

**North East Derbyshire District Council**

**Cabinet**

**10 May 2017**

**Disposals and Acquisitions Policy**

**Report of Councillor J Austen, Portfolio Holder with Responsibility for Information Technology, E-Information and Asset Management**

This report is public

**Purpose of the Report**

- The purpose of this report is to seek the approval of Cabinet to introduce a revised Joint Disposal and Acquisitions Policy following consultation with Asset Management Group (AMG), Strategic Alliance Management Team (SAMT) and in consideration of recent Cabinet Office guidance 'Guide for Disposal of Surplus Land' (March 2017)
- The purpose of this document is to make the Council's strategy, guidance and procedures transparent and public. It is intended for use by Council officers and to inform developers and members of the public.

**1 Report Details**

- 1.1 In July 2014, the Council adopted the Disposals and Acquisitions Policy following government advice which recommended that local authorities have a document describing how they deal with disposals and acquisitions of land and property.
- 1.2 The policy has been updated to reflect the current structure, the views of AMG, along with SAMT and incorporate best practice laid out in Cabinet Office guidance 'Guide for Disposal of Surplus Land' (March 2017).

In the main, the changes made from the existing Disposals & Acquisitions Policy revolve around general updating, the introduction of a flowchart, in the appendix, to provide a quick reference guide and the introduction of early local member engagement, to obtain their views.

- 1.3 For the purpose of the Policy, a disposal of land means any freehold disposal, by sale or exchange, of Council owned land or buildings and any disposal by the granting of a lease for a period greater than 7 years. Leases of 7 years or less are not covered by this document.

- 1.4 The policy sets out, in sequence, the recommended process to be adopted in connection with the disposal of surplus/under-used property, in addition to the process for acquiring an asset.
- 1.5 The policy outlines how the Council's Asset Management Group (AMG), considers and makes recommendations on all Council owned property transactions. This may be either by making recommendations to Council Committees or recommending delivery through existing delegated powers. The group is made up of key departmental heads and appropriate Portfolio Holders.

## **2 Conclusions and Reasons for Recommendation**

- 2.1 The recommendation is for Cabinet to approve the adoption of the revised Disposal and Acquisition Strategy to reflect the structure of the organisation and recent government guidance.

## **3 Consultation and Equality Impact**

- 3.1 There are no equality implications arising directly from this report.

## **4 Alternative Options and Reasons for Rejection**

- 4.1 The alternative option would be for Cabinet to reject the revised Disposals and Acquisitions Policy and seek further amendments prior to considering the policy again. In the mean time the existing Disposal and Acquisitions Policy will be active.

## **5 Implications**

### **5.1 Finance and Risk Implications**

- 5.1.1 No direct financial implications are as a result of the adoption of the policy.

### **5.2 Legal Implications including Data Protection**

- 5.2.1 The adoption of the policy provides guidance to officers to ensure compliance with Section 123 and state aid duties

### **5.3 Human Resources Implications**

- 5.3.1 None.

## **6 Recommendations**

- 6.1 That Cabinet adopted the Joint Disposals and Acquisitions Policy (May 2017)

**7 Decision Information**

<b>Is the decision a Key Decision?</b> (A Key Decision is an executive decision 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
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>District Wards Affected</b>	None directly
<b>Links to Corporate Plan priorities or Policy Framework</b>	Transforming Our Organisation - Demonstrating good governance and Making the best use of our assets

**8 Document Information**

<b>Appendix No</b>	<b>Title</b>
1	Joint Disposals and Acquisitions Policy
<b>Background Papers</b> (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 Cabinet (BDC) you must provide copies of the background papers)	
<b>Cabinet Office - Guide for the Disposal of Surplus Land (March 2017)</b>	
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## **Appendix 1**

### Joint Disposals and Acquisitions Policy