

**10. DELEGATED POWERS FINANCIAL LIMITS**

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(Report of Director of Democratic and Enforcement Services)

**1. Purpose of Report**

To agree the financial limits for the Director of Democratic and Enforcement Services or the Estates and Valuation Services Manager in the management of the Council's property/land interests.

**2. Recommendation**

**The Committee is asked to RECOMMEND that**

**the Director of Democratic and Enforcement Services and the Estates and Valuation Services Manager have delegated powers to manage the Council's physical assets outlined in paragraph 5 of this report in accordance with the financial limits therein.**

**3. Financial, Policy and Legal Implications**

Financial

- 3.1 As contained in the report to receive or authorise revenue or capital amounts as limited by this report.

Policy

- 3.2 The Modernising Democracy Working Party have recommended delegating matters subject to limits to Officers which was approved at Council on 1 September 2003.

Legal

- 3.3 The Council is required to dispose of any interest in land including leases at the best price possible in accordance with Section 123 of the Local Government Act 1972. Any transaction considered not to be at market value will continue to be reported to Committee.

**Report**

**4. Background**

- 4.1 To speed minor land disposals a policy was originally established at the 5 June 2000 Development Committee (Minute No. 57) due to a change in the constitution it was considered that this matter needed to be formally approved by the new Council.
- 4.2 The matter of delegation to Officers has now been examined by the Modernising Democracy Working Party and its recommendations were approved at Council on 1 September 2003.
- 4.3 The Modernising Democracy Working Party recommended that *“Land disposals, within policy/budget, now be delegated to Officers in consultation with local Ward/other relevant Members”*.
- 4.4 This report follows from that recommendation but at the present time only covers the MINOR LAND DISPOSALS, a further report about other disposals with guidance notes is being prepared which will be put to Members at another date.

## 5. **Key Issues**

- 5.1 Generally the Officers referred to above will have delegated powers to manage any physical assets, including property, land and buildings as allocated or appropriated from a Service. To determine and issue general guidelines to Officers for the management of land and building resources having regard to the Asset Management Plan or in the interests of the Council as a whole, subject to the following in respect of MINOR LAND DISPOSALS:-

**MINOR LAND DISPOSAL POLICY (up to £10,000+vat/fees)  
that is sales of land to adjoining owners or of small parcels of  
land OR land which is land locked where there is only one  
possible purchaser**

- 5.2 For land to fall within this section it shall be less than half an acre and have a value of less than £10,000. The disposal shall include grants of easements, rights of way and other minor licences. It shall however include all garden licences or grazing licences regardless of the size of land.
- 5.3 All freehold (or long leaseholds with a premium) disposals (excluding licences) of the above shall include a minimum fee of £400 + vat towards the Council’s administrative/estates/legal costs and subject to a non returnable fee of £200 in the case of abortive work. As per the original policy. If the land concerned has been used as public open space [other than verges and surround strips of land on housing estates] the purchaser will also be responsible for any necessary advertising costs.

- 5.4 This delegated authority shall not apply to any areas of land previously designated as a play area unless it has been specifically agreed by either the Executive or the Community Services Overview & Scrutiny Committee that the area is surplus. If it is agreed that the land can be sold then the above will apply but only if the local Member supports the disposal.

6. **Other Implications**

Community Safety	:	none identified.
Human Resources	:	none identified.
Social Exclusion	:	none identified.
Sustainability	:	none identified.

7. **Conclusion**

- 7.1 That authority be delegated to the Officers referred to above at the financial limits proposed.

8. **Background Papers**

None identified other than papers referred to in the report.

9. **Consultation**

There has been no consultation other than with relevant Borough Council Officers and Directors.

10. **Author of Report**

The author of this report is Jim Prendergrast (Estates and Valuation Services Manager), who can be contacted on extension 3291 (email: jim.prendergrast@redditchbc.gov.uk) for more information.

11. **Appendices**

None.