



Westmorland
& Furness
Council

westmorlandandfurness.gov.uk

Property Disposal Policy

Policy Position and
Guidance Document
Version 1 (September 2023)



Introduction

The purpose of the council's Disposal Policy is to set out the principles and approach by which the council will dispose of property assets. This information is of relevance to Officers, Members, community groups and also other interested parties.

This guidance should be read in conjunction with the Council Plan and accompanying Delivery Plan and Performance Management Framework, the Council Constitution and the Scheme of Delegation. This guidance together with the Constitution are key documents in the overall management of the council's land and property portfolio.





Context

The Council Plan for the new Westmorland and Furness Council came into being on 1 April 2023.

It sets out the council's vision, values and priorities and guides the council through the transition from the four predecessor and a period of transformation over the next five years. The plan is about delivering the best for our residents, customers, and communities.

The plan presents a vision for Westmorland and Furness to be “a great place to live, work and thrive.”

Priorities set out within the plan are as follows:

For people – Supporting active, healthy happy lives for young and old and supporting people in need and reducing inequality.

For the climate – Providing leadership in the drive to become carbon net zero.

For communities – Enabling confident, empowered, resilient communities.

For the economy and culture – Supporting sustainable, inclusive, economic growth

For our workforce – Leading and empowering a confident, innovative and inclusive workforce.

Values set out within the plan are for a **caring council** which will be:



Ambitious



Responsible



Collaborative



Inclusive



Needs-led



**Outcomes
focused**



**Ecologically
aware**

The council's Strategic Asset Management Strategy ('SAMS') (due to be published later in 2023-24) will support the commitment made in the Council Plan and Delivery Plan and Performance Management Framework to deliver a modern, effective and fit for purpose property portfolio and a healthy working environment.

To achieve this commitment, the SAMS will describe the need to:

- Partner with services to plan and manage property as a corporate resource to deliver council outcomes.
- Provide the right property, fit for purpose, in the right place, to meet customer and service needs and plan for the future.
- Manage and maintain property effectively, efficiently and sustainably, together with optimising financial return, commercial opportunities and environmental sustainability.
- Ensure the current and future property estate is as sustainable as possible in design, construction, operation and final disposal.
- Use land and buildings to stimulate development and growth whilst supporting local community needs and encouraging new business to the area.
- Promote joint-working where it will provide benefit for service delivery and in securing efficiencies.

To support these objectives, processes for all forms of property disposal have been streamlined.



Furness Abbey

The Council's corporate property portfolio consists of approximately 550 buildings of differing age, function and efficiency. A breakdown of buildings within the portfolio is set out below:

Arts and entertainment *	4
Business centres	4
Children's & family centres	12
Children's homes	3
Community centres and hubs	12
Crematorium	1
Day centres	11
Depots	16
Elderly persons homes	9
Family group homes	7
Heritage assets	22
Hostels	2
Household waste recycling centres (HWRC)	8
Hydrotherapy pools	1
Industrial and workshop units	76
Kennels	1
Leisure centres	11
Libraries**	19
Market halls	3
Miscellaneous structures***	34
Museums	3
Offices (Operational****)	15
Offices (Leased out)	18
Public conveniences	45
Rehabilitation centres	1
Respite care facilities	4
Retail units	40
Schools*****	147
School houses	8
Sheltered housing schemes	1
Storage facilities	4
Surplus buildings	15
Tourist information centres	2
	559

* - including arts centres, a theatre and a cinema.

** - including archives in Barrow and Kendal.

*** - including sea defences, bandstands, shelters, public jetties, a hotel and a flood relief dam,.

**** - including three town halls and one county hall.

***** - including 32 academy sites and one pupil referral unit.



Ullswater

The council owns approximately 1,200 separate non-housing assets, including land parcels. In addition to the above breakdown of buildings this total includes 84 car parks, 29 allotment and smallholding sites, 23 playing fields, two caravan sites, a reservoir and the bed of England's largest lake.

Separate to the above, the council also owns circa 2,500 council Houses and associated Housing Infrastructure, including garage colonies. Housing assets are managed by the Housing Team within the council's Thriving Communities Directorate.

The challenge for the council is to make the best use of its assets to enable the efficient delivery of services to our communities. This may mean improving buildings, changing their use, selling or leasing to partner organisations and community groups to achieve Council Plan objectives, or even selling them on the open market and reinvesting the money in our frontline services. On occasions the preferable option may be to demolish buildings to increase market value or facilitate an alternative use of a site.

Our ambition is to reduce operational holding costs of surplus properties to as close to zero as possible by planning ahead and completing any external consultation required as early as possible in order that a property can be sold, transferred or redeveloped as soon as it is vacated by a council service.

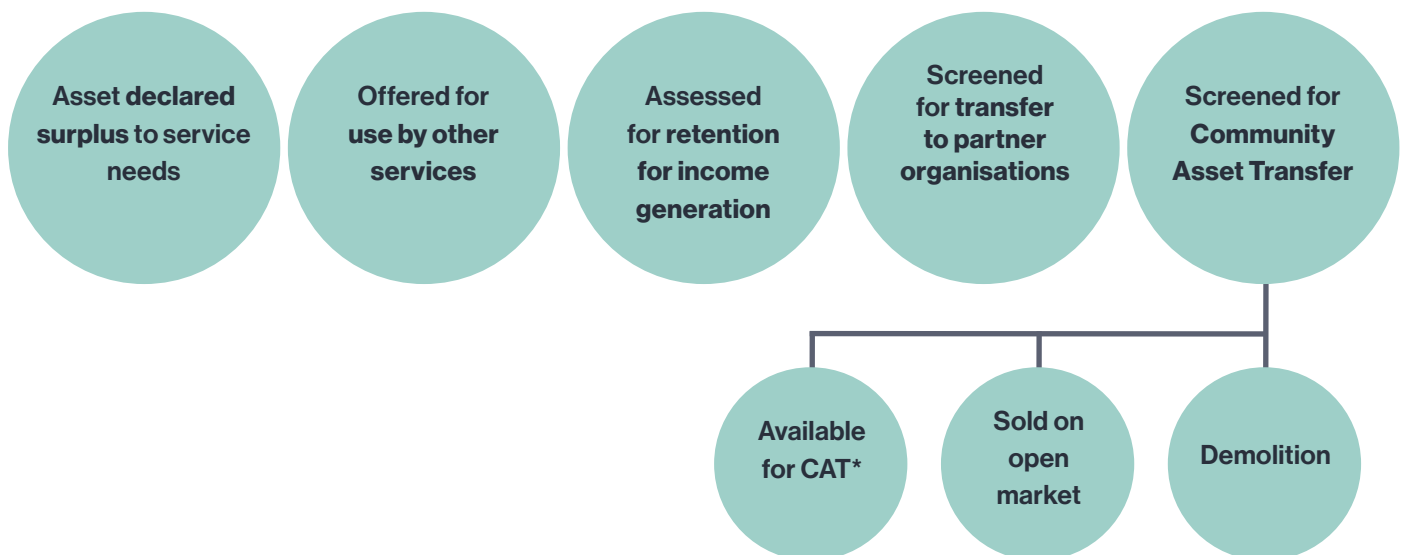
Why we need a Disposal Policy

The disposal of property needs to ensure the achievement of good practice and where appropriate, that the maximum benefit of the asset is realised. This can be through obtaining the highest sale value or meeting wider community wellbeing objectives supported by the council.

The council's **Property Disposal Policy** sets out the process for ensuring that any form of property disposal considers all relevant factors, enabling appropriate judgements to be made in each individual case. This means that all communities will have equality of opportunity.

The detailed process for property disposals is outlined below the **Open Market Sales Procedure 2023** and the preliminary steps involved in each decision to dispose are illustrated in **Figure 1** below:

Figure 1: Asset assessment process prior to sale



*See separate Community Asset Transfer Policy

Open Market Sales Procedure

Date: 12.09.2023

Status: Final

1 Background and Key Documents

1.1 The council's Strategic Asset Management Strategy ('SAMS') (due to be published later in 2023-24) will set out a vision for the rationalisation and investment in the council's assets. It will refer to the need to review the size of the council's inherited estate in line with service needs and budgets and for investment in buildings to be retained to ensure fitness for purpose. The ongoing refinement of the council's estate is a continuous commitment being undertaken through various key workstreams including:

- Service Reviews and Service Planning led by Directors and Assistant Directors across the council in conjunction with Members.
- Locality Planning led by Locality Managers and supported by Capital Programmes and Corporate Assets Team (CorpAT).
- Property Asset Review led by CorpAT.

1.2 CorpAT as corporate landlord is well positioned to get early visibility about potential surplus property and can react quickly to deal with disposals, thereby reducing holding costs.

1.3 CorpAT are responsible for dealing with the management and subsequent disposal of surplus property following a formal handover from the service department. A handover / managed shutdown protocol is in place.

1.4 The Assistant Director (Corporate Assets, Fleet & Capital Programme) has responsibility for producing a plan each year setting out proposals for disposals of property (freehold or on long leases) and which are likely to be completed within the 12 months and an indication of planned disposals in subsequent years. Legal Services will provide support in this regard to achieve the desired outcomes.

2 Establishing and Managing the Sales Programme

2.1 At the commencement of the new financial year, an indicative programme of sales and property transfers will be prepared by the Estates & Investment Manager for approval by the Assistant Director (Corporate Assets, Fleet & Capital Programme). The programme will be developed in accordance with the Constitution (but not limited to): contract procedure rules relating to land and property and in compliance with legislation governing the disposal of council assets.

2.2 The programme will have regard to the Capital Receipt Target for the financial year.

2.3 The programme will be presented by the Assistant Director (Corporate Assets, Fleet & Capital Programme) in accordance with the Constitution: Contract Procedure Rules relating to land and property.

2.4 Further to 2.3 the programme will be duly forwarded to the three Locality Managers and Locality Board chairs for information and communication to Local Members.

2.5 CorpAT officers will engage with the Locality Managers and Safe & Strong Communities Team to take forward any proposed Community Asset transfers (See separate Community Asset Transfer Policy) or disposals at less than market value in accordance with Well Being Provisions contained within the general consent¹ and the council Constitution: Contract Procedure Rules relating to land and property.

2.6 Progress of the programme will be updated in accordance with the council Constitution: Contract Procedure Rules relating to land and property.

2.7 The programme will be managed by the Estates & Investment Manager. Progress on sales, problems and issues with the programme will be discussed regularly with the nominated lead sales officer in legal services.

2.8 A BRAG (Black-red-amber-green) project status report on the sales programme will be issued to Directorate Management Team, Corporate Management Team, Cabinet and Full Council via the Quarterly Monitoring Report

3 Administrative and Internal Pre-Sale Preliminaries

Asset assessment process prior to sale

3.1 The preliminary steps involved in each decision to disposal are illustrated in Figure 1 above. Whilst these steps guide the process there is some degree of iteration. Each case is assessed on its merits by officers, with member consultation as appropriate. At stage 1 the council service will facilitate the decision to declare the asset surplus to service requirements. The decision-maker in each case is stipulated by the council's Constitution and Scheme of Delegation. The CorpAT will be consulted as part of this process to provide detail on Corporate Landlord and Building Compliance budget costs relating to the specific asset.

3.2 Once declared surplus by the service user, stage 2 involves CorpAT working in consultation with Locality Managers and Service Leads from across the council, as appropriate, to consider any WFC requirements for retention for operational purposes. Sufficient capital and revenue budgets must be identified by finance officers before any re-use and capital improvement work can be considered.

3.3 At stage 3 of the 'Asset assessment process prior to sale', the Estates & Investment Manager will advise the Assistant Director (Corporate Assets, Fleet & Capital Programme) on whether or not the surplus property could be held for investment purposes in order to generate additional revenue (rent) to support Council plan priorities, and / or to make savings. This decision will be guided by the return available on capital, the proposed use in relation to council priorities and any associated risks.

3.4 If the asset assessment process reaches stage 4 the asset will be screened for potential transfer to partner organisations to achieve council objectives. Examples of uses falling into this bracket include affordable housing and extra care housing development by Housing Associations (Registered providers of social housing) and the development of new facilities by key local businesses to safeguard or create employment opportunities.

¹Circular 06/03: Local Government Act 1972 general disposal consent (England) 2003 disposal of land for less than the best consideration that can reasonably be obtained (ODPM / DCLG, June 2003): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7690/462483.pdf

3.5 At stage 5 the asset will be screened for suitability for Community Asset Transfer (CAT). Assets are likely to be classed as unsuitable if any of the following factors apply:

- Assets that accommodate fixed or core services.
- Assets that have a significant maintenance backlog representing a liability and posing a risk to future occupiers.
- Assets that first need to be offered to another entity to satisfy a legal requirements – if that offer process does not yield a sale the asset could potentially then be made available for CAT.
- Assets that have been identified as capable of generating a significant capital receipt or income which is required for reinvestment in the provision of council service. Where an asset is identified for disposal, voluntary and community sector organisations could submit bids along with other individuals and organisations during the process.
- The level of required capital investment is disproportionate to the outcome sought.
- The proposal would result in the council incurring significant ongoing holding costs.
- The council/service need remains under review.
- The asset is incapable of achieving suitability/sufficiency of accommodation for the proposed end use.
- The transfer and subsequent use of the asset would detrimentally impact the financial viability of the appropriately constituted group.
- The proposal is likely to result in the council being asked to provide additional future funding to cover anticipated budget shortfalls.
- Sale at an 'undervalue' is not possible (e.g. where an asset is held on 'trust' and sale proceeds must be ring-fenced in accordance with the charitable objectives of the trust).
- Assets which have to be retained by the council for legal, contractual or other reasons.
- The above list is not exhaustive.

3.6 Where an asset is deemed suitable for CAT then the process will follow the council's CAT policy guidance (see separate 'Community Asset Transfer Policy'). Where the asset is unsuitable for CAT then open market sale is likely to ensue. The preferable initial option may be to demolish buildings to increase market value, facilitate an alternative use of a site or remove the risk of holding a dangerous structure. In certain circumstances the decision to demolish may need to be taken quickly due to risk.

Managed Shut Down

3.7 For Buildings, the Estates case officer will lead the managed shutdown of property with the relevant service directorate, ensuring the property is fully vacated in a timely manner and in a marketable state upon handover with all contracts cancelled, meters read and security (if appropriate) arranged. Key handling to be arranged as appropriate.

3.8 As part of the shutdown process, the Estates case officer will confirm the property to be sold; i.e. extent, boundaries, fixtures and rights of way etc., particularly where other property is to be retained and a site split is necessary. In such cases care should be exercised to ensure that separate servicing / billing is achievable in respect to the surplus area.

Legal Report on Title

3.9 The Lead Estates Professional or nominated member of staff or nominated member of staff will instruct Legal Services (with plan) to produce a Report on Title for the subject property, identifying any issues that would affect the marketability of the property. Upon receipt of the report the case holder will deal appropriately with any onerous or sensitive matters and if necessary take further instructions from the Lead Estates Professional. The Report on Title should be provided within a timescale of six weeks from the date of written request and include advice on any obligation to offer back property under the Crichton Down Rules². If Crichton Down Rules are deemed to apply the property will be offered back to the original owner at market value.

Surplus School Buildings and School Playing Fields

3.10 Surplus School Buildings and School Playing Fields are protected by Department for Education and Sport England Regulations and cannot be disposed or sold without consent, so early consideration by the case holder of the regulations is essential. It can take up to 12 months for DfE to give approval for the change of use / disposal of former playing fields and any application will require a period of advertising to establish local demand for use of the fields. School Buildings regulations are less onerous although still require an application to establish any demand from a Free School or Academy.

4 Pre –Sale Technical Investigations and Considerations

Planning Benefit

4.1 With a view to optimising sale proceeds, the planning potential of sites and premises will be explored by the case holder prior to any marketing.

4.2 Establish existing use and consider alternative uses in consultation with the Local Planning Authority and where appropriate other statutory consultees.

4.3 Consult adopted and / or emerging Development plans which affect the property including any national planning guidance, Listed Building Status, Conservation Area, Tree Preservation Orders etc.

4.4 Consider obtaining independent planning consultancy advice where deemed appropriate / beneficial.

Contamination

4.5 If it is considered that there is a risk that the site is contaminated, a desk top evaluation should be carried out by external consultants prior to marketing. Subject to the findings a ground investigation survey warranted to future owners may be advisable.

²Compulsory purchase process and the Crichton Down Rules (DLUHC & MHCLG, July 2019):

<https://www.gov.uk/government/publications/compulsory-purchase-process-and-the-crichton-down-rules-guidance>

Development Considerations

4.6 With reference to development opportunities undertake standard enquiries with respect to Highways, Services and Utilities, Lead Local Flood Authority and Environment Agency to determine capacity and any significant issues etc., Review responses and consider any action required to add / preserve value and / or overcome obstacles to marketing.

4.7 Determine whether to market the site on a conditional contract basis thereby allowing developers time (a long stop date would be appropriate) to satisfy any development issues or whether the property should be sold on an unconditional basis as there is sufficient knowledge and information to be confident about site development issues.

4.8 Regard should be had to the use of overage and restrictive covenant provisions dependent upon the circumstances of each case.

4.9 When dealing with sites which offer any possibility of long-term development opportunities, however remote, it is standard practice to protect the councils interests by placing an overage clause in the sale contract combined with a user restriction. Current recommendation is for a 50% clawback on any uplift triggered by the grant of planning permission, any such clause to be valid for a period up to 85 years.

5 Open Market Sales

Inspection, Valuation and Preparation of details

5.1 Current practice favours procurement of external agents to dispose of property due to limited internal resources and to take advantage of agents' wider and established marketing networks and online market reach. Exceptions might include politically sensitive or unusually complex sales. The following activities concerned with marketing surplus properties will therefore mainly be handled by external agents and subject to a formal instruction by the case holder.

5.2 Inspect measure and assess a guide price for sale. No sales should be undertaken without the current value of the asset being first established.

5.3 Undertake formal valuations where required (not strictly required for marketing properties) to be in accordance with the RICS Valuation – Global Standards ('Red Book'), Red Book UK National Supplement and RICS Registered Valuer scheme (compliance is mandatory for members of the RICS).

5.4 Undertake planning and other technical investigations as instructed.

5.5 Consider ways of optimising value, e.g. partnership / joint sales with adjoining landowners, alternative developments, etc.

5.6 Agree guide price, sales particulars, erection of sale boards and marketing strategy with the instructing case holder.

5.7 In relation to the marketing strategy ensure that the council logo is used in advertising material in addition to the agent's own branding. Unless there are exceptional circumstances advertising in the local press should always be undertaken in the first instance and a minimum of two adverts are recommended. Specialist property periodicals such as the Estates Gazette should also be considered depending upon the nature of the property to be sold. Where interested parties are required to submit offers / tender documents, the closing date shall be set to fall within a reasonable period from the last advertised date.

5.8 Dependent upon the method of sale agreed, the particulars should be accompanied by the appropriate tender forms.

5.9 Refer all enquiries from media to the case holder who will liaise internally with the Council's Communications Manager. Agents are advised to inform the case holder of media interest in the first instance and not respond on behalf of WFC.

5.10 Where the sale process is undertaken internally all design work associated with sales details and advertising to be compiled in conjunction with WFC corporate branding and standard formatting as advised by the Communications Team.

6 Exceptions to Open Market Sales

6.1 The duty placed on a local authority in terms of S.123 LGA 1972 and case law regarding sales is that the local authority should obtain 'best consideration reasonably obtainable'. 'Consideration' is interpreted to mean commercial or monetary value. There is no process defined under the 1972 Act which dictates how any individual sale should be undertaken, it is an obligation placed on the Authority to determine how best consideration can be obtained. However, placing surplus property on the market thereby inviting open competition will in most cases clearly satisfy this obligation and this is therefore the council's standard protocol when dealing with sales.

6.2 There is no right of first refusal on sales to any one individual or organisation however it is recognised that there may be instances where the council would wish for whatever reason to favour a particular purchaser such as a partner authority or large employer. The Council is required to comply with the Constitution in the event that the particular purchaser is a 'Special Purchaser' which is currently defined as a transaction involving a 'disposal of property rights which directly affect an existing leaseholder and/or some other individual with a particular interest in the property'. Where a special purchaser is identified, a negotiated settlement is to be pursued rather than a tender or other competitive process and such disposal will be decided by Cabinet.

6.3 No direct sale should be progressed without the case holder first undertaking or obtaining a formal valuation to establish market value. In the event that the interested party is a special purchaser the valuation report should clearly set out the value on that basis making it clear that this would be the best price obtainable. In the event that the council is not minded to accept the 'special purchaser' bid this would represent an 'undervalue'.

6.4 No direct sales should be progressed without the authority of the Assistant Director (Corporate Assets, Fleet & Capital Programme) in accordance with the council Constitution: Contract Procedure Rules relating to land and property. Sales at undervalue can only be approved by Cabinet in accordance with the council Constitution: contract procedure rules relating to land and property.

Where the 'undervalue' exceeds £2,000,000 (two million pounds) the consent of the Secretary of State for Levelling Up, Housing and Communities will be required¹. When disposing of land at an undervalue, the Council must fulfil its fiduciary duty in a way which is accountable to local people. All disposals must also comply with the Subsidy Control Act 2022.

6.5 In line with the Government Prevent Policy, the council will ensure that an asset will not be transferred to any organisation that supports terrorism or radicalisation.

7 General Modes of Sale

7.1 The following modes of sale should be considered (But not limited to):

- Sale by Auction
- Sale by Formal Tender
- Sale by Informal Tender (sealed bids)
- Direct Sale (Private Treaty)

7.2 The method of sale will be determined by the Estates & Investment Manager, having regard to the individual circumstances. All modes should be undertaken having regard to established WFC procedures and protocols.

Sales by Auction

7.3 This is perhaps the most simple and effective way of conducting a sale for certain classes of property which have perhaps failed to sell under other methods or where there is an unknown or uncertain market. The instructing Surveyor will have agreed a reserve price for the property with the Auctioneer. Provided the reserve price is reached then the property will be sold to the highest bidder who will exchange contracts and agree a completion date on the day of the auction (completion is usually 28 days afterwards). If the reserve is not reached the Property will be withdrawn and available for private bidding after the auction.

Sales by Formal Tender

7.4 This is an effective method of sale by local authorities used typically where there is known interest and the LA wants to move quickly to best and final bids. There will be a high degree of certainty about development issues. The tender conditions include for the provision of cleared funds and contracts are fixed on acceptance of the bid.

Sales by Informal Tender/Sealed offer

7.5 This is a commonly used method where contracts are agreed with the successful bidder following evaluation of sealed bids. The contract will allow for various conditions to be fulfilled by the purchaser. It has the disadvantage of not bringing any certainty to the sales process although is preferred by private sector bidders because of the more flexible arrangements. It is useful where there is uncertainty concerning development sites in terms of planning / highways / services or contamination issues which would impact greatly on the potential receipt.

Direct sales

7.6 As set out above these sales are by exception and will generally be agreed by negotiation.

8 Offers

Receipt and evaluation

8.1 For Formal and Informal Tenders all bids will be returned to and managed under the Legal Services tender protocol. Bids will be opened in accordance with the protocol.

8.2 Criteria for acceptance of bids made under formal tender will be best price as the conditions of sale are fixed.

8.3 Criteria for acceptance of bids made under informal tender is best possible consideration, not necessarily highest offer, e.g. if the highest offer is conditional it may be in some cases preferable to accept a lower unconditional or cash offer. The evaluation will carefully consider any conditions to ensure that they are capable of being fulfilled and are not false promises. Purchasers are issued with a standard offer form requesting full details of any bid conditions.

8.4 Legal Services will notify successful and unsuccessful bidders stating exchange and completion time limits. If the successful bidder declines the property (informal tender only) then, depending on market conditions, the unsuccessful bids will be reverted to and re-evaluated for a potential sale, or the property will be re-advertised.

8.5 Bidders will not be given any information as to the number of bids received, the value of the offers made, or the identity of other bidders.

Late offers (Informal tender/sealed offer sale only)

8.6 Late offers pose a problem for Local Authorities. It is important that those involved in the sales process understand the obligation placed on the Authority to consider all offers received before exchange of contracts. To do otherwise, the council may be failing in its duty to obtain best consideration.

8.7 To avoid late bids further offers should not be solicited, enquirers should be advised the property is Sold Subject to Contract (SSTC) and their details should be logged on file for use if the sale falls through. It is good practice for successful bidders to be warned in writing by Legal Services on acceptance of bids that the council cannot guarantee any sale until exchange of contracts has taken place. All costs incurred by bidders prior to exchange of contracts are at the bidder's own risk. Whilst the property will be taken off the market the council has a legal duty to consider any late offer which may result in a resale. This should have the effect of encouraging successful bidders to move quickly to exchange.

8.8 Once an offer has been accepted subject to contract a SSTC sticker should be put on the For Sale Board. There are three late offer scenarios:-

(a) Offers not opened - late offer received:-

- Consider alongside all other offers.

(b) Offers opened but successful bidder not notified - late offer received:

- If late offer is genuine and highest then invite re-submission of bids by all parties by a new closing date.

(c) Offers opened, successful bidder's offer already accepted

- If late offer is genuine and highest then invite re-submission of bids by all parties by a new closing date.

8.9 For any late offer to be taken into account it must be fully explored to establish that it is genuine, and that the bidder is capable of proceeding (i.e. it is not what is described in case law as "a bird in a faraway bush" which can be dismissed)³.

8.10 If the late offer is genuine and higher than the accepted bid then the matter will be brought to the attention of the Assistant Director (Corporate Assets, Fleet & Capital Programme) and solicitor dealing with the sale. Bidders will be contacted with an explanation of the council's obligations and invited to submit 'best and final' offers by a new closing date. This process should be by formal tender to bring closure to the sale and avoid further rounds of bidding. The Estates Surveyor dealing with the sale must ensure that events are properly recorded, as there is a high likelihood of a complaint in such circumstances from a party who has been 'gazumped'.

Verbal Offers

8.11 Verbal offers must be accepted for consideration but persons making such offers should always be asked to put the offer in writing. This procedure will be confirmed by way of written notification to the potential bidder, with appropriate documentation.

9 Procedures following an unsuccessful sale

9.1 If the auction / tender process fails, the case holder dealing will consider initiating a further auction / tender process or a private treaty sale. Once a property has been advertised it is recognised that the authority has fulfilled its duty to the general public and the property can be made available to the first acceptable bidder.

10 Post Acceptance Procedures

10.1 The progress of sales will be monitored with Legal Services on a regular basis, to ensure the purchaser is complying with any agreed conditions. If no progress is made within agreed time limits the case holder will consider terminating the sale process and re-marketing the property.

³Lightman J (at page 1012) in *R v Pembrokeshire County Council, ex parte Coker* [1999] 4 All ER 1007 where it was deemed that a local authority can act lawfully in preferring the "bird in the hand."

10.2 As soon as a completion date is known case holder will ensure that final meter readings are arranged for water (if meter fitted) gas and electricity and arrange a key handover.

11 Post Completion Administrative Procedures

11.1 Immediately following completion the Asset Management Officer will amend the Capital Receipts Programme, to ensure that an up-to-date financial position is maintained.

11.2 Immediately following completion (no more than five working days), to avoid further unwarranted expenditure, the Senior Estates Surveyor / case holder will initiate the following important post-sale processes:

(a) Instruct Asset Information Officer to amend the Corporate Asset Register and Concerto (Property Management System) and record the sale (as a whole or part asset only).

(b) Issue a standard letter / e-mail to the following parties to ensure that all expenditure and liabilities are brought promptly to an end:

- CorpAT colleagues to ensure that any grounds maintenance / cleaning / waste disposal and security contracts are cancelled. This action will have been forewarned / actioned as part of the 'managed shut down' process.
- Property Helpdesk colleagues to cancel property repairs from ordering system.
- Corporate Insurance officer to cancel insurance liability.
- Estates Surveyor to cancel rates / council tax liabilities and arrange any rebates.
- Lead Fabric and Building Services Surveyors to cancel planned maintenance.

12 General Recording of Processes Throughout the Sales Procedure

12.1 The public perception of estate agency is one of mistrust, for that reason it is vitally important that public sector sales are seen to follow robust, consistent and fair processes as outlined above which should, withstand scrutiny. All council staff involved in the disposal of property must therefore ensure that all emails and relevant documents are safely stored within the council's or consultant's electronic systems and can be recalled within a reasonable time period, in the event of any complaint or procedural review. It is recommended that storage would be within a dedicated file or folder set up specifically for the sale.

Disposal policy Version 1 (12/09/2023)

Westmorland & Furness Council

Barrow Town Hall, Duke St, Barrow-in-Furness, LA14 2LD	Kendal County Hall, Busher Walk, Kendal, LA9 4RQ	South Lakeland House, Lowther St, Kendal, LA9 4UF	Voreda House, Friargate, Portland Place, Penrith, CA11 7QQ
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Translation Services

If you require this document in another format (e.g. CD, audio cassette, Braille or large type) or in another language, please telephone:
0300 303 2992.

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