

FORM 1

NOTICE OF DELEGATION OF DECISION TO CABINET MEMBER BY STRONG LEADER

Section 15(4) of the Local Government Act 2000, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

I, J-P Campion, as Strong Leader, delegate the decision Surplus Property Disposals, to the Cabinet Member detailed below:

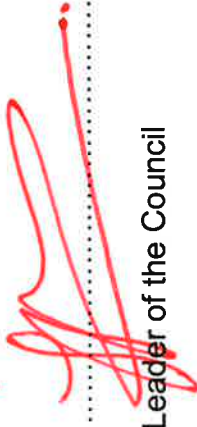
Cabinet Member for Place-Shaping



Dated:

22/1/13

Signed:



Leader of the Council

FORM 2

NOTICE OF DECISION OF CABINET MEMBER

Pursuant Section 15(4) of the Local Government Act 2000, as amended by section 63 of the Local Government and Public Involvement in Health Act 2007, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

In accordance with the authority delegated to me by the Leader, I have made the following decision:

Subject	Decision	Reason for decision	Date for Decision to be taken
<p>Surplus land/property disposals</p>	<p>That delegated authority be given to the Director of Community Assets and Localism in consultation with the Cabinet Member for Place-Shaping to:</p> <p>2.1 dispose of any land/property assets as reviewed by the Community Asset Transfer group (comprising both Members and Officers), which are identified as surplus to the Council's operational requirements.</p> <p>2.2 dispose of any surplus land/property assets that are deemed to have development potential or commercial value by way of a commercial property disposal or disposal to</p>	<p>The disposal of surplus land/property will positively benefit the Council by: reducing maintenance liability, reducing Officer management time, generating capital receipts in some cases, and; in some cases offering the opportunity to the public to manage assets in their own neighbourhoods.</p>	

FORM 2

	<p>adjacent land owner where beneficial.</p> <p>2.3 dispose of any surplus land/property assets that are identified as having no commercial value by way of Community Asset Transfer to appropriate community/resident groups for a specified community use.</p>		
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I confirm that the appropriate statutory officer consultation has taken place with regard to this decision.

Dated: 22/01/13
Signed: *Anne Higley*
Councillor: *ANNE HIGLEY*
Cabinet Member

To: Cabinet Member for Place-Shaping
From: Director of Community Assets and Localism

15th January 2013

Disposal of Surplus Land/Property Assets

1. PURPOSE

- 1.1 To grant delegated authority to the Director of Community Assets and Localism in consultation with the Cabinet Member for Place-Shaping to dispose of land/property assets identified as surplus to the Council's operational requirements by the Community Asset Transfer group.

2. RECOMMENDATION

That delegated authority be given to the Director of Community Assets and Localism in consultation with the Cabinet Member for Place-Shaping to:

- 2.1 dispose of any land/property assets as reviewed by the Community Asset Transfer group (comprising both Members and Officers), which are identified as surplus to the Council's operational requirements.**
- 2.2 dispose of any surplus land/property assets that are deemed to have development potential or commercial value by way of a commercial property disposal or disposal to adjacent land owner where beneficial.**
- 2.3 dispose of any surplus land/property assets that are identified as having no commercial value by way of Community Asset Transfer to appropriate community/resident groups for a specified community use.**

3. BACKGROUND

- 3.1 The Council's commercial property portfolio contains numerous parcels of land across the District that fulfil no requirement of the Council's current operational need.
- 3.2 In the latter part of 2012 the Community Asset Transfer (CAT) group was formed comprising both Members and Officers, to review the Council's current land holdings and to identify any surplus assets that may present the opportunity for disposal.

- 3.3 An initial review of Kidderminster Central and Bewdley has been carried out and a number of assets have been identified for disposal.
- 3.4 Following input from Officers on the CAT group, recommendations for method of disposal have been made and proposals circulated to all Members under the 'no surprises' protocol.
- 3.5 Future meetings of the CAT group will involve updates on previously agreed disposals and the continuing process of reviewing the remaining areas of the District.
- 3.6 Where land/property assets have potential for Community Asset Transfer, details are to be listed on the Property Matching Forum accessed via the Council's website, for viewing by the general public.

4. FINANCIAL IMPLICATIONS

- 4.1 In most cases of surplus land/property, the Council currently has maintenance liability for the sites, which in many cases are accessible by the public and therefore need to be Health & Safety compliant and aesthetically acceptable.
- 4.2 By disposing of the surplus land/property the maintenance liability would be removed from the Council and would pass to the new owner.
- 4.3 In the case of the proposed commercial disposals, the Council would also stand to receive capital receipts in consideration of the land/property.

5. LEGAL AND POLICY IMPLICATIONS

- 5.1 In cases of transfer of open space land, the asset will be transferred subject to restrictive covenants which determine permitted future use.

6. CONCLUSION

- 6.1 The disposal of surplus land/property will positively benefit the Council by: reducing maintenance liability, reducing Officer management time, generating capital receipts in some cases, and; in some cases offering the opportunity to the public to manage assets in their own neighbourhoods.

7. RISK MANAGEMENT

- 7.1 The effects on potential users of any identified surplus land, where applicable, will be considered on a case-by-case basis at the time of disposal.

8. EQUALITY IMPACT NEEDS ASSESSMENT

- 8.1 There are no apparent impacts.

9. CONSULTEES

Cabinet Member for Place-Shaping
Community Asset Transfer group