

Wards Affected:

Stony Stratford

DISPOSAL OF THE OLD BARN, 37 VICARAGE ROAD, STONY STRATFORD

Responsible Cabinet Member: Councillor Middleton (Cabinet member for Resources and Innovation)

Report Sponsor: Kamran Rashid (Capital Programme Director)

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Executive Summary:

To give approval to dispose of the Old Barn, Vicarage Road, Stony Stratford, which is surplus to Council requirements.

Disposing of surplus property is a key deliverable of the SMART Property Programme to support cost reduction across the Council and create capital receipts.

SMART Property is one of the initiatives in the Financial Sustainability Plan and Medium Term Financial Strategy October 2016.

1. Recommendation

- 1.1 That the disposal of the freehold interest in the Old Barn, 37 Vicarage Road, Stony Stratford, be agreed.
- 1.2 That the property is marketed to achieve Best Consideration as required by Section 123 Local Government Act 1972.
- 1.3 That the Interim Head of Property and Facilities Management, in consultation with the Corporate Director Place and the Cabinet member for Resources and Innovation, be authorised to evaluate offers received and to accept the offer that represents the Best Consideration (unless none of the offers are suitable), then to instruct Legal Services to proceed with the sale and to agree variations to the terms of disposal outlined in this report as reasonably necessary to secure the Council's objectives of disposing of the site.

2. Issues**Background**

- 2.1 The site comprises 0.231 acres including a derelict building on part of a car park.

- 2.2 The site is designated in the Local Plan as being within the Stony Stratford Town Centre Conservation Area.
- 2.3 The site is derelict and overgrown. Complaints on the property have been received by a nearby occupier concerning its current derelict state. It has been identified as being surplus to Council requirements.
- 2.4 The estimated current use value of the site is at least £40,000. The Council is required to obtain Best Consideration for a disposal of its land as per s.123 of the Local Government Act (LGA) 1972 and marketing the site for current and alternative uses is the best way of meeting this requirement.
- 2.5 A sale on the basis of a different use may be conditional on planning consent being obtained by the purchaser and this will require the Council to enter into a conditional contract for sale.
- 2.6 The proposed disposal was approved by the Strategic Property & FM Board in October 2016.

3. **Options**

3.1 Option 1

The Council disposes of the site for Best Consideration as per s.123 of the LGA 1972. This is recommended.

3.2 Option 2

To do nothing and forgo the receipt. This is not recommended.

4. **Implications**

4.1 Policy

The Council is under no obligation to dispose of its land however doing so for Best Consideration has the benefit of a capital receipt for otherwise surplus property.

Tackling homelessness is the headline priority within the Council Plan 2016/20 which states that to successfully tackle homelessness an approach including improved housing availability is needed. In accordance with this the site was appraised by YourMK for a social housing development but it was decided not to be suitable as being too small and not a cost effective proposition.

4.2 Resources and Risk

There is no financial reason not to agree to a disposal for Best Consideration and by proceeding as recommended the Council will obtain a capital receipt and forgo the need to spend sums on essential tidying up, repairs and maintenance. The capital receipt from the disposal will be used to support financing of the capital programme. Such receipts cannot be used for revenue expenditure.

Y	Capital	N	Revenue	N	Accommodation
N	IT	Y	Medium Term Plan	Y	Asset Management

4.3 Carbon and Energy Management

There are no significant Carbon and Energy management implications, over and above those resulting from the construction of a development on the site.

4.4 Legal

The Council has power to sell its land on the open market. An open marketing process helps to meet the Council's duty under section 123 of the Local Government Act 1972 to obtain the 'best price reasonably obtainable'.

The Council's Acquisition and Disposal of Land and Buildings Procedural Rules require that a valuation is undertaken to support the decision to dispose of the property and that consultation with the Ward member(s) and Parish and Town Council(s) has taken place before the disposal of land and buildings in their area and that any disposal will usually be advertised in an appropriate publication.

4.5 It is recommended that a title check is made prior to marketing the property to ascertain if there are any covenants or restrictions to the disposal and or use. And to seek any releases, consents or title indemnity insurance as may be required.

4.6 Other Implications

N	Equalities/Diversity	N	Sustainability	N	Human Rights
N	E-Government	N	Stakeholders	N	Crime and Disorder

Background Documents: None

Annex: Site Plan