

Committee:	Executive	Agenda Item No.:	12
Date:	26th January 2008	Status	Open
Category	2. Decision within the functions of Executive		
Subject:	Extension of delegated powers for the Head of Regeneration		
Report by:	Senior Valuer		
Other Officers Involved	Head of Regeneration Solicitor to the Council		
Director	Director of Strategy		
Relevant Portfolio Holder	Regeneration		

RELEVANT CORPORATE AIMS

CUSTOMER FOCUSED SERVICES – Providing excellent customer focused services by dealing with land and property transactions in a quicker and more efficient manner

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation by improving customer service and efficiency

TARGETS

None

VALUE FOR MONEY

By saving Officers and Members time by reporting fewer property transactions to Executive.

THE REPORT

Currently with the exception of short term leases and licences all property transactions are reported to Executive for approval.

It is proposed that extended delegated powers be approved that the Head of Regeneration be authorised to proceed with the following land and property transactions in consultation with Senior Management Team, (including the Leader and Deputy Leader) and Local Members:-

Land sales up to £10,000

These are generally small areas for garden extensions, car parking or garage spaces. All sales for which delegated authority is sought would be at market value.

Easements, Wayleaves and Rights of Way

These would be grants in perpetuity at a consideration reflecting the value added to the grantee's property or in the case of the utilities companies at nationally agreed rates and it is proposed that authority be extended to enable the Head of Regeneration to deal with such matters when they arise.

Release or Variation of Restrictive Covenants

These are conditions imposed on land and property for a variety of purposes but for example to prevent development or change of use without the seller's consent. Release or variation of such covenants would be at a consideration reflecting the value added to the land or property concerned and it is proposed that delegated authority be extended to enable the Head of Regeneration to deal with such matters when they arise.

Reserves for Auction Sales

Presently reserves for land and property to be sold at auction are reported to Executive. Sometimes this can be a month or more in advance of the auction. If the property market is moving quickly then the reserve may be set too low or too high if set too far in advance. The level of interest following marketing may also have a bearing on what level the reserve is set at. It would therefore be preferable to be able to set the reserve a few days prior to the auction.

It is proposed that authority be extended to enable the Head of Regeneration in consultation with the Leader and Portfolio holder for Regeneration to agree the reserve for land and property to be sold at auction. It is proposed that the principle of the sale will still be reported to Executive.

ISSUES/OPTIONS FOR CONSIDERATION

Whether to grant extended delegated powers to the Head of Regeneration to agree land and property transactions as reported.

IMPLICATIONS

Financial: None

Legal: Section 101 of the Local Government Act 1972 enables the Council to delegate the discharge of any of its functions to an officer of the Council.

Human Resources: None

RECOMMENDATION(S)

Recommended that the Head of Regeneration be given additional delegated powers with regard to the following;

1. for agreeing land and property sales up to £10,000 in value in consultation with Senior Management Team, (including the Leader and Deputy Leader), and Local Members,
2. to grant easements, wayleaves and rights of way, in consultation with Senior Management Team, (including the Leader and Deputy Leader), and Local Members,
3. the release or variation of restrictive covenants (imposed to prevent development or a change of use without the Council's consent) in consultation with Senior Management Team, (including the Leader and Deputy Leader), and Local Members,
4. to agree the reserve for land and property to be sold at auction in consultation with the Leader and Deputy Leader, (Portfolio Holder for Regeneration),

And that;

5. Standards Committee be recommended to include these delegations within the Head of Regeneration's delegation in the Council's Constitution.

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

To enable property land and property transactions to be dealt with in a quicker and more efficient manner.

ATTACHMENTS: N
FILE REFERENCE:
SOURCE DOCUMENT: