
Meeting: Customer and Central Services Overview and Scrutiny Committee
Date: 17 October 2011
Subject: Asset Disposal Programme 2012/13
Report of: Cllr Maurice Jones, Executive Member for Corporate Resources
Summary: The report proposes the detailed major asset disposal programme for 2012/13 and advises Members on the currently agreed Disposals/Acquisitions Protocol.

Advising Officer: John Unsworth, Assistant Chief Executive - Resources
Contact Officer: Ian Brown
Public/Exempt: Exempt
Wards Affected: All (within the whole programme)
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

1. The Asset Disposal Protocol sets out the Council's policy framework for the disposal of property assets. The Council's Disposal Programme targets over the medium term the disposal of surplus assets, the proceeds of which go towards supporting the capital programme, which in turn supports service delivery and improvement.

Financial:

2. The Council's financial plans reflect the delivery of the programme for asset disposals, transfers and rationalisation or by more efficient asset use.

Legal:

3. Section 123 of the Local Government Act 1972 gives local authorities a general power to dispose of land they hold in any manner they wish. Disposals must normally be made at the best price that can reasonably be obtained and there are restrictions in respect of the disposal of open space.

Risk Management:

4. Each property will be assessed for risks during analyses for disposal.

Staffing (including Trades Unions):

5. Not applicable.

Equalities/Human Rights:

6. In developing the Asset Disposal Programme 2012/13 the Council must ensure that decisions are made in such a way as to minimise unfairness, and that there is not a disproportionately negative effect on people from different ethnic groups, disables people, and men and women.
7. The statutory equality duties must be exercised in substance, with rigour and an open mind. To ensure that they have combined with the equality duties, and to ensure that any decision made does not unfairly discriminate, public authorities should:
 - Carry out robust equality impact assessments and consult and involve relevant stakeholders as part of the decision-making process
 - Consider all relevant, available information in order to anticipate any likely negative impact and to seek to avoid that negative impact by taking alternative courses of action wherever possible
 - Keep an adequate record showing that they had actually considered their equality duties and pondered relevant questions.
 - Be rigorous in both inquiring and reporting to Members the outcome of the assessment and the legal duties. When decisions are made, decision makers must have the relevant data, including the results of equality impact assessment, and of consultation and involvement, to ensure they reach an informed decision.
8. The current short term Asset Management Plan includes a timetabled programme for the disposal of assets and each project will include the development of an equality impact assessment to ensure that the implications of each potential disposal are fully considered.

Community Safety:

9. The safety of all our properties and people who use them is paramount.

Sustainability:

10. The Disposals Programme brings quantifiable carbon reduction and related financial savings to the Council.

Procurement:

11. Not applicable.

RECOMMENDATION(S):

The Committee is asked to:-

1. **Consider the (top ten) disposals programme for 2012/13, and any comments, if seen to be required, are submitted to the Executive.**

Introduction

12. Attached as Appendix A is the commercially sensitive Asset Disposal Programme for 2012/13. Equality impact assessments will be prepared for each individual disposal.

13. The Executive Member for Corporate Resources, Councillor Maurice Jones, has agreed that this report is considered by the Overview and Scrutiny Committee and welcomes any comments which can then be submitted to the meeting of the Executive.

Appendices:

Appendix A – Asset Disposal Programme for 2012/13

Appendix B – Asset Disposals Protocol and Delegations as agreed by constitution Advisory Group.

Background papers and their location: (open to public inspection)

None