

**Committee:** Cabinet

**Agenda Item**

**Date:** 30 March 2017

**12**

**Title:** Delegated powers for minor land transactions (HRA land)

**Portfolio Holder:** Cllr Redfern

**Key decision:** No

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## Summary

1. The Assistant Director - Housing and Environment has very limited delegated authority to authorise the disposal of small pieces of land and other minor property transactions. This report proposes an extension to her delegated powers. This will avoid reports to Cabinet on minor matters and will allow these matters to be dealt with promptly.

## Recommendations

2. That the Assistant Director – Housing and Environment be given delegated power, after consultation with the portfolio holder, to authorise:
  - a. The disposal of small parcels of land for amenity use, not exceeding 12 square metres, provided that the land does not have development potential;
  - b. Boundary rectification and other rectification needed to correct errors made in right to buy disposals.

## Financial Implications

3. The proposal should have no financial implications, as valuation advice would be taken in connection with disposals and terms should be no less disadvantageous than if the decision was made by Cabinet.

## Background Papers

4. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

The Council's current scheme of delegation (See part 3 of the Constitution.)

## Impact

- 5.

Communication/Consultation	None.
Community Safety	None.

Equalities	None.
Health and Safety	None.
Human Rights/Legal Implications	None. Valuation advice would be obtained to ensure best value and legal advice regarding terms of disposal.
Sustainability	None.
Ward-specific impacts	Likely to be minimal, given the narrow scope of the delegated powers sought.
Workforce/Workplace	None.

### Situation

6. The Council occasionally receives requests to purchase small pieces of land for amenity use. If the land has no significant operational use or development value, a sale can generate a small receipt, possibly reduce maintenance obligations and add to the purchaser's enjoyment of their property. The recommendation is to give the Assistant Director – Housing and Environment delegated powers to agree to a disposal, provided terms based on proper valuation advice can be agreed.
7. Sometimes minor property transactions are needed to correct mistakes made in right to buy sales. Typically these may include boundary rectification if an inaccurate plan was used, or making a correction if the wrong bin store was sold.
8. At present, these matters would need Cabinet approval. The officers suggest that they can more appropriately, and more efficiently, be dealt with at officer level, subject to consultation with the portfolio holder. If the portfolio holder requested, the matter would be referred to Cabinet for decision.
9. Before exercising these powers, the Assistant Director would take advice as to whether the land has any development potential. In cases where it does, the matter would be brought to Cabinet for decision.

### Risk Analysis

10.

Risk	Likelihood	Impact	Mitigating actions
1	1	1	Obtaining advice on development potential and valuation before exercising powers.

- 1 = Little or no risk or impact
- 2 = Some risk or impact – action may be necessary.
- 3 = Significant risk or impact – action required
- 4 = Near certainty of risk occurring, catastrophic effect or failure of project.