

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**

5 DECEMBER 2017

A.1 FREEHOLD DISPOSAL/SALE OF COUNCIL HOUSING GARDENS WIVENHOE ROAD, ALRESFORD

(Report prepared by David Black)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek approval from Portfolio Holder for Resources and Corporate Services for the freehold Disposal/Sale of council house gardens, now surplus to requirements, in Wivenhoe Road, Alresford for solely residential garden purposes only.

EXECUTIVE SUMMARY

The rear gardens of two council owned properties in Wivenhoe Road, Alresford have disproportionately large rear gardens of approximately 80m x 7m (260ft x 23ft). There has been a history of garden maintenance issues due to their scale and since the occupiers of these bungalows tend to be older single tenants.

Both properties were recently void (vacated) as the former tenants had moved into residential care and Sheltered Housing.

Void improvement works included reducing the rear gardens of both bungalows to 20m (65ft) long and new boundary fences have been erected.

Both properties have now been re-let to single older tenants, with the tenancies amended to reflect the new boundaries and reduced garden sizes.

Applications have been received from neighbouring property owners to purchase sections of the remaining surplus gardens.

In July 2017 Portfolio Holder approval was obtained to initiate the Council's Property Dealing Procedure to obtain independent valuation of the garden land and to allow commencement of negotiations with neighbours over the sale of these surplus garden plots.

The market valuation has now been obtained and negotiations with the neighbours have been completed satisfactorily to enable the sale to be progressed to its conclusion.

Part B of agenda refers to the detail of negotiations. Receipts from the sale of these now, surplus to requirement plots, could be reinvested within the Housing Revenue Account

(HRA) to improve the stock or contribute to future property purchases.

RECOMMENDATIONS

That the Portfolio Holder for Resources and Corporate Services authorises the freehold disposal/sale in principle, subject to his decision on terms set out in the report in Part B of this agenda.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The disposal/sale will have the potential to deliver on the following Council priorities:

- Ensuring our residents live in high quality housing which meets local needs;
- To manage public money effectively meaning value for money principles are embedded in the delivery of all of our services;

because receipts from the sale of this now, surplus to requirements, plot would be reinvested within the Housing Revenue Account (HRA) to improve the stock or contribute to future property purchases.

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

The disposal/sale of the plot of land carries no financial cost and would immediately generate a cash receipt . Details of this are contained in Part B of this Report Agenda

Risk

There is no recognised risk with the proposed transactions.

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 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. (Best consideration)

The land is being sold for Best Consideration. The Council's Property Dealing Procedure as contained in the Constitution has been adhered to.

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

Alresford

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The properties in Wivenhoe Road, Alresford are both part of the Council's general housing stock. They are both one bedroom bungalows and are recognised as suitable accommodation for single older or disabled tenants or couples.

Historically the considerable size of the rear gardens has caused former tenants problems with upkeep and the cost of general garden maintenance, as it is a condition of all tenancies to upkeep all allocated gardens.

The recent vacancies of both properties provided the opportunity to address the issue coupled with the registered interest of neighbouring property owners in acquiring additional garden land.

CURRENT POSITION

The surplus garden plot has been fenced and set aside.

The applicants have now all agreed in principal to the proposed sale/ disposal valuations and costs.

FURTHER HEADINGS RELEVANT TO THE REPORT

None

BACKGROUND PAPERS FOR THE DECISION

None

APPENDICES

- **Appendix A – Location Plan**