

Bolsover District Council

Executive

7th September 2015

Disposal of 96 and 100 Duke Street, Creswell

Report of the Chief Executive Officer

This report is public.

Purpose of the Report

- To obtain approval to apply to the Secretary of State to dispose of 96 and 100 Duke Street, Creswell

1 Report Details

- 1.1 On 14th July 2014 the Executive approved the disposal of 96 and 100 Duke Street as they were considered to be hard to let properties.
- 1.2 One of the Executive's recommendation was that the Senior Surveyor dispose of the property using the method that will maximise the income for the Council.
- 1.3 The Senior Surveyor has determined that the most appropriate way to dispose of the properties is through auction.
- 1.4 The Council may dispose of Housing properties without the specific consent of the Secretary of State. However one of the conditions of this is that the purchaser must intend to use the property as his/her only or principal home. If this condition were imposed on purchasers of auction properties it would exclude developer purchasers, thus seriously restricting the market which could reduce the sale price.
- 1.5 We can however apply for specific consent from the Secretary of State to sell the properties without such a restriction. Such consent would enable the Council to sell the properties at auction.
- 1.6 The decision to make an application is an Executive function however this decision must be authorised by the Council.

2 Conclusions and Reasons for Recommendation

Executive need to decide whether the Council should apply to the Secretary of State for consent to sell 96 and 100 Duke Street to purchasers who do not intend to use the properties as their only or principal home.

3 Consultation and Equality Impact

Not applicable

4 Alternative Options and Reasons for Rejection

To put the properties on the open market. The Senior Surveyor does not believe that this method will result in the best return

5 Implications

5.1 Finance and Risk Implications

As contained in the report

5.2 Legal Implications including Data Protection

As contained in the report

5.3 Human Resources Implications

None

6 Recommendations

6.1 Members resolve to make an application to the Secretary of State for Communities and Local Government under section 32 of the Housing Act 1985 for the disposal of 96 & 100 Duke Street to a purchaser who does not intend to use the properties as his/her only or principal home.

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	Creswell
Links to Corporate Plan priorities or Policy Framework	Not applicable

8 Document Information

Appendix No	Title
1	July 2014 Report to Executive

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
Senior Principal Solicitor	01246 242472

Report Reference –