

Bolsover District Council

Executive

14th July 2014

Disposals and Acquisitions Policy

Report of Building and Contracts Manager (Portfolio Holder: Cllr A Tomlinson)

This report is public

Purpose of the Report

- The purpose of this report is to seek the approval of Executive to introduce a Disposal and Acquisitions Policy (land and property).
- The purpose of this document is to make the Council's strategy, guidance and procedures transparent and public. It is intended for use by Council officers and to inform developers and members of the public.

1 Report Details

- 1.1 Government advice recommends that local authorities have a document describing how they deal with disposals and acquisitions of land and property.
- 1.2 The policy has been produced in accordance with Government advice and details Bolsover District Council's policies and internal guidance relating to disposals of land and property. For the purpose of the document, a disposal of land means any freehold disposal, by sale or exchange, of Council owned land or buildings and any disposal by the granting of a lease for a period greater than 7 years. Leases of 7 years or less are not covered by this document.
- 1.3 The document sets out, in sequence, the procedure to be adopted in connection with the disposal of surplus/under-used property.
- 1.4 The document outlines how the Council's Asset Management Group (AMG), considers and makes recommendations on all Council owned property transactions prior to disposal. This may be either by making recommendations to Council Committees or recommending delivery through existing delegated powers. The group is made up of key departmental heads and appropriate Portfolio Holders.
- 1.5 The policy also deals with the issues raised in the Ombudsman report in relation to the sale of Sherwood Lodge.

2 Conclusions and Reasons for Recommendation

2.1 In order to comply with government guidance and to ensure a consistent and transparent approach is adopted for all land and property transactions.

3 Consultation and Equality Impact

None

4 Alternative Options and Reasons for Rejection

Highlighted within the report

5 Implications

5.1 Finance and Risk Implications

- Duty on the Council, under section 123 of the Local Government Act 1972, to obtain the best consideration that can be reasonably obtained for the disposal of land. This duty is subject to certain exceptions that are set out in the 'Local Government Act 1972: General Disposal Consent (England) 2003'

5.2 Legal Implications including Data Protection

- There are no data protection issues arising out of this report.
- The document has been review by legal and appropriate updates have been included.

5.3 Human Resources Implications

No direct implications

6 Recommendations

6.1 That Executive approve the implementation of the Disposal and Acquisition policy.

7 Decision Information

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
District Wards Affected	All wards
Links to Corporate Plan priorities or Policy Framework	Links to all Corporate Priorities

8 **Document Information**

Appendix No	Title
1	Disposals and Acquisitions Policy.
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Report Author	Contact Number
Building and Contracts Manager	01246 242223

Report Reference –