

**Decision Maker:** Resources Portfolio Holder

**Date:** **For Pre-Decision Scrutiny by the Executive and Resources Policy Development and Scrutiny Committee on Thursday 14 May 2015**

**Decision Type:** Non-Urgent                      Executive                      Non-Key

**Title:**                      **LAND ADJOINING 111 ELDRED DRIVE, ORPINGTON**

**Contact Officer:** Heather Hosking, Head of Strategic Property  
Tel: 020 8313 4421    E-mail: heather.hosking@bromley.gov.uk

**Chief Officer:** Director of Regeneration & Transformation

**Ward:** Orpington;

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1. Reason for report

This report seeks the Portfolio Holder's agreement to declare two areas of land, totalling 100m<sup>2</sup>, surplus to requirements to enable their sale.

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2. **RECOMMENDATION(S)**

**The Executive and Resources Policy, Development and Scrutiny Committee is requested to consider the proposed decision of the Resources Portfolio Holder and**

**The Resources Portfolio Holder is recommended to declare surplus to Council requirements two plots of land with a total area of 100m<sup>2</sup> adjoining 111 Eldred Drive, Orpington and to authorise their sale.**

### Corporate Policy

1. Policy Status: Existing Policy: Maximising the Council's assets
  2. BBB Priority: Excellent Council:
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### Financial

1. Cost of proposal :A capital receipt will be generated.
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: N/A
  4. Total current budget for this head: N/A
  5. Source of funding: N/A
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### Staff

1. Number of staff (current and additional):N/A
  2. If from existing staff resources, number of staff hours:
- 

### Legal

1. Legal Requirement: Statutory Requirement:S123 of the 1972 Local government Act
  2. Call-in: Applicable:
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: Comments received will be reported at the meeting.

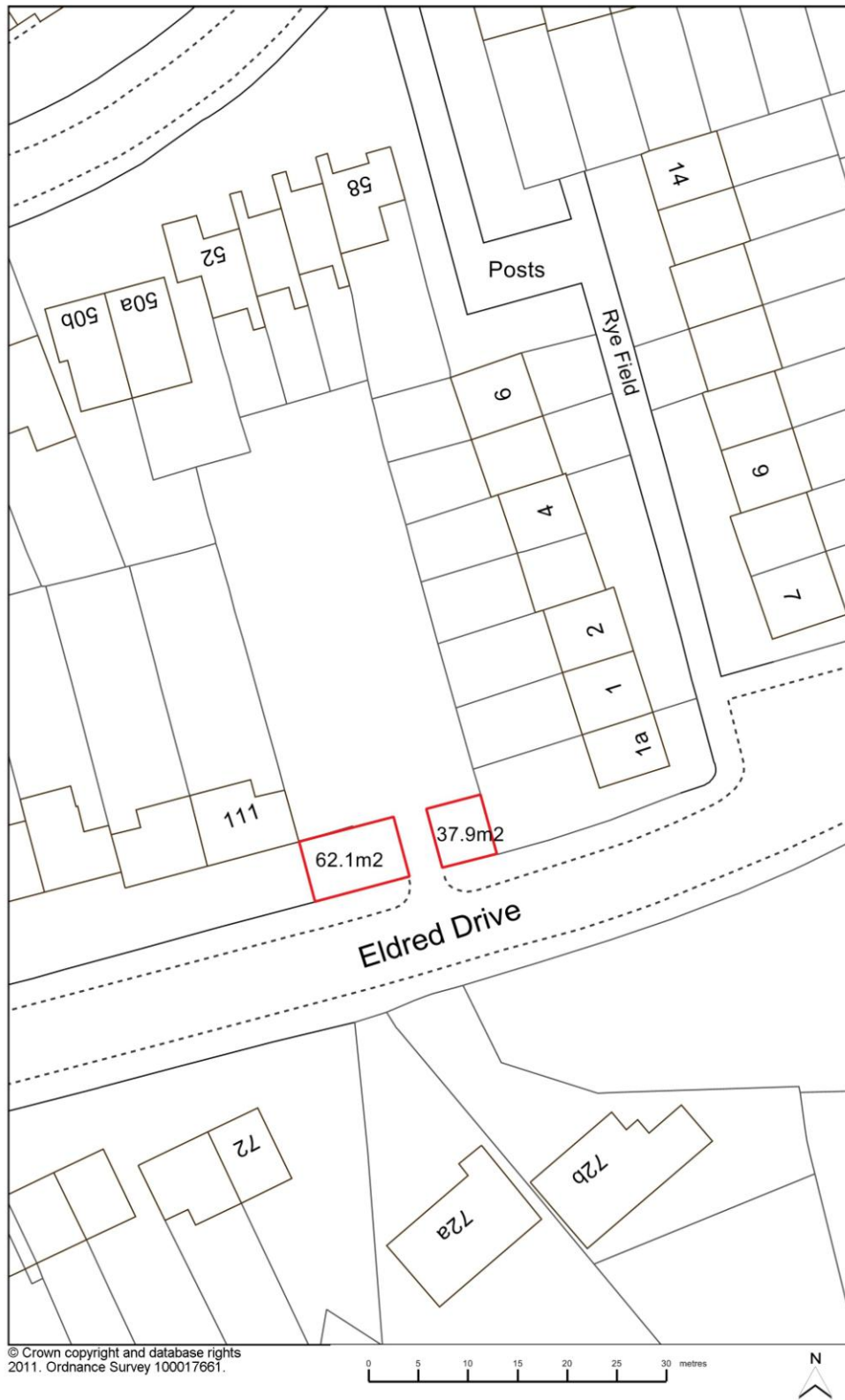
### **3. COMMENTARY**

3.1 When the Council transferred its housing stock in 1992 it retained ownership of small areas of land on some housing estates, particularly where it was considered that there might be development potential.

3.2 The Council owns two small areas of land in Eldred Drive, Orpington, which formed part of a garage compound that was transferred in the stock transfer. The garages have subsequently been demolished and the site sold. Planning permission was granted in 2011 for a development of three houses on the site.

3.3 The site was subsequently sold again and the current owner has implemented the permission and the scheme is nearing completion. When purchasing the site he was not aware that he did not own the two areas of land at the front of his site, shown on the plan below. He has now approached the Council with a request to purchase the land. Officers have been negotiating a price for the land with him, subject to obtaining the Portfolio Holder's agreement that the land can be declared surplus. There is an element of ransom value, but the price will be below the level of delegation to the Director of Transformation and Regeneration.

3.4 The Portfolio Holder is requested to agree that the land shown on the plan below, having an area of 100m<sup>2</sup>, be declared surplus to Council requirements to enable its sale to the adjoining owner.



#### 4. POLICY IMPLICATIONS

4.1 The Council's aims include being an authority which manages its assets well.

**5. FINANCIAL IMPLICATIONS**

5.1 A capital receipt will be generated by the sale of this land.

**6. LEGAL IMPLICATIONS**

6.1 Section 123 of the 1972 Local Government Act requires a local authority to secure the best consideration reasonably obtainable when disposing of land (other than on a lease of 7 years or less) unless it has the benefit of an express or general consent of the Secretary of State.

<b>Non-Applicable Sections:</b>	Personnel considerations.
Background Documents: (Access via Contact Officer)	