



### Record of Officer's Decision

#### The Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

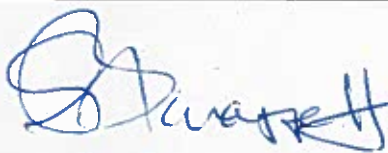
<b>Date of Decision:</b>	1 April 2015
<b>Decision Maker (Officer):</b>	The Corporate Director (Corporate Services) – Martyn Knappett
<b>Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):</b>	Cabinet Decision – 1 August 2014 (Minute Numbers 52 and 57)  The Corporate Director (Corporate Services) was authorised to complete the disposal of the land on the reported terms and on such other terms and conditions that he considered appropriate
<b>Identify which Portfolio Holder(s)/Committee Chairman consulted?</b>	Not applicable
<b>Ward Member(s) consulted?</b>	No
<b>Is it a Key Decision?</b>	No
<b>Is it subject to call-in?</b>	No
<b>Decision Made:</b>	To complete the disposal of the land (section of land at Grove Avenue, Walton-on-the-Naze, Essex) on the terms set out in the Cabinet Report (B1) subject to an uplifted price because the land is not being sold to a Registered Housing Provider. Such other terms and conditions considered appropriate by the Decision Maker include the sale being to two development companies jointly. All other terms and conditions being standard in their nature
<b>Reason for Decision (if a report was produced to support the Decision, refer to it):</b>	It was considered appropriate to dispose of the land in accordance with the terms set out in the Cabinet Report (A1 and B1) with the addition of one purchaser. It was considered appropriate to sell to the two development companies jointly because the title documents for the neighbouring development site, the development of which this land is being sold to facilitate, are in joint names
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	As follows: <ul style="list-style-type: none"> <li>The disposal of the land will provide a capital receipt to the Housing Revenue Account and (subject to planning permission being obtained and</li> </ul>

	<p>the proposed houses being built) generate New Homes Bonus and Council Tax revenue;</p> <ul style="list-style-type: none"> <li>• An uplift in sale price has been achieved to reflect the land being sold to development companies instead of a Registered Housing Provider;</li> <li>• The land is insignificant in terms of the Housing Revenue Account site being retained by the Council and the sale of the land is unlikely to restrict future use or development proposals for the Council's retained site;</li> <li>• Resident consultation on the proposed sale was undertaken with only one response being received. That response was about vehicular access which is a matter that (if appropriate) will be considered as part of any planning application and</li> <li>• Those other financial, legal and resource considerations and risks highlighted in the Cabinet Report (B1).</li> </ul>														
<p><b>Details of any Alternative Options Considered and rejected (together with reasons):</b></p>	<p>None</p>														
<p><b>Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision)</b></p> <p><b>If relevant, a note of the dispensation granted by the Monitoring Officer:</b></p>	<p>Not applicable</p>														
<p><b>Reason Decision, or supporting Report, is not published:</b></p> <p><i>Tick one or more of the specific exemptions,</i></p> <p><b><u>and</u></b></p> <p><i>Give more information in the final box with regards to why the exemption applies and outweighs the public interest test (which is in favour of disclosure).</i></p>	<table border="1"> <tr> <td data-bbox="564 1420 624 1496"></td> <td data-bbox="624 1420 1361 1496"> <p>The report supporting the Decision contains confidential information</p> </td> </tr> <tr> <td data-bbox="564 1496 624 1608"></td> <td data-bbox="624 1496 1361 1608"> <p>The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:</p> </td> </tr> <tr> <td data-bbox="564 1608 624 1648"></td> <td data-bbox="624 1608 1361 1648"> <ul style="list-style-type: none"> <li>• Relates to an individual</li> </ul> </td> </tr> <tr> <td data-bbox="564 1648 624 1688"></td> <td data-bbox="624 1648 1361 1688"> <ul style="list-style-type: none"> <li>• Likely to reveal the identity of an individual</li> </ul> </td> </tr> <tr> <td data-bbox="564 1688 624 1800"></td> <td data-bbox="624 1688 1361 1800"> <ul style="list-style-type: none"> <li>• Relating to financial or business affairs of a person or organisation</li> </ul> </td> </tr> <tr> <td data-bbox="564 1800 624 1912"></td> <td data-bbox="624 1800 1361 1912"> <ul style="list-style-type: none"> <li>• Relates to a claim for legal professional privilege in legal proceedings</li> </ul> </td> </tr> <tr> <td data-bbox="564 1912 624 2022"></td> <td data-bbox="624 1912 1361 2022"> <ul style="list-style-type: none"> <li>• Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a</li> </ul> </td> </tr> </table>		<p>The report supporting the Decision contains confidential information</p>		<p>The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:</p>		<ul style="list-style-type: none"> <li>• Relates to an individual</li> </ul>		<ul style="list-style-type: none"> <li>• Likely to reveal the identity of an individual</li> </ul>		<ul style="list-style-type: none"> <li>• Relating to financial or business affairs of a person or organisation</li> </ul>		<ul style="list-style-type: none"> <li>• Relates to a claim for legal professional privilege in legal proceedings</li> </ul>		<ul style="list-style-type: none"> <li>• Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a</li> </ul>
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	<p>person; or to make an order or direction under any enactment</p>
	<ul style="list-style-type: none"> <li>• Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</li> </ul>
	<p><u>And</u> is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information</p> <p>Reasons:</p>

**Officers**

Signed:



Title: Corporate Director (Corporate Services)

Dated:

1/4/15

