



AGENDA ITEM: 12

CABINET: 15 July 2009

COUNCIL: 15 July 2009

Report of: Council Secretary and Solicitor

Relevant Portfolio Holder: Councillor Owens

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SUBJECT: SALE OF SMALL PLOTS OF LAND OWNED BY THE COUNCIL

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To advise of the decision of the Executive Overview and Scrutiny Committee meeting held on 2 July 2009.

2.0 RECOMMENDATIONS TO CABINET

2.1 That consideration be given to the resolution of the Executive Overview and Scrutiny Committee set out at paragraph 3.2 below in the light of the comments of the Executive Manager Regeneration and Estates set out at paragraph 4.1 below.

2.2 That, subject to 2.1 above:

- a. the methodology for the sale of small parcels of land as set out in Appendices A and B to the report attached as an Appendix be approved.
- b. That receipts up to a ceiling limit of £5,000 from the sale of small plots of land be "ring fenced" for regeneration schemes in the Borough.

3.0 RECOMMENDATION TO COUNCIL

3.1 That consideration be given to the decisions of Cabinet.

3.0 BACKGROUND

3.1 The decision of the Cabinet arising from its consideration of the report attached as an appendix to this report was called in by members of the Executive Overview and Scrutiny Committee. The decision in question reads as follows:

“A. That the methodology for the sale of small parcels of land as set out in Appendices A and B attached to the report be approved.

B. That receipts up to a ceiling limit of £5,000 from the sale of small plots of land be “ring fenced” for regeneration schemes in the Borough.”

3.2 Minute no. 9 arising from the meeting of The Executive Overview and Scrutiny Committee meeting considered the call in at its meeting on 2 July and the minute in this respect reads as follows (minute 9 refers):

“Consideration was given to the report of the Council Secretary and Solicitor advising that a decision of the Cabinet in relation to the above item (minute 7 refers) had been called in by 5 Members of this Committee. The report set out the reasons given for the call in, together with an alternative decision put forward by the 5 Members concerned.

Members noted the reason for the decision being called in, namely that the methodology was insufficiently robust which would lead to potential problems and unintended consequences.

During the ensuing discussion on the item, Members referred to the following issues:

- Possible discrimination against residents renting property being able to purchase land*
- Possible implications of owner occupiers living/next to rented properties purchasing land in relation to street scene, neighbour relations*
- Planning conditions to ensure adequate maintenance and appearance*
- Future land use and development in context of covenant case law*
- Possible ring fencing of receipts in appropriate Ward*
- Ward Member involvement in sales decisions*

RESOLVED: That Cabinet be requested to amend resolution 7 (A) of its meeting held on 16 June 2009 to confirm that the methodology for the sale of small parcels of land as set out in Appendices A and B attached to the report, include Ward Members as consultees.”

3.2 The Cabinet needs to consider the resolution of the Executive Overview and Scrutiny Committee and to determine whether it wishes to accede to the request to consult Ward members in relation to sales under the proposed policy.

3.3. The Council will need to consider and confirm the financial aspects of the policy agreed by the Cabinet, as these are not within the current budget.

4.0 COMMENTS OF THE EXECUTIVE MANAGER REGENERATION AND ESTATES

- 4.1 The Executive Manager Regeneration and Estates is content that the methodology for the sale of small plots of land set out in Appendices A and B attached to the report could be amended to include Ward members as consultees.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

Appendices

Report of the Executive Manager Regeneration and Estates