

4 Other Implications

(a) Financial

This report does not alter the financial implications outlined in Cabinet Report presented on the 17th December 2018

(b) Risk Management

Risk	Mitigating action	Opportunities
Legal – compliance with s.123 of the Local Government Act 1972 (Best Value)	A current valuation has been received from the District Valuer giving an opinion of the current market value; the property is being sold at this market value.	
Human Rights	No risks identified	
Health and Safety	No risks identified	
Employment Issues	No risks identified	
Equalities Issues	No risks identified	
Community Support – The Council will have no future input or say on the use of this community asset including who the PWA may sell/transfer it to in the future.	The site is being sold for full market value which reflects current development value. The site is being sold to an existing community group who already have a special interest in the site and have established stake in the Chalvey community.	The Council can invest the capital receipt into other front line services. The PWA has the opportunity to continue to provide community services.
Communications	No risks identified	
Community Safety	No risks identified	
Finance	No risks identified	
Timetable for Delivery	No risks identified	
Project Capacity	No risks identified	
Governance	No risks identified	
Performance	No risks identified	

(c) Human Rights Act and Other Legal Implications

Local authorities are under a duty to comply with Section 123 (2) of the Local Government Act 1972, with regard to land held in their General Fund, as is the case here, which requires that, except with consent from the Secretary of State, a Council shall not dispose of land (otherwise than by way of a short tenancy) for a consideration less than the best that can reasonably be obtained.

To this end, a current valuation has been obtained from the District Valuer (a copy of which was included in the Cabinet Report dated 17th December 2018) and the proposal in this report is to dispose of the property at the price the District Valuer determines as being the best consideration that can reasonably be obtained.

There are no Human Rights Act implications associated with this report.

(d) Equalities Impact Assessment ('EIA')

An EIA has been carried out as was attached to the Cabinet Report dated 17th December 2018

(e) Property

As a consequence of this report the Council will potentially be disposing of the freehold of an otherwise income generating asset.

5 **Supporting Information**

- 5.1 In the Cabinet Report presented to Cabinet on the 17th December 2018, Cabinet resolved to dispose of the former Chalvey Youth & Community Centre, Darvills Lane to the PWA and that sale proceedings would be concluded by the 16th March 2019.
- 5.2 The PWA has been unable to meet this deadline. However, Asset Management is satisfied that the PWA is in a financial position to complete the acquisition but that the PWA will require a further 8 weeks to conclude the legal transaction.

6 **Comments of Other Committees**

This report has not been considered by any other committee.

7 **Conclusion**

Further to the Cabinet resolution to dispose of the former Chalvey Youth & Community Centre, Darvills Lane to the PWA it is understood that the PWA are in a position to complete the acquisition, but require up to an additional 8 weeks to complete the transaction.

8 **Appendices Attached**

9 **Background Papers**

None