

Bath & North East Somerset Council		
DECISION MAKER	Cllr Paul Roper - Cabinet Member for Economic and Cultural Sustainable Development	
DECISION DATE:	On or after 14 <sup>th</sup> February 2026	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3691
TITLE:	Submission of a request to the Secretary of State to dispose of a residential house let on a statutory tenancy.	
WARD:	Newbridge Ward	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
None		

## 1 THE ISSUE

- 1.1 Bath and North East Somerset Council own a detached house comprising two bedrooms which is let on a secure tenancy.
- 1.2 The property has been identified by the Corporate Estate as an asset for disposal as part of the capital receipts 2025-2026 programme.
- 1.3 Under Sc 32 and 43 of the Housing Act 1985 a disposal of a property subject to a secure tenancy with a local authority as a landlord requires consent from the Secretary of State.
- 1.4 Under the Council's constitution paragraph 2.35.5 SECTION E sets out when an Officer should refer a matter for a Member decision or consideration. Under paragraph V this will be triggered due to the presentation and relationship required with central government to obtain consent for the disposal.

## 2 RECOMMENDATION

- 2.1 The Cabinet Member is asked to delegate to the Head of Corporate Estate & Development authority to:
- 2.2 Submit an application to the Secretary of State for approval to dispose of the asset.

### **3 THE REPORT**

- 3.1 The asset is surplus to council requirements and carries a financial liability due to the requirement to undertake structural and essential annual M+E repairs.
- 3.2 The asset is on the Corporate Estate's disposals list as part of the programme to rationalise surplus property holdings and generate capital receipts.
- 3.3 To undertake a disposal Secretary of State approval is required.

### **4 STATUTORY CONSIDERATIONS**

- 4.1 The Housing Act 1985, The Academies Act 2010 and the School Standards and Framework Act 1988 have been taken into consideration.
- 4.2 The Council's constitution has been reviewed as per 1.4 above.

### **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

- 5.1 The disposal, if consent is granted by the Secretary of State, will produce a capital receipt for the council and reduce the Corporate Estate's annual maintenance liabilities.

### **6 RISK MANAGEMENT**

- 6.1 A risk assessment related to the issue and recommendations has been undertaken in compliance with the Council's decision making risk management guidance.

### **7 EQUALITIES**

- 7.1 If the tenant has a right to buy, the submission for approval for a disposal will not affect the right to buy and if consent is gained for a disposal any rights to buy will be enforceable on any purchaser of the property.

### **8 CLIMATE CHANGE**

- 8.1 On any disposal the property will have to have a valid EPC which will therefore ensure that it meets current energy requirements.

### **9 OTHER OPTIONS CONSIDERED**

- 9.1 Consideration was given to retaining the asset as part of the disposals process.

### **10 CONSULTATION**

- 10.1 Consultation has been carried out with the S151 Officer and Monitoring officer.

<b>Contact person</b>	Richard Holden - Head of Corporate Estates and Development
<b>Background papers</b>	<i>None</i>
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