

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

January 2018

A.1 FREEHOLD DISPOSAL OF LAND IN FORD ROAD, CLACTON ON SEA

(Report prepared by Jennie Wilkinson)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT
To seek approval in principle for the freehold disposal of land in Ford Road, Clacton on Sea.

EXECUTIVE SUMMARY
<p>The site is shown edged red on the plan at Appendix A. It forms part of a small industrial estate on the outskirts of Clacton town centre.</p> <p>The bulk of this estate has been sold off by the Council over the years and this plot is the last one remaining in Tendring District Council’s ownership.</p> <p>The land has been Leased under the current Lease since 1997 and this Lease is now due for renewal.</p> <p>The current tenants have requested to purchase the freehold rather than renew the lease. Terms have been provisionally agreed and are set out in the concurrent confidential report.</p>

RECOMMENDATION(S)
That the Portfolio Holder authorises, in principle, the freehold disposal.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES
The Council has corporate priorities to support business growth, make the most of its assets and support local regeneration.

FINANCE, OTHER RESOURCES AND RISK
<p>Finance and other resources</p> <p>The freehold disposal will result in a capital receipt for the Council. Capital receipts can be invested in service delivery or in income generation. Details of this are contained in the concurrent confidential report.</p> <p>Risk</p> <p>Full details of risk are set out in the concurrent confidential report.</p>

LEGAL
Section 123(1) Local Government Act 1972 (1972 Act) 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.

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.

Ordinarily the procedure for disposal of land includes an initial decision to initiate the process. In this case the transaction has arisen out of lease renewal negotiations and officers propose, in the interest of efficiency that the entire matter is considered in one stage.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of:

- Crime and Disorder
- Equality and Diversity
- Health Inequalities
- Area or Ward affected
- Consultation and Public Engagement

any significant issues are set out below:

- None

Ward

Alton Park

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The site is shown edged red on the plan at Appendix A. It forms part of a small industrial estate on the outskirts of Clacton town centre.

The bulk of this estate has been sold off by the Council over the years and this plot is the last one remaining in Tendring District Council's ownership.

The land has been Leased under the current Lease since 1997 and this Lease is now due for renewal.

CURRENT POSITION

The current tenants have requested to purchase the freehold rather than renew the lease.

Terms have been provisionally agreed and are set out in the concurrent confidential report.

APPENDICES

Appendix A – Location Plan