

## **Item 8 – Disposal of Land – Tranche 2**

The attached report was considered by the Finance & Investment Advisory Committee on 5 September 2023. The relevant Minute extract is below.

### **Finance & Investment Advisory Committee (5 September 2023, Minute 23)**

The Senior Estate Surveyor presented the report along with the exempted appendix, which highlighted two Council-owned parcels of land that had been identified as no longer required by the Council. The sites were located at the Forstall, Leigh, and Land to the rear of 42 Clarks Lane, Halstead. Members were asked to endorse the recommendation to declare these sites surplus and approve the disposal of land by auction or private treaty. The Council had sought independent valuation advice, which was set out in the exempted appendix.

Members asked questions of clarification from officers and discussed the need for affordable housing and the best disposal for the land at Halstead. The Senior Estate Surveyor explained that since writing the report, an adjacent developer had been granted permission for 10 affordable homes on the land behind the Council site. She reported that the Council had considered whether the Council owned site should be developed for additional affordable housing. However, various parties had shown interest in the site; therefore, it was considered fairer to place it in an auction.

She confirmed that, as set out in the report, the disposal of local authority land was legislated by the Local Government Act 1972. Among other key requirements, this legislation placed an obligation on the Council to seek the best consideration for disposing of the land. If there was a strong and compelling reason, the Council could also consider whether to transfer the land to another organisation at less than best consideration, such as the Parish Council. She advised that disposal provided an opportunity to obtain capital receipts and mitigate risks. Following queries Officers also explained that conditions for the development of affordable housing on the site could be imposed upon disposal if necessary.

In response to queries regarding the land at Forstall, Leigh, The Strategic Head of Property and Commercial confirmed that the land at Leigh was not designated as an asset of community value and that no nomination had been received by the Council. He explained the process for nominating land, which could allow the local community to submit a bid for the site to be considered by the Council.

Members debated the recommendations and expressed initial concern at the sites being marked as surplus to the Council's requirement.

Members further discussed the report, asking additional questions of clarification and gave consideration to the potential community value of the sites and the need for affordable housing and further discussed the alternative options for the disposal of the sites. The Committee agreed that the respective Parish Councils should be consulted for the best alternative use before any disposal of land was undertaken.

#### Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

In summing up the discussion, the Chairman advised that he perceived the Committee believed there was danger of the land being disposed of, against the wishes of the local community and therefore there should be some preliminary discussion between the District Council and the local Parish Councils about the future of the land. The Committee was prepared to say that there needed to be discussions, which resulted in being content for the land being surplus to the District Council's requirements.

The Chairman moved that it be recommended to Cabinet that the properties were surplus to the Council's requirements, but before any steps were taken to dispose of the land there needed to be discussions with the Parish Councils and it was

Resolved: That it be recommended to Cabinet that

- a) the land at the Forstall, Leigh and land at Clarks Lane, Halstead be declared as surplus to the Council's requirements; and
- b) before any steps be taken to dispose of the land by any means, there should be discussions between District Council and the Parish Councils.

\*Cllr. Hogarth requested that his abstention from voting be recorded.