

**North East Derbyshire District Council**

**Council**

**3 January 2017**

**Disposal of 2 Springfield Road Barlow and 183 Longedge Lane Wingerworth**

**Report of the Assistant Director of Governance and Solicitor to the Council & Monitoring Officer**

This report is public

**Purpose of the Report**

- To obtain approval to apply to the Secretary of State to dispose of 2 Springfield Road, Barlow and 183 Longedge Lane, Wingerworth

**1 Report Details**

- 1.1 On the 3<sup>rd</sup> August 2016 Cabinet approved the disposal of 2 Springfield Road, Barlow and 183 Longedge Lane, Wingerworth which are of a non-traditional construction as substantial works were required to both properties in order to bring them to a lettable standard. At the time it was unclear who would want to purchase the properties. However now we are in a position to sell to a developer who will redevelop the site.
- 1.2 One of Cabinet's recommendations was to dispose of both properties on the basis that the price received satisfies the Council's obligations to secure best consideration reasonably achievable.
- 1.3 The Council may dispose of Housing properties without the specific consent of the Secretary of State. However, one of the conditions of this is that the purchaser must intend to use the property as his/her only or principal home. If this condition were imposed on purchasers of these properties it would exclude developer purchasers, thus seriously restricting the market which could reduce the sale price. Both properties have rather large gardens and outline planning permission has been submitted for the erection of one dwelling on the garden land for both these properties. This would more than likely attract developers or someone with building skills who is likely to sell the existing property on or to rent the property privately.
- 1.4 We can, however, apply for specific consent from the Secretary of State to sell the properties without such a restriction. Such consent would enable the Council to sell the properties on the open market and attract potential developers.

- 1.5 The decision to make an application is a Cabinet function, however, this decision must be authorised by Council. On the 14<sup>th</sup> December 2014 a report was taken to Cabinet for a decision to make such an application.

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

- 2.1 Council need to decide whether to authorise Cabinet's decision to apply to the Secretary of State consent to sell 2 Springfield Road, Barlow and 183 Longedge Lane, Wingerworth to purchasers who do not intent to use the properties as their only principal home.

## **3 Consultation and Equality Impact**

- 3.1 Not applicable.

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

- 4.1 To put the properties on the open market without the Secretary of States consent in which the Council will more than likely not achieve the best return if the purchaser has to use the properties as their only principal home.

## **5 Implications**

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

- 5.1.1 As contained within the report.

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

- 5.2.1 As contained within the report.

### **5.3 Human Resources Implications**

- 5.3.1 None.

## **6 Recommendations**

- 6.1 Members resolve to make an application to the Secretary of State for the Communities and Local Government under Section 32 of the Housing Act 1985 for the disposal of 2 Springfield Road, Barlow and 183 Longedge Lane, Wingerworth to a purchaser who does not intend to use the properties as his/her only principal home.

## 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>	Barlow and Wingerworth
<b>Links to Corporate Plan priorities or Policy Framework</b>	Not applicable

## 8 Document Information

Appendix No	Title
<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 Executive (BDC) you must provide copies of the background papers)	
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