

Single Member Cabinet Decision

Executive  
Forward Plan  
Reference

**E 3691**

**Submission of a request to the Secretary of State to dispose of a residential house let on a statutory tenancy.**

<b>Decision maker/s</b>	Cllr Paul Roper - Cabinet Member
<b>The Issue</b>	<p>Bath and North East Somerset Council own a detached house comprising two bedrooms which is let on a secure tenancy.</p> <p>The property has been identified by the Corporate Estate as an asset for disposal as part of the capital receipts 2025-2026 programme.</p> <p>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.</p> <p>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.</p>
<b>Decision Date</b>	17 <sup>th</sup> February 2026
<b>The decision</b>	<p>The Cabinet Member agrees to delegate to the Head of Corporate Estate &amp; Development authority to:</p> <p>Submit an application to the Secretary of State for approval to dispose of the asset.</p>
<b>Rationale for decision</b>	<p>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.</p> <p>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.</p> <p>3/To undertake a disposal Secretary of State approval is required.</p>
<b>Financial and budget implications</b>	<p>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.</p>
<b>Issues considered</b>	<p>Corporate Estate, Statutory, Equalities and Climate change issues were considered.</p>
<b>Consultation undertaken</b>	<p>Section 151 Finance Officer; Leader of Bath &amp; Head North East Somerset Council, Monitoring Officer and Head of Corporate Estates and Development</p>
<b>How consultation was carried out</b>	<p>Email</p>

<b>Other options considered</b>	Consideration was given to retaining the asset as part of the disposals process.
<b>Declaration of interest by Cabinet Member(s) for decision:</b>	None
<b>Any conflict of interest declared by anyone who is consulted by a Member taking the decision:</b>	None

<b>Name and Signature of Decision Maker/s</b>	<p>Cllr Paul Roper</p> 
<b>Date of Signature</b>	17/02/2026
<b>Subject to Call-in until 5 Working days have elapsed following publication of the decision</b>	