



Full Council	Tuesday, 27 September 2022	Matter for Information and Decision
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Report Title: **Draft Land and Buildings Disposal Policy (September 2022)**
Report Author(s): **David Gill (Head of Law and Democracy / Monitoring Officer)**

Purpose of Report:	For Members to approve the Draft Land and Buildings Disposal Policy.
Report Summary:	The report introduces to Members a draft policy for consideration which will rationalise the Council's approach to land disposal via sale of the freehold or the grant of a long lease.
Recommendation(s):	That the draft Land and Buildings Disposal Policy (set out at Appendix 1 be approved).
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	<p>Philippa Fisher (Strategic Director) (0116) 257 2677 phillipa.fisher@oadby-wigston.gov.uk</p> <p>David Gill (Head of Law & Democracy / Monitoring Officer) (0116) 257 2626 david.gill@oadby-wigston.gov.uk</p> <p>Stuart Marbrook (Assistant Corporate Assets Manager) (0116) 257 2852 stuart.marbrook@oadby-wigston.gov.uk</p>
Corporate Objectives:	Providing Excellent Services (CO3) Building, Protecting and Empowering Communities (CO1) Growing the Borough Economically (CO2)
Vision and Values:	"A Stronger Borough Together" (Vision) Accountability (V1) Innovation (V4)
Report Implications:-	
Legal:	The implications are as set out at section 2 of the draft policy.
Financial:	There are no implications directly arising from this report.
Corporate Risk Management:	Decreasing Financial Resources / Increasing Financial Pressures (CR1) Reputation Damage (CR4) Effective Utilisation of Assets / Buildings (CR5) Regulatory Governance (CR6) Organisational / Transformational Change (CR8)
Equalities and Equalities Assessment (EA):	There are no implications directly arising from this report. EA not applicable
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications directly arising from this report.

Statutory Officers' Comments:-	
Head of Paid Service:	Click to select comment.
Chief Finance Officer:	Click to select comment.
Monitoring Officer:	As the author, the report is satisfactory.
Consultees:	None.
Background Papers:	None.
Appendices:	1. Draft Land and Buildings Disposal Policy (September 2022)

1. Information

- 1.1 On 28 June 2022, Members of the Policy Finance and Development Committee considered an exempt report relating to the potential leasing of a number of council owned facilities to various Community or Voluntary Sector organisations.
- 1.2 In respect of 1 of the recommendations before them on that occasion, Members requested that they be provided with further information before they could make a decision and the item was deferred until a future meeting.
- 1.3 Following that meeting, the Monitoring Officer decided that it would be an opportune moment to introduce a formal Land and Buildings Disposal Policy that would better inform both Members and officers of the legal and practical steps involved in the disposal of Council land or buildings. A copy of that draft Policy is attached at **Appendix 1**.
- 1.4 The legal framework for the disposal of such assets is contained in Section 2 of the draft Policy and Members attention is also drawn specifically to Section 9 of the draft policy that addresses the legal position in respect of disposing of property via sale of the freehold or via a long lease at less than best consideration.
- 1.5 Sections 9.9 and 9.10 of the draft Policy sets out the circumstances in which the council would be prepared to consider a lease at less than best consideration subject to the Voluntary or Community Sector organisation satisfactorily meeting the criteria set out in the Social Enterprise and Charities Checklist at Appendix F.