

## COUNCIL – 21 SEPTEMBER 2015

### PART I

#### 4. **APPROPRIATION OF FORMER HOUSING AMENITY LAND TO GENERAL FUND PURPOSES** (CED)

##### 1. **Summary**

1.1 To ask Council to ratify the appropriation of former housing amenity land and properties retained by the Council to general fund purposes

##### 2. **Details**

2.1 Following the stock transfer in 2008 the former Executive Committee received a detailed report on the 1<sup>st</sup> of September 2008 recommending that the Council appropriated land and property held for housing purposes (and retained following the stock transfer) to general fund purposes to inter alia enable the Housing Revenue Account (“HRA”) to be closed. A schedule of the land and property (“the land”) was circulated to all members and deposited in the members' room. The report is attached Appendix 1.

2.2 The necessary steps to appropriate the land were taken including statutory advertisements where those elements were held as public open space. There were no objections from elected members or members of the public to the planned appropriation.

2.3 The Executive Committee recommendation (EX38/08 attached as Appendix 2)) should have gone to full Council in 2008/09 to simply ratify the decision after the objection period had expired and advertisement process was completed. This did not happen.

2.4 An application was made to the Secretary of State to close the HRA, the necessary direction was made on the 7<sup>th</sup> January 2009 and the account closed. For all intents and purposes, the Council has treated the land it retains as being held for general fund purposes though in reality this is largely academic and has no bearing on how the land has actually been used or is treated.

2.5 As part of preparation work for the South Oxhey redevelopment, Officers have picked up the administrative error in 2008 and now ask Council to formally agree the original Executive recommendation and so ratify the position that the land was appropriated from housing purposes to General Fund following recommendation EX38/08.

##### 3. **Options/Reasons for Recommendation**

3.1 To ratify a recommendation made in 2008.

##### 4. **Policy/Budget Reference and Implications**

4.1 There are none.

5. **Financial, Equal Opportunities, Staffing, Environmental, Community Safety, Public Health, Customer Services Centre, Communications & Website, Risk Management and Health & Safety Implications**

5.1 None specific.

6. **Legal Implications**

6.1 The decision to appropriate land is a matter reserved to full Council.

7.1 **Recommendation**

That Council approves minute Ex38/08 of the Executive Committee on the 1<sup>st</sup> of September 2008 and that the land referred to is formally appropriated to and held for General Fund purposes

Report prepared by: Anne Morgan Solicitor to the Council

**Data Quality**

Data sources:

No data

**Background Papers**

None

**APPENDICES / ATTACHMENTS**

Appendix 1 Report to Executive Committee dated 1 September 2008  
Appendix 2 Minute EX38/08