

<b>Cabinet Meeting</b>		<b>Agenda Item: 9</b>
<b>Meeting Date</b>	7 February 2018	
<b>Report Title</b>	Landholdings Review - Sale of Various Sites	
<b>Cabinet Member</b>	Cllr Duncan Dewar-Whalley, Cabinet Member for Finance and Performance	
<b>SMT Lead</b>	Nick Vickers, Chief Financial Officer	
<b>Head of Service</b>	Anne Adams, Head of Property Services	
<b>Lead Officer</b>	Kent Parker, Estates Surveyor	
<b>Key Decision</b>	Yes	
<b>Classification</b>	<b>Open with restricted appendix</b>	
<b>Forward Plan</b>	<b>Reference number:</b>	
<b>Recommendations</b>	<p>1. That, on behalf of the Council, Cabinet agrees in principle to dispose of the freehold of the sites by auction at the reserve prices agreed with the auctioneers set out in Appendix III.</p> <p>2. That the Head of Property Services in consultation with the Cabinet Member for Finance and Performance be authorised to finalise the terms and the Head of Legal Services be authorised to complete the necessary legal formalities in due course.</p>	

## **1 Purpose of Report and Executive Summary**

- 1.1 As part of the Council's Income Generation review work has been undertaken on a number of sites. The objectives being to release sites for development where this is considered appropriate and generate capital receipts for the Council.
- 1.2 The purpose of this report is to obtain approval for the freehold sale by auction of the Council owned sites (as shown on the attached plans Appendix I and II) as potential building plots.
- 1.3 The sites have been retained as potential future development plots. As part of the Landholdings Review these sites are considered to have development potential and disposal by auction is recommended.

## **2 Background**

- 2.1 The sites were retained by the Council following the transfer of the housing stock to Swale Housing Association in 1990 as potential development land. The plot at

Frognal Gardens was also held as a potential access route to the adjacent farmland in the event of future development. The new Local Plan allocates the farmland for housing development but envisages access will be from a different point and therefore it is no longer required to be held for this purpose. The footpath adjacent to the plot will be retained and is likely to form part of a footpath / cycle link with the new development to the north. This site is currently occupied under a licence agreement by the adjoining owner as a garden extension.

2.2 The sites were considered as part of the Council's recent landholdings review. The sites are located within former Council house estates.

2.3 Following the review by DHA Planning the sites were considered to have potential for development of housing. Pre application advice has been obtained for each site.

### **3 Proposals**

3.1 Pre application advice indicates that the sites identified for disposal have development potential and it is therefore recommended that the sites be sold by auction on this basis. The proposed guide and reserve prices discussed with the auctioneers are set out in the attached Appendix III. The sites will be sold without planning permission and it will be for the purchaser to apply for permission following their purchase.

3.2 It is also recommended that the sites are sold over two auctions to maximise interest and price. The next available auctions to be held by Clive Emson Auctioneers are 20 March 2018 and 1 May 2018.

3.3 It is recommended that the sites are sold by auction subject to the stated reserve prices. This method of sale will ensure that the disposals will be for the best consideration reasonable obtainable and complies with the Council's statutory obligations.

3.4 Where the site at Frognal Gardens is currently occupied by the adjoining owner they have been given prior notice of the Council's intention to dispose of the land by auction and they would have the opportunity to bid for the land. It is suggested that an appropriate timescale for disposal is agreed to limit disturbance to the Licensee. The Licence would need to be terminated prior to the land being sold and is subject to three months' notice.

3.5 Given that these plots could be suitable for self or custom build housing, subject to an appropriate planning permission being granted, consideration could also be given to alerting entrants on the Council's Self Build and Custom Housebuilding Register as to the means and timing of their disposal.

## 4 Alternative Options

- 4.1 Do nothing i.e. sites either remain vacant or let as garden land: This is not recommended as it would be a missed opportunity and not achieve any capital receipt
- 4.2 Sell by private treaty: This is not recommended as it is not as transparent and not as likely to achieve the best price.
- 4.3 Offer to the adjoining owners: This is not recommended as it is not considered that this would achieve a higher price than a sale by auction.

## 5 Consultation Undertaken or Proposed

- 5.1 Consultations have been carried out with Planning through the pre-application advice and the Asset Management Group who support the proposal.

## 6 Implications

Issue	Implications
Corporate Plan	The proposal contributes to A Borough to be Proud Of by helping to deliver small scale regeneration and additional housing. It also contributes to A Council to be Proud Of by disposal of underused land for a capital receipt which strengthens our financial resilience.
Financial, Resource and Property	The consideration to be paid for the sites will be the best consideration reasonable obtainable. The proposal will also remove the Council's liability for managing and maintaining the sites in the future.
Legal and Statutory	The Council has power under section 123(1) of the Local Government Act 1972 to dispose of land and property in any manner that it wishes. The proposed disposals must be for the best consideration reasonably obtainable in accordance with section 123 of the Local Government Act 1972 or meet the requirements of Circular 06/03: Local Government Act 1972 General Disposal Consent (England) 2003 - disposal of land for less than the best consideration that can be reasonably obtained failing which, the Secretary of State's consent would be required.
Crime and Disorder	None identified at this stage.

Environmental Sustainability	None identified at this stage.
Health and Wellbeing	The provision of new housing will benefit the health and wellbeing of the residents
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

## **7 Appendices**

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Site Plan – Scrapsgate Road, Minster
- Appendix II: Site Plan – Frognal Gardens, Teynham
- Appendix III(Restricted): – Details of guide and reserve prices

## **8 Background Papers**

None