

## **ASSET DISPOSAL PROGRAMME 2017-18**

Cabinet	<b>27 July 2017</b>
Report Author	<b>Director of Corporate Governance</b>
Portfolio Holder	<b>Cllr John Townend, Portfolio Holder (Finance &amp; Estates)</b>
Status	<b>For Decision</b>
Classification:	<b>Unrestricted</b>
Key Decision	<b>Yes</b>
Reasons for Key	<b>The decision affects more than one ward</b>
Previously Considered by	<b>Cabinet - 15 June 2017</b>
Ward:	<b>All</b>

### **Executive Summary:**

This report details the proposed asset disposals considered at Cabinet on the 15th June 2017. In the absence of any response from ward members opposing the disposal of these assets, they are recommended for disposal on either the open market or through community asset transfer.

### **Recommendation(s):**

1. To proceed with the disposal of assets listed in Annex 1 with sale proceeds being used to fund the asset management and capital programmes;
2. To proceed with the transfer of assets listed in Annex 2 to Parish & Town Councils and eligible Community Groups to ensure their continued use for the benefit of the community.

### **CORPORATE IMPLICATIONS**

<b>Financial and Value for Money</b>	The capital programme is part-funded from capital receipts generated from the sale of assets. These disposals are required to enable the continued investment in council assets. The disposal of the assets listed in this report will not only generate capital receipts but will also reduce ongoing maintenance costs and reduce the risk of incurring future capital expenditure.
<b>Legal</b>	The council may dispose of land held in any manner it wishes but the council shall not dispose of land, otherwise than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained. There is an exception to this general rule where the council is able to sell a site for less than its market value, but it must seek statutory consent to do so. Specific consent is not needed where the council can demonstrate the land sale will help to secure the improvement of the economic, social or environmental wellbeing of the local area, and the undervalue is only up to £2m less than market value
<b>Corporate</b>	The disposals programme is proposed to ensure the delivery of the Medium Term Financial Strategy and funding of the Capital Programme. It is to be delivered within the parameters of the existing Asset Management Plan and disposals policy and will continue under the new Asset

	Management Plan that was approved by cabinet on Thursday 9th March 2017.								
<b>Equalities Act 2010 &amp; Public Sector Equality Duty</b>	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy &amp; maternity. Only aim (i) of the Duty applies to Marriage &amp; civil partnership.</p> <table border="1"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td></tr> <tr> <td>Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td><td><input checked="" type="checkbox"/></td></tr> <tr> <td>Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td><td><input checked="" type="checkbox"/></td></tr> <tr> <td>Foster good relations between people who share a protected characteristic and people who do not share it.</td><td><input type="checkbox"/></td></tr> </table>	Please indicate which aim is relevant to the report.		Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	<input checked="" type="checkbox"/>	Advance equality of opportunity between people who share a protected characteristic and people who do not share it	<input checked="" type="checkbox"/>	Foster good relations between people who share a protected characteristic and people who do not share it.	<input type="checkbox"/>
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<p>Are there any assets that are proposed to be disposed of that are used by staff or the public. Yes</p> <p>Do they offer facilities which, if removed as a result of disposal, reduce overall access to services for people with protected characteristics? Generally no, however those the subject of community asset transfer will still remain available for public use.</p> <p>Might the transfer of responsibility for managing an asset increase or decrease access to services for people with protected characteristics? No</p> <p>Would there be consequences for staff or customers if an asset isn't disposed of and deteriorates through lack of funding? Potentially</p>									

CORPORATE PRIORITIES (tick those relevant)✓	
A clean and welcoming Environment	
Promoting inward investment and job creation	✓
Supporting neighbourhoods	✓

CORPORATE VALUES (tick those relevant)✓	
Delivering value for money	✓
Supporting the Workforce	
Promoting open communications	

## 1.0 Introduction and Background

- 1.1 The Medium Term Financial Strategy assumes ongoing cost savings in the maintenance of assets to be achieved by rationalising the asset base. In addition the capital programme requires funding from receipts generated from asset disposals.
- 1.2 The properties listed in Annex 1 and 2 were proposed for disposal at the June Cabinet and were the subject of consultation with ward members. There were no

adverse comments received which would change the original recommendation to dispose of any of the assets agreed at Cabinet in June.

## **2.0 The Proposed Disposal Programme**

- 2.1 The Council uses its property assets for a range of purposes including direct delivery of services, revenue generation and supporting corporate plan objectives. The current general fund portfolio is diverse and is reviewed regularly in relation to maintenance liability, revenue generation and capital appreciation. The assets listed in Annex 1 have been identified as surplus and suitable for open market disposal.
- 2.2 The assets in Annex 2 have been identified as being suitable for Community Asset Transfer to Parish and Town Councils or eligible community organisations.
- 2.3 More investigations will be carried out in respect of future properties to be listed and brought forward for disposal in the future.

## **3.0 Options**

- 3.1 Members could choose to not dispose of assets in Annex 1. Failure to generate the receipts from disposals could cause the capital programme to be curtailed, leading to reduced investment in assets.
- 3.2 Members could choose not to transfer the assets in Annex 2.

## **4.0 Next Steps**

- 4.1 Assets approved for disposal should be progressed through the adopted disposal framework as soon as practicable.
- 4.2 Further investigations should be carried out in relation to other council properties to identify those suitable for future disposal.
- 4.3 All assets should be continually reviewed to ensure the Council is making best use of its resources by rationalising or disposing of surplus or under-performing assets.

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Reporting to:	Madeline Homer, Chief Executive

## **Annex List**

Annex 1	Proposed list of assets for disposal on the open market
Annex 2	Proposed list of assets for transfer to Parish & Town Councils and eligible community groups

## **Corporate Consultation**

Finance	Ramesh Prashar, Head of Financial Services
Legal	Tim Howes, Director of Corporate Governance