

8.8 resources

Functions delegated to the assistant director of strategic property and investment

Part 1 property matters

Definitions

In this section the following definitions shall apply unless otherwise indicated “land” includes buildings or parts of buildings and any estate or interest in land (including licences) and does not include housing land let under secure tenancies and sold under right to buy sales unless otherwise specified.

“Valuer” means the valuer appointed by the council or approved or appointed by the executive director of place or director of growth & sustainability.

2. General

- 2.1 To prepare and review an asset management strategy for consideration by full council.
- 2.2 To undertake the general management of land which is owned or is otherwise the responsibility of the council in consultation with the relevant service director, including the making of any necessary planning applications, applications for building regulation consent or applications for any other appropriate statutory consents.

3. Disposals

- 3.1 To dispose of land for a consideration of £500,000 or less (following consultation with the relevant cabinet member and ward councillors) provided that the terms are certified by the valuer to be the best consideration reasonably obtainable or to the dispose of land of an overall value of less than £500,000 at an undervalue where the requirements of circular 06/03, the local government act 1972 general disposal consent (England) 2003 are met.
- 3.2 To dispose of land on a lease for 25 years or less provided that the terms are certified by the valuer to be the best consideration reasonably obtainable or reasonable in the circumstances or the disposal meets the requirements of circular 06/03, the local government act 1972 general disposal consent (England) 2003
- 3.3 To dispose of land following consultation with the valuer where the person acquiring the land has a legal right to acquire the land.
- 3.4 To grant licences, easements, wayleaves, rights of way, release of covenants, rectifications and variations in respect of council owned land, following consultation with the relevant service director, the valuer, and the director of legal and democratic services.
- 3.5 To grant leases of up to 99 years to utility services.

3.6 To dispose of freehold interests of housing leasehold properties on suitable terms to lessees unable to purchase under the leasehold reform acts.

4. Acquisitions

4.1 To acquire land for a consideration of £1,500,000 or less (including taking a lease), following consultation with the relevant cabinet member and the director of legal and democratic services.

4.2 To acquire vacant or partly vacant land in areas to be redeveloped, where provision has been made in the capital programme.

4.3 To acquire land which the council is authorised or deemed authorised to purchase under a confirmed compulsory purchase order or is required to purchase pursuant to a blight notice served on the council and accepted by the council.

4.4 To acquire land for highway purposes where such land is offered to the council free of charge or at a nominal cost and on payment of the council's reasonable costs.

5. Management of leases

5.1 To accept the surrender of leases, following consultation with the valuer.

5.2 To serve notices to quit and other landlord and tenant notices

5.3 To approve rent reviews, where the valuer certifies the terms to be the best consideration reasonably obtainable.

5.4 To settle dilapidation claims, following consultation with the, director of legal and democratic services and the relevant service director.

5.5 To take action on all matters concerned with the enforcement by or against the council of the terms or provisions of any lease or disposal including the forfeiture or other termination of such lease.

5.6 To grant licences to assign, sub-let and carry out works and agree variations of terms of leases, following consultation with the director of legal and democratic services.

6. Property management

6.1 To manage and protect the council's land interests generally including but not limited to dealing and making party wall claims, making and defending adverse possession claims, dealing with boundary disputes and responding to land registry applications.

6.2 To instruct auctioneers and agents, set reserves and agree detailed terms for disposal of surplus land approved for disposal, following consultation with the valuer and the director of legal and democratic services.

6.3 to enter into any supplemental deed /agreement, deed of variation, deed of rectification, or lease surrender following consultation with the director of legal and democratic services, and provided that authority

has been obtained for the principal transaction and statutory authority exists.

- 6.4 To authorise officers to enter on to land to carry out surveys, to search and bore on and in land where and to the extent to which statutory authority exists to do so.
- 6.5 To require information as to interests in land where and to the extent that statutory authority exists to do so.
- 6.6 To serve any notices required under any statutory provision required pursuant to the exercise of authorised functions relating to land matters.
- 6.7 To acquire or dispose of any fixtures, fittings or other items ancillary to the disposal and acquisition of land.

7. Compulsory purchase and appropriation

- 7.1 To take any steps and enter into any legal arrangements necessary to secure a confirmed compulsory purchase order (CPO) in consultation with legal & democratic services where cabinet has given approval in principle.
- 7.2 To acquire land which the council is authorised or deemed authorised to purchase under a confirmed compulsory purchase order or is required to purchase pursuant to a blight notice served on the council and accepted by the council.
- 7.3 To appropriate council owned land which is within a CPO area where approval to make a CPO has been obtained.
- 7.4 To appropriate land which is surplus to service requirements to other council purposes in consultation with the relevant service areas and legal and democratic services.

Part 2 assets of community value

- 8.1 To develop and put in place the necessary governance arrangements and procedures to enable the council to undertake its functions with regard to assets of community value as contained in the localism act 2011.
- 8.2 To consider and determine requests for a review of a decision to list a property as an asset of community value.