

**PORTFOLIO HOLDER FOR HOUSING & PLANNING AND
PORTFOLIO HOLDER FOR ASSETS & COMMUNITY SAFETY**

10 November 2025

REPORT OF THE CORPORATE DIRECTOR FOR PLANNING & COMMUNITY

A. FREEHOLD SALE OF RESIDENTIAL PROPERTY, 5 ANGELGATE, HARWICH BY AUCTION

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek approval from the Portfolio Holders to agree the freehold disposal of a three bedroom Grade II listed property in Harwich, which requires substantial structural and maintenance work.

EXECUTIVE SUMMARY

On the 29th July 2024 a decision was taken to initiate the Property Dealing Procedure to consider the disposal of three properties in Angelgate, Harwich, of which this is one. Number 5 Angelgate is a three-bedroom terraced house constructed in 1858 and acquired by the Council in 1974. The Grade II listed property is a traditionally built structure, with timber sash windows and a slated roof.

The property was initially undergoing void reinstatement works; however, during the process, a number of structural, damp, and other issues were identified. Given the extent of these issues and the level of investment required to bring the property up to a standard appropriate for social housing, it was subsequently proposed for consideration for disposal.

Both housing budgets and officer time are subject to high demand and practically, disposal of this property is considered the best use of these resources, with the opportunity to use the funds received towards a more suitable alternative property, for example a good quality ex-Council House on an established estate, where the Council already have other property and assets.

With this property being both Grade II listed and in need of substantial repairs and refurbishment, trying to sell on the open market may prove challenging and previous experience with similar property has resulted in several abortive sales. Therefore disposal of the property at Auction is proposed as the quickest and most feasible solution, which also proves best value by its standard process.

RECOMMENDATION(S)

It is recommended that:

- (a) The Portfolio Holders approve the freehold disposal of 5 Angelgate Harwich; and**
- (b) Subject to (a) agree the principal of selling the site via auction.**

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REASON(S) FOR THE RECOMMENDATION(S)

The property requires significant work to the structure as well as full refurbishment to bring the property back to a condition suitable to meet the standard for housing stock. In the current condition the property is uninhabitable.

The Council's Housing Asset Management Plan notes that a considered approach is taken to disposal of stock that is disproportionately costly to repair or upgrade to an appropriate standard. With this property being Grade II Listed and in need of significant repairs, disposal is considered appropriate in the circumstances.

With the same considerations around the heritage listing and the amount of repair work necessary for the property to be habitable, a sale by auction is recommended in order to keep the sale timeframe reasonable and eliminate the possibility of buyers withdrawing after months of legal work

ALTERNATIVE OPTIONS CONSIDERED

The following options were considered and eliminated:

- Do nothing: the property will continue to deteriorate causing nuisance to neighbours; this will also have a negative impact on the Council's reputation
- Repair and refurbish: this has a significant capital cost and resource implications and is disproportionate to a single three-bed property in this area.
- To sell the property on the open market via an estate agent: due to condition of the property, and possible restrictions that come with the property being Grade II listed, sale in the open market will most likely be a very time consuming process.
- Demolish and redevelop: this is not an option because of the Grade II historic listing.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

This decision supports the following priorities in the Corporate Plan 2024 – 2028:

- Pride in our area and services to residents
- Financial sustainability and openness

The Council's Housing Asset Management Plan includes a considered approach to housing stock which requires a significant amount of investment to repair or refurbish to a suitable standard. With disposal of property requiring a significant outlay, in order for receipts to be invested in more suitable property.

OUTCOME OF CONSULTATION AND ENGAGEMENT (including with the relevant Overview and Scrutiny Committee and other stakeholders where the item concerns proposals relating to the Budget and Policy Framework)

The ward member and the tenants' panel have been consulted previously. No concerns have been raised in respect of the disposal process.

LEGAL REQUIREMENTS (including legislation & constitutional powers)			
Is the recommendation a Key Decision (see the criteria stated here)	YES/NO	If Yes, indicate which by which criteria it is a Key Decision	☐ Significant effect on two or more wards ☒ Involves £100,000 expenditure/income ☐ Is otherwise significant for the service budget
		And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)	30 September 2025
The Powers to provide and deal with social housing land and property are provided by the Housing Act 1985 and accordingly this land is held under Pt II of that Act. Section 32 of the Housing Act 1985 gives the Council discretionary power to dispose of land held under Part II of that Act provided that the consent of the Secretary of State is given. Section 44 of the Act provides: “(1) A disposal of a house by a local authority made without the consent required by section 32 or 43 is void, unless— (a) the disposal is to an individual (or to two or more individuals), and (b) the disposal does not extend to any other house.” The General Consent for the Disposal of Land held for the purposes of Part II of the Housing Act 1985 – 2013 provides that: “...A3.1.1 A local authority may, subject to paragraph 3.1.2, dispose of land for a consideration equal to its market value... A3.2 A local authority may dispose of vacant land. A3.3.1 A local authority may dispose of an unoccupied dwelling-house to a person who intends to use it as their only or principal home subject to paragraphs 3.3.2 to 3.3.4....” In this case the rationale for the proposed disposal is the extensive work necessary to make the property habitable, as well as the added complications of the Grade II Listing. It is not considered that this disposal is covered by the General Consent for the Disposal of Land held for the purposes of Part II of the Housing Act 1985 – 2013 for the following reasons: 1. The land would not be considered vacant for the purposes of paragraph A3.2 as although the dwelling-house is not currently habitable, it cannot be demolished because of its Grade II Listing and therefore any purchaser will have to refurbish it. 2. Under paragraph A3.3.1, whilst there are no secure tenancies and no right to buy discounts will be applied, in selling the property at auction, the Authority cannot say			

definitively that the purchaser will acquire it with the intention of it being their only or principal home.

Therefore approval from the Secretary of State will be required and in order to request approval, a formal decision to sell in accordance with the Council's Constitution has to be provided.

X	The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:
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FINANCE AND OTHER RESOURCE IMPLICATIONS

The financing of the HRA is ring fenced from the general fund and is established to be self-sustaining within the context of the 30 year business plan.

Funding and other resources to support a repair or refurbishment project would be sourced from within the Housing Investment Programme and revenue repairs budgets. These budgets, along with the associated staff capacity, are currently operating at a high level of demand. This pressure is being further compounded by emerging regulatory requirements, legislative changes, and a growing number of claims.

Given the pressing need to invest in the wider stock the disposal of this individual property is a pragmatic way to prioritise the use of current resources and achieve some level of capital receipt to contribute to the acquisition of more suitable property or improvement of existing ones. Ex-Council Houses on already established estates have previously been acquired and provide reliable stock, with the type of property known to the maintenance teams and the location generally being on already established estates where other property and assets operated by the Housing Team are situated.

The nature and condition of this property lends itself to an auction disposal, which demonstrates best value and stops long timeframes and abortive sales, which have been an issue when trying to dispose of this type of property in the open market in previous cases.

X	The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:
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USE OF RESOURCES AND VALUE FOR MONEY

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;

The Council operates a 30 year business plan for its housing functions, this sets a framework for decisions on expenditure and other resources. The disposal will relief the Council from any financial and resource implications.

B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	The Council has a constitution and scheme of delegations, which ensure that the decision has the best interest and minimal risks to the Council. This decision is also in line with the Council's Housing Asset Management Plan.
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	Careful consideration of the cost of refurbishment has been given in coming to the recommendation to dispose, in order for resources to be better used elsewhere.
MILESTONES AND DELIVERY	
Subject to decision, an application can be submitted to the Secretary of State for permission to dispose of the property. If this is agreed, the disposal can be progressed by the auctioneer and the solicitors for the parties. Auctions are typically held once a month, with a 4 – 6 week lead time and completion 28 days after the date of the auction.	
ASSOCIATED RISKS AND MITIGATION	
There is a risk that the property won't sell at auction. Should this be the case, the Council will still be the freehold owner of the property and can choose to try again at another auction, or find an alternative disposal route.	
EQUALITY IMPLICATIONS	
It is not considered that the disposal has any implications on equality.	
SOCIAL VALUE CONSIDERATIONS	
It is not considered that the disposal has any impact of social values.	
IMPLICATIONS RELATED TO DEVOLUTION AND/OR LOCAL GOVERNMENT REORGANISATION	
It is in the best interest of the Council to regularise the position on assets and property prior to a new organisation taking over.	
IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2050	
The disposal itself has no effect on the emission or absorption of carbon dioxide.	
OTHER RELEVANT CONSIDERATIONS OR 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	Vacant and derelict properties can be targets of anti-social behaviour, the disposal of this property should have a positive effect in relation to crime and disorder.
Health Inequalities	The disposal will have progressive effect in relation to the health of people in the local area.
Subsidy Control (the requirements of the Subsidy Control Act 2022 and the related Statutory Guidance)	There are no proposed subsidies.

Area or Ward affected	Harwich and Kingsway

PART 3 – SUPPORTING INFORMATION

BACKGROUND
Angelgate is a three-part terrace of 16 traditionally built houses constructed in 1858 for use of Coastguard staff related to the adjoining Navy Yard. The area was acquired by the Borough of Harwich in 1972 and vested in Tendring District Council in 1974. The homes are three bedroomed traditionally built structures with wooden sash windows and slated roofs. Five of the homes, have been sold previously. Work was begun as a void reinstatement but during the work structural, damp and other issues were discovered. Significant financial resource would be required to bring the properties into a useable state. Long term decency and energy efficiency expectations may be very hard to meet. Resources are stretched and the resulting properties would still be harder and more costly to use, maintain and upgrade to modern standards.
PREVIOUS RELEVANT DECISIONS
29 July 2024 – Decision - Initiation of Disposals process: Angelgate Harwich.
BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL
None

APPENDICES
None

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