Maker Clr G Guglielmi – Deputy Leader and Portfolio Holder for Finance and Corporate Resources								

Original signed copy to be retained by Service.

Electronic copy to be sent to Janey Nice, Democratic Services Officer, for inclusion of relevant details into decisions list.

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

17th October 2017

A.1 INITIATION OF THE PROPERTY DEALING PROCEDURE: PURCHASE OF Garage Plot 5, Blenheim Road, Clacton on Sea

(Report prepared by Tim Clarke, David Black & Matthew Wicks)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To consider whether to initiate the Council's Property Dealing Process for the potential purchase of Garage Plot 5, Blenheim Road, Clacton On Sea.

EXECUTIVE SUMMARY

A row of 14 garages have been demolished due to being unsafe structures. The Council own 13 of these garages and the forecourt in front of the garages.

Plans have been drawn to re-develop the site with new bigger garages; however the single privately owned sold plot in the centre of the sight hinders our plans. We have a big demand for garages in Clacton with a waiting list of over 50 people.

Our request is to enter into negotiations with the owner to purchase the single sold plot.

RECOMMENDATION(S)

That the Portfolio Holder initiates the property dealing process, in respect of the potential purchase of the garage from the current owner, in order that Officers may consider the potential transaction, including valuation, examinations, and negotiations in accordance with the Council's Property Dealing Policy (as set out in the Constitution).

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

Our priorities include providing decent affordable housing and to ensure all our residents live in high quality housing which meets local needs. To aid and support housing land allocations made which will support sustainable mixed developments and the supply of affordable housing sites apply high design standards to all new proposals.

To manage 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

The purchase of the single plot will allow us to build ten new garages on the site rather than nine. The additional garage will increase the site annual rental income by £424 per year (based on 2018's garage rental amount).

Risk

Officers have not identified any significant risk associated with the proposals.

LEGAL

In coming to decisions in relation to 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.

The Council has powers to compulsorily purchase land or buildings for housing purposes. In this instance the land is for sale on the open market.

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.

The General Disposal Consent Order (England) 2003 gives consent for disposal at below best consideration reasonably obtainable provided that the undervalue is less than £2m and the proposal enhances the environmental economic and social wellbeing of the area.

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.

In this case it is not currently proposed to dispose of the land other than at Best Consideration Reasonably Obtainable.

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 / Area or Ward affected / Consultation/Public Engagement.

Area or Ward Affected

Clacton

PART 3 – SUPPORTING INFORMATION

BACKGROUND

A row of 14 garages in Blenheim Road, Clacton have been demolished due to being unsafe structures. The Council own 13 of these garages and the forecourt in front of the garages. Plans have been drawn to re-develop the site with new bigger garages; however the single sold plot in the centre of the site hinders our plans. Our request is to enter into negotiations to purchase the single sold plot.

Potential income based on our current garage rent (minus VAT) is £424 per year per garage.

So potential income for 9 garages is £3816 per year.

Or potential income for 10 garages is £4240 per year – (if we were to buy the sold plot).

There is no opportunity to develop the site for domestic dwellings. We have a big demand for garages in Clacton with a waiting list of over 50 people.

CURRENT POSITION

The owner of the sold garage plot has indicated that they would be willing to sell.

Authorisation is now required to enter into negotiations.

BACKGROUND PAPERS FOR THE DECISION

None

APPENDICES

None

