DECLARATION OF LAND AND PROPERTY SURPLUS TO SERVICE & COUNCIL REQUIREMENTS PROCEDURES

1 Background
1.1 These procedures have been developed as part of the Corporate Property Strategy to address issues related to property assets becoming surplus to service and Council requirements.
1.2 Under the Council’s Accountability and Responsibilities Framework, the Executive has the overall control over all property assets held in the name of the Authority, and shall allocate the property assets to directors for the discharge of their service responsibilities.
1.3 Any property asset not allocated to an individual director for the delivery of their service shall be controlled by the Section 151 Officer (Director of Finance and Resources), such assets shall include those held for corporate purposes.
1.4 Directors shall ensure that assets under their control shall be used for the benefit of the Council and the services to be delivered.
1.5 Under the Corporate Property Strategy, where appropriate, each service block is required to develop, monitor and review a Service Asset Management Plan (SAMP) as part of their individual service planning.
1.6 These procedures lay out the process by which assets identified under an individual SAMP shall be declared surplus to that service’s requirements and passed to the Section 151 Officer.
1.7 These procedures shall also lay out the process by which a property asset may be reallocated to another service on the basis of the best use of that asset.
1.8 The Corporate Property Strategy requires the Head of Property and Asset Management to develop, monitor and review a Non-service Asset Management Plan (NAMP) for all assets under the control of the Section 151 Officer.
1.9 These procedures also lay out the process by which assets identified under the NAMP as not being required to be held for strategic or investment purposes shall be declared surplus to the Council’s requirements, in order to ensure that a coordinated approach is adopted with a view to maximizing value and meeting the Council’s corporate aims and objectives.

2 Assumptions made
2.1 The Executive has allocated all service properties to appropriate directors for the delivery of their respective services, and that the directors have distributed those assets, either as a whole or in part, to their respective service teams.
2.2 The property assets held as at 1 April 2009 by each service are assumed to have been allocated for the purpose of their utilization as at that date.
2.3 The definition of what constitutes a service asset can not be tightly drawn, service assets could include
2.3.1 assets from which the Council directly delivers a service (e.g. libraries);
2.3.2 assets necessary to enable the Council to deliver a service elsewhere (depots, warehouses);
2.3.3 assets necessary for a third party or service partner to deliver a service on behalf of the Council (e.g. leisure centres);
2.3.4 assets hired out for use by third parties in order to generate activities within Council owned land (e.g. seafront concessions)

2.4 Some assets under the control of service managers are not required for the delivery of their relevant services nor held for any specific service related reason.

3 Procedure for service declaration of surplus

3.1 The Service Asset Management Plan (SAMP) for each service should identify property assets it considers surplus to its requirements. The service should not retain property that is surplus to that service’s requirements any longer than is absolutely necessary. The director responsible for the service should thereupon declare the asset surplus to the service’s requirements, and notify the Head of Property & Asset Management (P&AM) accordingly.

3.2 In the event that the property asset is required by another service within the directorate concerned, the director shall advise the Head of P&AM accordingly. Never-the-less the asset shall be declared surplus, and consequently available for re-allocation to the most appropriate service in accordance with these procedures.

3.3 On receipt of notification that a property is surplus to requirements, the Head of P&AM and the relevant service manager shall agree

3.3.1 What external consents the service will need to ensure cessation the use of the asset for the existing purpose, e.g. DCSF consent for closure of school, consent to cease use as a playing field, etc.

3.3.2 Whether the service needs to communicate with the ward member/s, the parish or town council or relevant service partners advising of the closure of the facility

3.3.3 What the service needs to undertake to close the facility in terms of the surplus property exit procedure attached hereto as Appendix A

3.3.4 Identify any revenue budgets attached to the property that should be passed to P&AM, including rates, insurance, repair and maintenance, services

3.3.5 Any other matter material to the service’s discontinued use of the asset, including elements contained in Appendix A.

4 Procedure for possible reallocation of asset within Council

4.1 Upon receipt of notification of surplus to requirements of a service’s asset, the Head of P&AM shall:
4.1.1 Ascertain from the Corporate Asset Management Plan or any service asset management plans whether there are any identified property asset requirements from any service.

4.1.2 Consider whether the future use of the property asset is likely to be of interest to any particular service, and contact the appropriate service to ascertain interest.

4.1.3 Consider and ascertain whether the property asset could be of use for the joint use and delivery of Council services with partners.

4.2 In the event of a suitable alternative use/s are identified, the Head of P&AM management shall enter into discussions with relevant service head/s to ascertain the implications of re-allocation of the property asset.

4.3 In the event of there being more than one potential use for the property asset, the Head of P&AM shall prepare an option appraisal and report for consideration of the Executive/Executive member responsible for property. The property should be reallocated to the service that is likely to ensure the best utilisation of the asset for delivery of Council’s aims and objectives.

4.4 Where the asset shall be used for the co-location of services with service partners, agreement in this respect shall be reached under the Shared Accommodation Policy and Procedure Procedures

5 **Procedure where no alternative Council use identified.**

5.1 In the event that no suitable alternative use by Council can be found, the future of the asset shall be determined under criteria laid down within the Non-service Asset Management Plan (NAMP), which shall include:

5.1.1 The asset may continue to be held by Council for strategic reasons

5.1.2 The asset may be required by service partners, including town and parish councils, for service delivery

5.1.3 The asset may be suitable for community transfer

5.1.4 The asset may be held for investment purposes

5.1.5 The asset may be declared surplus to Council requirements and disposed of in the market place.

5.1.6 The asset may be retained for other reasons.

5.2 In ascertaining the future use of the asset the Head of P&AM shall make relevant enquiries with

5.2.1 Local ward member/s

5.2.2 The relevant town or parish council

5.2.3 The relevant planning sections of the Development & Environment Directorate to ascertain any identifiable strategic need to retain the asset, where considered relevant.

5.2.4 Service partners, where considered relevant

5.2.5 Identifiable local community groups
5.3 On completion of this exercise the Head of P&AM shall submit a report, with recommendations, to the Executive member responsible for property for approval of the proposals contained therein.

5.4 Where an asset shall be held for strategic or investment or other reasons, the property may be leased, if appropriate, under the Leasing of Land and Property Procedures.

5.5 Where an asset is considered suitable for community transfer, the property must be sold or leased under the Community Asset Transfer Procedures.

5.6 Where an asset is declared surplus to the Council’s requirements it shall be disposed of in accordance with the Disposal of Land and Property Procedures.

6 Suspension of Procedure

6.1 The Director of Finance and Resources may suspend any part of these procedures in individual cases where it would appear appropriate.

6.2 Suspension of any of these procedures may be reviewed by the Finance & Performance Policy & Scrutiny Panel, or its successor, which shall be provided with information on the suspension by the Director of Finance and Resources.

Date ……………………………………………
Surplus Property Exit Procedure:

When vacating premises the following steps are essential to maintain security and safety:

1. All keys operating locks fitted to external and internal doors and windows must be accounted for. If any key is missing the lock should be changed immediately. All keys should be returned to Property & Asset Management (P&AM).

2. The following information must be provided on depositing the keys with the P&AM:
   2.1. All alarm codes and position of alarm panels
   2.2. All keys should be clearly marked
   2.3. The position of meters, stop valves, isolators, circuit breakers etc
   2.4. Instruction manuals for fixed items of equipment (including alarms)
   2.5. Asbestos register *
   2.6. Legionella test certificates*
   2.7. Lift test certificates*
   2.8. Fire risk assessment*
   2.9. Plant & equipment service records and guarantees (where available)

   * Items 2.5 to 2.8 may already be held by P&AM, this should be confirmed prior to the vacating the premises

3. All utilities other than those required for fire and security protection (including water supply) to be disconnected at the perimeter of the premises or other appropriate location. Disconnection should be carried out in such a way that illegal reconnection is not possible.

4. At the time of disconnection all meter numbers and readings will be taken and recorded, and agreed with outgoing tenant, if any, or premises manager. The occupier should advise P&AM of the supplier of the service (electricity, gas, water etc) and proof of final account payments. P&AM to confirm continuation of connection (although not in operation) and levels of standing charges.

5. The integrity of any fire main, sprinkler installation, intruder alarm, automatic fire alarm and other electrical or electronic system should be preserved, including the continuance of contracts for maintenance, call outs and emergencies. If this necessitates retention of the electrical supply, only those fuses or circuit breakers necessary to provide power to the system should remain in any electrical consumer unit in the building. Battery powered units must be tested at regular intervals. Information regarding
emergency call out procedures should be provided to allow temporary procedures to be put in place.

6. All tanks (save water tanks required for maintaining the operation of fire mains, sprinklers etc.), pipes, heating systems, plant to be isolated and drained down.

7. All internal and external items including all furniture, white goods and IT equipment which are not fixtures or part of the structure must be removed from site. All wiring (electrical, telephone, IT cabling etc.) not contained in reasonable conduits to be stripped out and removed, together with telephone equipment.

8. All flammable items such as gas cylinders, waste, litter and other non essential combustible contents must be removed from site. Heating oil must be drained from external oil tanks and disposed of in an appropriate manner.

9. All cleaning materials and chemicals (including pool chemicals), must be removed from site prior to vacating by an approved company licensed to remove chemical material.

10. Any letter flaps must be sealed and all mail must be diverted to new location. If this is not practicable the rear of the letterbox in the premises to be fitted with a secure enclosed metal box. Arrangements will need to be agreed with P&AM regarding access for collection of post delivered.

11. All glazed openings in “at risk” buildings should be boarded over with 15 mm plywood or other approved material or security system.

12. Consideration should be given to the employment of a security company for “at risk” premises who should visit at random times on a daily basis. The employment, control and payment of the security service must be agreed with P&AM prior to hand over.

13. The perimeter fences of the premises should be checked and made secure. All access ways to the premises should be fenced, gated and locked using “Herras” fencing or similar product.

14. Agreement shall be made with P&AM for the Premises to be inspected by a designated, responsible person both internally and externally at intervals to be decided following a risk assessment of the premises. Details of these inspections should be recorded in a log or appropriate register for insurance purposes. The log to be completed subsequent to visits and maintained by P&AM.