

**PART 1**

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**Decision Maker:**        **EXECUTIVE**

**Date:**                    **30 November 2022**

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

**Title:**                    **PROPERTY DISPOSALS**

**Contact Officer:**        Michael Watkins, Assistant Director Strategic Property  
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**Chief Officer:**            Director of Housing, Planning, Property and Regeneration

**Ward:**                    All Wards

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**1. REASON FOR REPORT**

- 1.1 The Operational Property Review has identified the need to generate Capital Receipts to reduce the overarching cost of clearing maintenance liabilities and for bringing up to a standard through minor refurbishment of those properties the Council intends to retain.
- 1.2 A number of properties and leasehold interests have been identified for either disposal or by lease re-gearing to generate Capital Receipts.

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**2. RECOMMENDATION(S)**

- 2.1 Members are recommended to note the contents of this report and to refer to the Part 2 Report of the same title for specific recommendations.

### Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A
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### Corporate Policy

1. Policy Status: Existing Policy
  2. BBB Priority: Excellent Council
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### Financial

1. Cost of proposal:
  2. Ongoing costs:
  3. Budget head/performance centre:
  4. Total current budget for this head:
  5. Source of funding:
- 

### Personnel

1. Number of staff (current and additional): Not applicable
  2. If from existing staff resources, number of staff hours: Not applicable
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### Legal

1. Legal Requirement: Statutory Requirement
  2. Call-in: Applicable
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### Procurement

1. Summary of Procurement Implications: Not applicable
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Not Applicable
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? As this is a Borough Asset individual Wards have not been consulted, however this report was circulated to all Councillors prior to publication.
2. Summary of Ward Councillors comments: N/A

### **3. COMMENTARY**

#### **Background**

- 3.1 The Operational Property Review has identified the need to generate Capital Receipts to reduce the overarching cost of clearing maintenance liabilities and for bringing up to a standard through minor refurbishment of those properties the Council intends to retain.
- 3.2 A number of properties and leasehold interests have been identified for either disposal or by lease re-gearing to generate Capital Receipts.
- 3.3 These opportunities are detailed below and have the potential to generate £65.8M
- 3.4 List of the properties considered to generate this sum are as follows:

#### **Freehold Disposals**

Former Allotment site at Goddard Road, Clock House Ward

Church House Gardens Depot, Bromley Town Ward

Chipperfield Road (Leased to BVGA), Cray Valley West (To be Sold as a Going Concern)

Community House (Leased to Community House Trustees), Bromley Town Ward (To be Sold as a Going Concern)

Bertha James Centre, Bromley Town Ward

Beckenham Halls, Beckenham Ward

Church House Gardens Cottage and Parkfield Rec Lodge, Bromley Town/Petts Wood Wards

The Glades Shopping Centre, Bromley Town Ward

#### **Disposal of Long Lease Interest**

Sainsburys Site, Orpington Ward

Coleman House, Penge and Cator Ward

Housing Estate Retail Parades, Various Wards

- 3.5 Valuation estimates have been provided in the accompanying Part 2 Report of the same title.
- 3.6 Executive approval is sought to instruct appropriate disposal surveyors and Corporate Legal to prepare and market the various properties with fees being recovered via the Capital Receipt generated (this would include the service of any Statutory Notices where applicable).
- 3.7 Two of the properties contained at 3.4 are ready to transact and Member authority is also sought to approve these. Due to the commercial sensitivity of these the details are contained within the accompanying Part 2 Report.

#### **4 IMPACT ON VULNERABLE ADULTS AND CHILDREN**

4.1 There is not considered to be an impact on Vulnerable Adults and Children as a consequence of this decision.

#### **5 POLICY IMPLICATIONS**

5.1 It is essential that the Council manages its assets to meet the Council's aims and objectives.

#### **6 FINANCE IMPLICATIONS**

6.1 Are dealt with in the Part 2 Report of the same title.

#### **7 PROCUREMENT IMPLICATIONS**

7.1 Are dealt with in the Part 2 Report of the same title.

#### **8 LEGAL IMPLICATIONS**

8.1 Property Disposals

8.2 Local Authority Powers

s.111 Local Government Act 1972

8.3 The Council has power to do anything calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions

8.4 The intended proposals do dispose in this report would be effected pursuant to that statutory power.'

8.5 General Power of Competence

8.6 Disposal of land

8.7 If the intended proposal to dispose where to proceed Local authorities have power under s.123 of the Local Government Act 1972 to dispose of land for best consideration that can reasonably be obtained (usually based on open market value).

8.8 s.128 of the Local Government Act 1972 confers power to the Secretary of State to give general consent for the purposes of land disposals by local authorities carried out under their powers in Part 7 of the 1972 Act.

8.9 Disposal of Land considered as Open Space

If there is any open space within the demise of any proposed disposal Section 123 (2A) will come into play and this states that any disposal of land considered as open space (any land, enclosed or not, on which there are no buildings, and the whole of the remainder of which is laid out as a garden or is used for recreation purposes or lies waste and unoccupied) requires the local authority to give notice of its intention to dispose of the land for two consecutive weeks in a newspaper circulating in the area in which the land is situated, and they must consider any objections to the proposed disposal which may be made to them.

<b>Non-Applicable Sections:</b>	HR,
Background Documents: (Access via Contact Officer)	