



To: Committee & Elections Manager

Statement of individual Cabinet Member's decision

Name of Cabinet Member Councillor John Cubitt

Portfolio Leader of the Executive

Delegation authority (usually the delegated powers in annex 1.6 and 1.7) Leader of the Executive

Cabinet decision date _____ Minute No _____ or

Declaration of Interests (if any)

Of the Cabinet Member making the decision

Of any other Cabinet Member consulted in relation to the decision

Topic Proposed disposal of the land at the junction of East and South Kent Avenues

Decision That the land is declared surplus and that the Assistant Director (Governance & Law) in consultation with the Director Corporate Services be authorised to dispose of the land to the adjoining owner.

Reasons for the decision It is considered that the transfer of the land to the adjoining owner provides the best value for money solution for the Council. To provide the necessary authority to allow the land to be disposed of.

Other options considered (if any) The Council could have undertaken the remedial scheme designed but this would have cost circa £35,000

I confirm that this decision is:

- Please mark/tick
- In accordance with the council's Policy Framework
 - Within the council's approved budget
 - In compliance with the council's contract procedure rules
 - In compliance with the council's financial procedure rules
 - In accordance with the protocol for Cabinet member decisions

Background papers used (if any) _____

Signature
(countersigned
by Executive
Leader if a Key
Decision)

Date: 18 January 2016

All decisions must be made in accordance with the decision-making rules laid down in the constitution and must be in compliance with the policy framework, the approved budget, contract procedure rules and financial procedure rules.

The allocations of areas of responsibility to Lead Members and their delegated powers are laid out in annex 1.6 and 1.7 and may only be exercised accordingly. The Executive Leader is entitled to change the allocation of portfolios to Lead Members at any time.

In addition to the above, further delegations may be made from time to time.

Key decisions may not be made by individual Cabinet Members other than the Executive Leader. In the case of a Key Decision recommended by a Cabinet Member, the Executive Leader's countersignature will be required in order to effect the decision.

The Chief Executive was given delegated authority to respond to consultation documents on behalf of the Cabinet in consultation with the appropriate portfolio holder at the Cabinet meeting on 7 March 2011.

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.

Classification:

Key Decision:

Gravesham Borough Council

Report to: Management Team
Date: 15th December 2015
Reporting officer: Property Services Manager
Subject: Land at junction of East and South Kent Avenues

Purpose and summary of report:

To report on the terms of the proposed disposal of the Council's land as shown edged black on the attached plan.

Recommendations:

That:

- 1 The areas of land identified are declared surplus and the Leader of the Executive's authority is obtained to the disposal and (providing that his approval is obtained),
- 2 that the Assistant Director (Governance and Law) in consultation with the Director Corporate Services be authorised to dispose of this land on the terms set out in section 3 below.

1. Background

- 1.1 A report was presented to the 7th July 2015 meeting of Management Team. A copy of that report together with the minute is attached as background information.

2. Current Position

- 2.1 Following that report discussions have taken place with the adjoining owner who has expressed an interest in purchasing the land for inclusion within his property, despite being made aware of the works required to the land.
- 2.2 He has provided sketch plans of an alternative scheme (copies attached), which planning and engineering colleagues are happy with in principal, subject to the outcome of a formal planning application (to include scaled plans and information on heights, materials and distances etc).

3. Terms

- 3.1 The terms that have been provisionally agreed, subject to the approval of Management Team and the Leader of the Executive, are as follows:
- 3.1.1 Prior to the sale the purchaser will be required to obtain planning consent together with all other necessary consents (such as Highways / Building Regs etc) to enable the land to be incorporated within the curtilage of 33 East Kent Avenue.
 - 3.1.2 The transfer will contain a clause whereby the purchaser will covenant to complete the scheme in accordance with the planning consent and all other consents within 18 months of the date of transfer.
 - 3.1.3 The transfer will contain a clause whereby the purchaser will covenant not to use the land other than in connection with 33 East Kent Avenue and that it will not be sold, let or exchanged as a separate piece of land from 33 East Kent Avenue and no dwelling shall be constructed thereon.
 - 3.1.4 The transfer will be at nil consideration and each party will bear their own legal costs in completing the transfer.

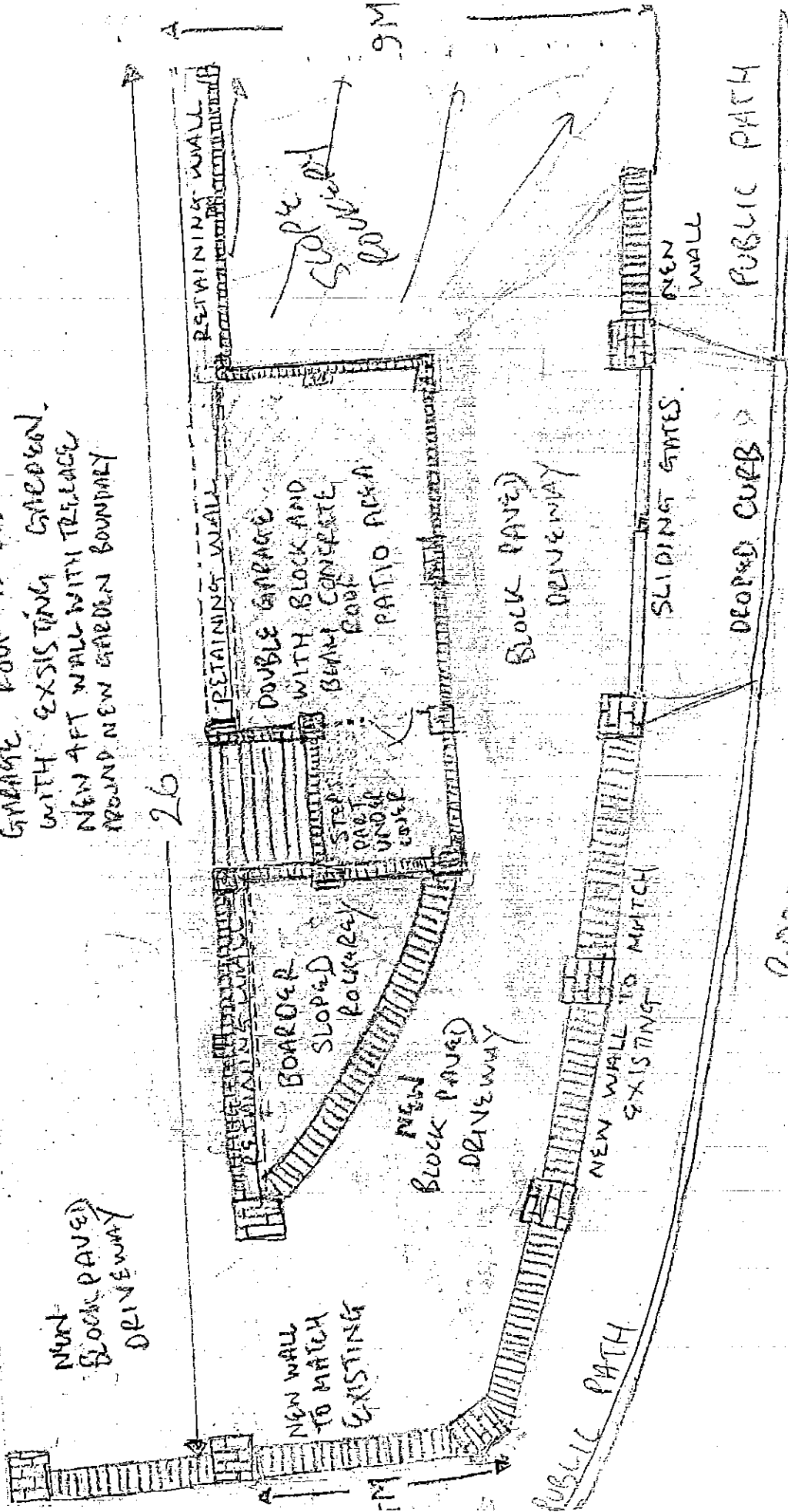
4. Background Papers

- 4.1 There are no background papers relating to this report.

IMPLICATIONS		APPENDIX 1	
Legal	Contained within the body of the report.		
Finance and Value for Money	Quotes were obtained for the remedial works required to the Council's land, the cheapest of which was circa £35,000. In the circumstances the disposal of the land to the adjoining owner at nil consideration provides the best value for money solution for the Council.		
Risk Assessment	Should the disposal of the land not proceed for any reason then the Council will need to undertake the remedial scheme to its land at a cost of circa £35,000		
Equality Impact Assessment	Screening for Equality Impacts		
	Question	Answer	Explanation
	a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	Management of the Council's land
	b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	See above
	c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		Not applicable
<i>In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above</i>			
Corporate Business Plan	Links with Corporate Objective 4 - Sound & self-sufficient council – “a well-run and innovative council supporting its staff to realise commercial opportunities whilst transforming its services to deliver at the best possible value for money”.		
Crime and Disorder	There are no crime and disorder implications arising from the recommendations contained in this report		

GARAGE ROOF IS LEVEL
WITH EXISTING GARDEN.
NEW 4FT WALL WITH TRELLIS
AROUND NEW GARDEN BOUNDARY

26



ROUGH DRAWINGS

F.A.O

MR OSMAN

33 EAST KENT AVENUE

DRIVEWAY

NEW WIRE TO MATCH EXISTING

BOARDING

DRIVEWAY

NEW WALL TO MATCH EXISTING

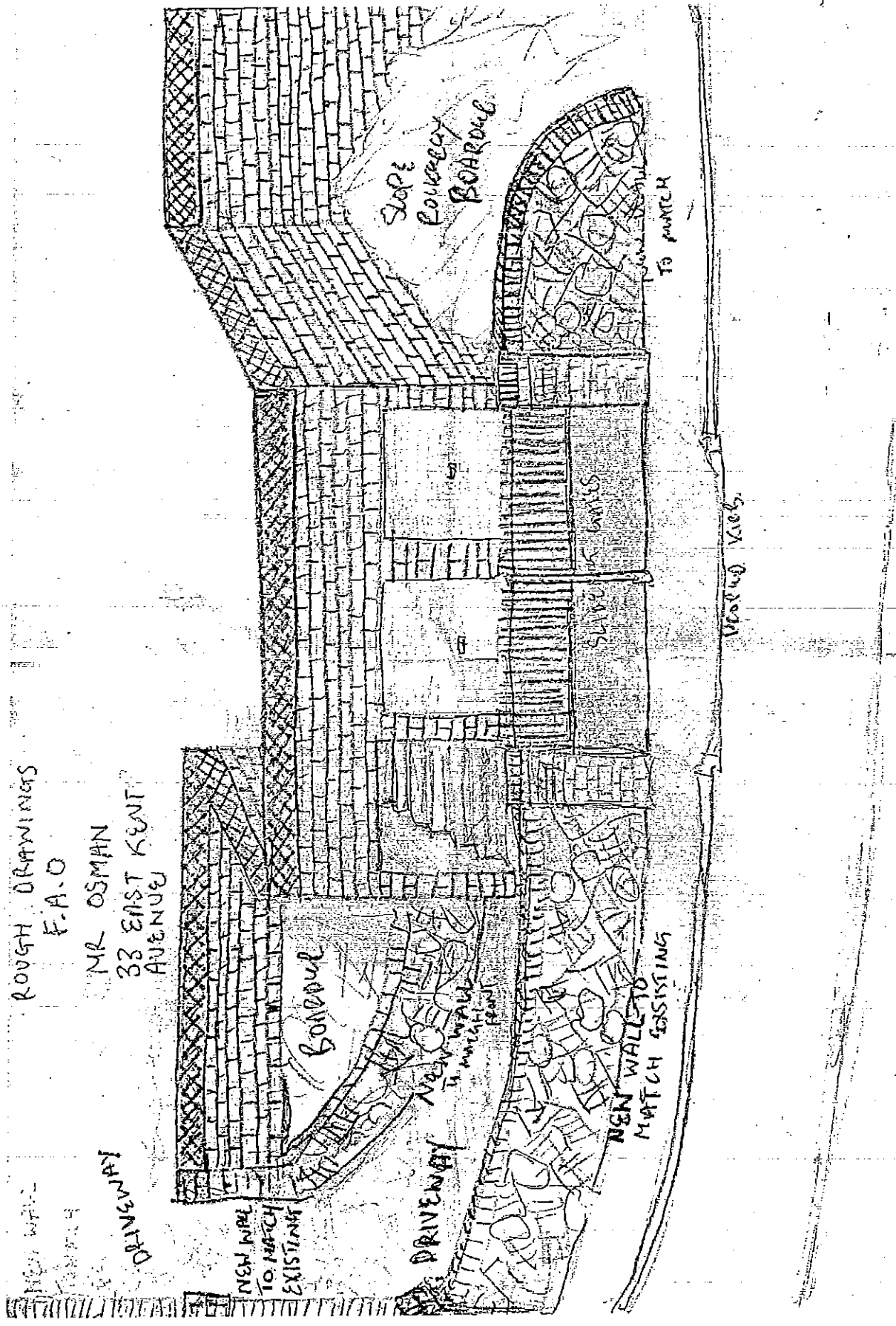
SLOPE COURSEY BOARDING

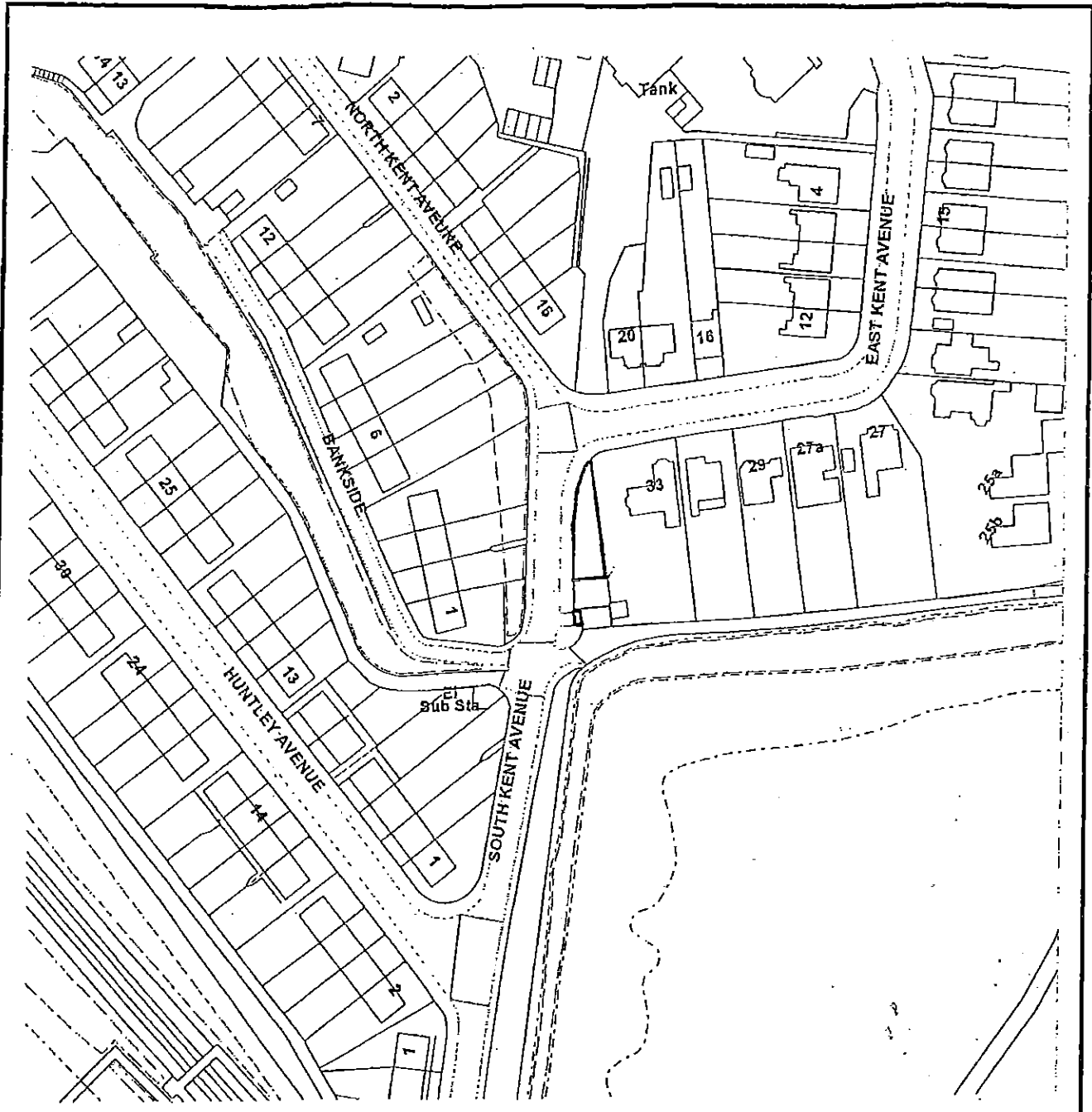
SLABS

NEW WALLS TO MATCH EXISTING

TO MATCH

WOODING VIBS





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Project		Land at the corner of South & East Kent Avenue	
Drawn	Traced		
Checked	Date	08 - 12 - 15	
Drg	Scale	1/1250	

Gravesham
Borough Council



Property Services
Civic Centre, Windmill Street, Gravesend, Kent
DA12 1AU. Tel: 01474 56 44 22