

## REPORT TO CABINET

<b>Open</b>		Would any decisions proposed :			
<b>Any especially affected Wards</b>	ALL	Be entirely within Cabinet's powers to decide		NO	
		Need to be recommendations to Council		YES	
		Is it a Key Decision		YES	
Lead Member: Councillor Simon Ring E-mail: <a href="mailto:cllr.simon.ring@west-norfolk.gov.uk">cllr.simon.ring@west-norfolk.gov.uk</a>		Other Cabinet Members consulted: All Cabinet Members			
		Other Members consulted:			
Lead Officer: Jason Birch E-mail: <a href="mailto:jason.birch@west-norfolk.gov.uk">jason.birch@west-norfolk.gov.uk</a> Direct Dial: 07968 826865		Other Officers consulted: All Corporate Leadership Team Officers			
Financial Implications YES	Policy/ Personnel Implications YES	Statutory Implications YES	Equality Impact Assessment YES If YES: Pre-screening/ Full Assessment	Risk Management Implications YES	Environmental Considerations YES

Date of meeting: 3<sup>rd</sup> March 2026

### TITLE: ADOPTION OF THE PROPERTY DISPOSAL POLICY

#### Summary

This report proposes the adoption of a Property Disposal Policy, attached as Appendix 1. The Policy sets out the Council's approach to identifying and managing surplus assets as part of proactive property portfolio management.

The Policy was presented to Cabinet on 26<sup>th</sup> January, following scrutiny and amendment of the original draft by the Regeneration and Development Panel on 13<sup>th</sup> January. Cabinet further amended the draft policy but the amendments were "Called In" for scrutiny and was considered by the Corporate Performance Panel on 9<sup>th</sup> February. Those Cabinet amendments have now been removed from the Policy. However, at the meeting conversations were held around confidentiality of information and further wording has been added to reinforce the requirement for information passed to ward councillors and parish councillors to be kept confidential unless specific permission is given to release such information.

#### Recommendation

Cabinet Resolves to recommend to Full Council:

The adoption of the Property Disposal Policy attached as Appendix 1.

#### Reason for Decision

There is currently no formal policy in place.

## 1 Background

- 1.1 The Council holds a significant property portfolio, including operational buildings, and, and investment assets. Over time, some assets become surplus to requirements or underperform financially.

A structured disposal policy ensures these assets are managed in a way that is:

- Legally compliant
- Aligned with strategic objectives
- Financially responsible
- Transparent and accountable

It provides a clear framework for decision-making, governance and risk management. It also ensures consistency and fairness in the disposal process

- 1.2 As a result of a successful call-in the Corporate Performance Panel (CPP) considered the two elements that had been called in, which were the additions to the policy by Cabinet. For ease of reference these were:

Paragraph 3, section 9 to read: Potential disposals should be discussed with the portfolio holder, ward members, parish councils and any other community representatives, relevant to where the land/property is located, at an early stage **unless circumstances require expedient and/or greater levels of discretion in the best interests of the Council.**

Paragraph 4, section 8 to read: They provide no real social value to the Borough community at large and where it only provides a benefit that is disproportionate to the opportunity cost of the capital tied up in the asset **and/or where the social value is highly likely to continue after a disposal.**

- 1.3 At the CPP the lead member for the report, Cllr Ring, expressed his support for the call-in and agreed that the wording needed to be reconsidered. As a result of discussions at CPP it was agreed that section "Governance arrangements and oversight" should have the following added:

*During potential asset disposals portfolio holders, ward members, parish councils and other community representatives may have confidential / commercial information shared with them, it is important that the status of such documentation is respected and not shared wider.*

- 1.4 The lead member has further reflected on this with officers and is keen to ensure that this addition works well, is a good “handrail” for officers, is not overburdensome and links to the requirements of the constitution. It is therefore proposed that this addition is strengthened as follows:

*During potential asset disposals portfolio holders, ward members, parish councils and other community representatives where necessary may have confidential / commercial information shared with them. It is important that the constitution is adhered to in this regard in particular “Part 2 – Articles – Rights and Duties of Councillors, paragraphs 2.05 to 2.07”.*

## **2 Options Considered**

**Option 1:** Adopt the draft Property Disposal Policy attached as Appendix 1, with or without proposed amendments. This would provide a clear, consistent framework for decision making and reduce the risk of legal challenge. It will also offer a strategy for financial opportunities, efficiencies and value for money.

**Option 2:** Take no action. Not recommended, as the current ad-hoc approach provides a higher risk of inconsistency and challenge and may miss opportunities for strategic asset management and value for money.

## **3 Policy Implications**

Adopting a Property Disposal Policy provides a clear, legally compliant framework for managing surplus assets, ensuring transparency, consistency, and alignment with statutory duties under the Local Government Act 1972 and related guidance. It will help to optimise the property portfolio, generate capital receipts, reduce ongoing liabilities. It will help to ensure that the property portfolio stays relevant and to retain its financial and organizational value.

## **4 Financial Implications**

The policy will assist disposal procedures which will raise capital receipts and reduce costs and liabilities. The disposals will be assessed against potential revenue loss to contribute to financial sustainability.

## **5 Personnel Implications**

Implementing the policy will include additional workloads for the Property and Legal Teams. There will also be a requirement for greater collaboration between property, finance, planning and legal to ensure that disposals align with corporate priorities and legal obligations.

## **6 Environmental Considerations**

The Policy requires environmental checks to be carried out as part of due diligence prior to disposals. Environmental well-being may preclude the sale of some amenity land and may also provide a reason for disposals at less than best consideration under the General Disposal Consent Order (England) 2003.

## **7 Statutory Considerations**

The draft Policy addresses key statutory requirements including:

- Local Government Act 1972 section 123- “best consideration reasonably obtainable”
- General Disposal Consent (England) 2003 – permits certain disposals below market value

## **8 Equality Impact Assessment (EIA)**

(Pre screening report template attached)

The policy itself is equality neutral but it will require each proposed property disposal to undergo an equality impact assessment.

## **9 Risk Management Implications**

Without a robust property disposal policy the council faces a range of risks spanning legal, financial, environmental and reputational. The policy will significantly mitigate these risks.

## **10 Declarations of Interest / Dispensations Granted**

None

## **11 Background Papers**

None

## Stage 1 - Pre-Screening Equality Impact Assessment

For equalities profile information please visit [Norfolk Insight - Demographics and Statistics - Data Observatory](#)

Name of policy/service/function	Property Disposal Policy				
Is this a new or existing policy/service/function? ( <i>tick as appropriate</i> )	New		Existing		
Brief summary/description of the main aims of the policy/service/function being screened.  Please state if this policy/service is rigidly constrained by statutory obligations, and identify relevant legislation.	This policy sets out the principles and procedures for the disposal of land and property assets owned by the Borough Council of King's Lynn and West Norfolk. It ensures that disposals are conducted in a transparent, consistent, and lawful manner, supporting the Council's strategic objectives and delivering best value for the community.				
Who has been consulted as part of the development of the policy/service/function? – new only ( <i>identify stakeholders consulted with</i> )	All Cabinet Members, all CLT members and Property team colleagues.				
<b>Question</b>	<b>Answer</b>				
<p><b>1.</b> Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group. NB. Equality neutral means no negative impact on any group.</p> <p><b><i>If potential adverse impacts are identified, then a full Equality Impact Assessment (Stage 2) will be required.</i></b></p> <p><i>*For more information on health inequalities please visit <a href="#">The King's Fund</a></i></p>		Positive	Negative	Neutral	Unsure
	Age			X	
	Disability			X	
	Sex			X	
	Gender Re-assignment			X	
	Marriage/civil partnership			X	
	Pregnancy & maternity			X	
	Race			X	
	Religion or belief			X	
	Sexual orientation			X	
	Armed forces community			X	
	Care leavers			X	
	Health inequalities*			X	
Other (eg low income, caring responsibilities)			X		
<b>Please provide a brief explanation of the answers above:</b>					
The policy has a neutral affect across the protected characteristics and for each lot being disposed or, a separate EIA will be undertaken.					

Question	Answer	Comments	
<del>2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?</del>	No		
3. Could this policy/service be perceived as impacting on communities differently?	No		
<p><b>If 'yes' to questions 2 - 3 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary:</b></p> <p><b>Decision agreed by EWG member: Allison Bingham</b></p>			
4. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	No	<b>Actions:</b>	
		<b>Actions agreed by EWG member: Allison Bingham</b>	
5. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No	<b>Please provide brief summary:</b>	
<b>Assessment completed by: Name</b>	<b>Jason Birch</b>		
<b>Job title</b>	<b>Assistant Director of Property and Projects</b>		
<b>Date completed</b>	<b>16<sup>th</sup> December 2025</b>		
<b>Reviewed by EWG member</b>	<b>Allison Bingham</b>	<b>Date</b>	<b>16/12/2025</b>

✓ Please tick to confirm completed EIA Pre-screening Form has been shared with Corporate Policy ([corporate.policy@west-norfolk.gov.uk](mailto:corporate.policy@west-norfolk.gov.uk))