



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Officer Delegated Decision

7th March 2023

Craig Spence – Acting Director of Housing



Disposal of Land to the rear of 50 Halfleet, Market Deeping

To grant approval to dispose of land in SKDC's ownership to the rear of 50 Halfleet, Market Deeping

Decision made by:	Craig Spence – Acting Director of Housing
Decision:	To grant approval to dispose of land in the Council's ownership to the rear of 50 Halfleet, Market Deeping
Date:	7 th March 2023
Public or Exempt:	This report is not exempt from publication; however, appendices 1 and 3 are exempt from publication
Reasons for exemption:	The public interest in maintaining the exemption in appendix 1 outweighs the public interest in disclosing the information because it contains financial information relating to confidential negotiations with a third party and the Council must be able to undertake such negotiations without thereby putting confidential items in the public domain if it is to maintain the confidence of third parties in undertaking dealings with the Council
Conflicts of interest:	No
Policy compliant:	Yes
Details of delegation:	On 7 December 2021, Cabinet delegated authority to the Director of Housing and Property in consultation with the Cabinet Member for Housing and Property, the Deputy Leader, Chief Executive, the Council's s151 Officer and the Monitoring Officer to dispose of General Fund assets up to a value of £2m (exclusive of any applicable VAT) subject to legal and valuation advice.

Contact

Lianne Smith – Property Officer, General Fund Assets



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1 The Purpose of the Report

- 1.1 To grant approval to dispose of land in the Council's ownership to the rear of 50 Halfleet, Market Deeping as detailed in **Exempt Appendix 1 - Heads of Sale** and **Appendix 2 - Site Plan**.

2 Comments of Consultees

- 2.1 N/a

3 Available Options Considered

- 3.1 Option 1) To proceed with the Sale as detailed in the attached in **Exempt Appendix One - Heads of Sale**.
- 3.2 Option 2) To leave the land within the current curtilage to the rear of 50 Halfleet, Market Deeping.

4 Preferred Option

- 4.1 3.1) - Option 1) To proceed with the Sale as detailed in the attached in **Exempt Appendix 1 - Heads of Sale**.

5 Reasons for the Decision (s)

- 5.1 The land forms part of several parcels of open space within the housing revenue account.
- 5.2 The total area of the land to be transferred, situated between Council garages and residential buildings, is approximately 215 square meters as shown in **Appendix 2 – The Site Plan**. The land is located beside several Council owned garages and the purchaser's home, it is currently a grassed area and not utilised.
- 5.3 The area is currently maintained at the Council's expense; the disposal of the land to the adjoining landowner will remove the Council's liability for the ongoing costs of maintenance for the soft landscaping of the site.
- 5.4 The homeowner of 50 Halfleet, Market Deeping approached the Council with a request to purchase the land to extend the garden of their property. Discussions took place between the Council and the homeowner on a view to dispose of the land subject to contract, consultation and on approval of the necessary authorities from the Council.
- 5.5 Following a valuation undertaken of the site, it has been proposed the land to be sold at the price as detailed in the **Exempt Appendix 1 – Heads of Sale**.
- 5.6 The conditions of the sale are subject to contract which includes the Council's internal governance and consultation.
- 5.7 The disposal is restricted for garden use only.
- 5.8 The land does not hold any development potential for the Council.
- 5.9 When disposing of open space, the authority must advertise its intention in a local newspaper for two consecutive weeks and consider any objections before a final decision is taken to dispose of the land in question. This is a procedural requirement that needs to be complied with, as set out in the Local Government Act 1972 ("1972 Act"). The procedure above was completed and advertised in the Stamford Mercury for two consecutive weeks, subsequently the Council did not receive any objections opposing the sale.

- 5.10 The fees for the valuation and advertising costs of the consultation have been charged to the purchaser. The purchaser will also be charged a reasonable fee towards the Council's legal costs necessary to this transaction.
- 5.11 The valuation of the land was completed by a local agent in May 2022, details of the valuation can be found in **EXEMPT Appendix 3 – Land Valuation dated 18th May 2022.**

6 Financial Implications

- 6.1 The financial implications of this proposal are set out at section 5.10 and 5.11 which confirms the Council will receive a capital receipt for the sale of the land and all associated transaction costs will be met by the purchaser.

Financial Implications reviewed by: Richard Wyles, Chief Finance Officer

7 Legal and Governance Implications

- 7.1 The necessary delegated powers are in place to facilitate this decision, as outlined above.

Legal Implications reviewed by: Graham Watts, Assistant Director of Governance and Monitoring Officer

8 Equality and Safeguarding implications

- 8.1 N/A

9 How will the recommendations support South Kesteven District Council's declaration of a 'climate' emergency?

- 9.1 There are no direct benefits to the Council from disposal of the land.

10 Appendices

- 10.1 *Exempt Appendix 1 – Heads of Sale*
- 10.2 *Appendix 2 – Site Plan*
- 10.3 *Exempt Appendix 3 – Valuation dated 18th May 2022*

Signed by:

Craig Spence

Date:

07/3/2023
