

KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Peter Oakford, Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services

DECISION NO:

24/00088

For publication

Key decision: YES

Key decision criteria: The decision will result in savings or expenditure which is significant having regard to the budget for the service or function (currently defined by the Council as in excess of £1,000,000)

Title: Freehold Disposal of Land at the Long Field, Quaker Lane, Cranbrook, Kent.

Proposed decision:

The Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, to agree to:

1. the disposal of the property, Land at the Long Field, Quaker Lane, Cranbrook, Kent; and
2. to grant an extension of time (if required) to the promotion agreement Relating to land adjoining Cranbrook Primary School, Carriers Road, Cranbrook, dated 29th January 2020, or to enter into a new promotion agreement with the same or a new developer; and
3. delegate authority to The Director of Infrastructure, in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, to finalise the terms of the extension of time to the promotion agreement and disposal and execution of all necessary or desirable documentation required to implement the above.

Reason(s) for decision:

The property is surplus to the Council's operational requirements and due to its projected value, a key decision is now required as set out in Kent County Council's Constitution.

The sale of the property will result in a capital receipt which will be reinvested back into the Council's Capital Programme.

Cabinet Committee recommendations and other consultation:

The matter is due to be considered by the Policy and Resources Cabinet Committee 27 November 2024. The views of the Local Member will be sought and reported to the Cabinet Committee and the decision taker.

Any alternatives considered and rejected:

The Council has an overarching duty under Section 123 of the Local Government Act 1972 to secure not less than best consideration in respect of property disposals. It also has a fiduciary duty to the residents of Kent.

As the property is not required for the Council's operational purposes, the only alternative option would be to continue to hold the site, however, this would leave the Council exposed to ongoing costs and for securing it against unauthorised access and potential claims for injuries arising from trespassing. Given that this approach does not align with the Council's investment strategy and a disposal provides an opportunity to reinvest capital in agreed priorities as set out in the Council's Capital Programme, it is proposed to proceed with the latter.

Whilst under contract, a decision not to perform under its terms would be possible, however this would have legal and cost implications. The recommendation therefore will be to perform under the contractual agreement for the sale of the property unless it expires in the meantime.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer: None

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signed

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date