



**New Forest**  
DISTRICT COUNCIL

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# Council Meeting Agenda

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**14 July 2025**





# SUMMONS

To All Members of the Council

You are hereby summoned to attend a meeting of the District Council to be held in Council Chamber - Appletree Court, Beaulieu Road, Lyndhurst, SO43 7PA on Monday, 14 July 2025 at 6.30 pm



**Kate Ryan**  
Chief Executive

Appletree Court, Lyndhurst, Hampshire. SO43 7PA  
[www.newforest.gov.uk](http://www.newforest.gov.uk)

This agenda can be viewed online (<https://democracy.newforest.gov.uk>). It can also be made available on audio tape, in Braille and large print.

Members of the public are welcome to attend this meeting. The seating capacity of our Council Chamber public gallery is limited under fire regulations to 22.

Members of the public can watch this meeting live, or the subsequent recording, on the [Council's website](#). Live-streaming and recording of meetings is not a statutory requirement and whilst every endeavour will be made to broadcast our meetings, this cannot be guaranteed. Recordings remain available to view for a minimum of 12 months.

Anyone wishing to attend the meeting should contact the name and number shown below.

Enquiries to: Karen Wardle  
Email: [democratic@nfdc.gov.uk](mailto:democratic@nfdc.gov.uk)  
Tel: 023 8028 5071

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# AGENDA

## Apologies

### 1. MINUTES (Pages 7 - 14)

To confirm the minutes of the meeting held on 12 May 2025 as a correct record.

## **2. DECLARATIONS OF INTERESTS**

To note any declarations of interests made by members in connection with an agenda item. The nature of the interests must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

## **3. CHAIRMAN'S ANNOUNCEMENTS**

## **4. LEADER'S ANNOUNCEMENTS**

## **5. REPORT OF CABINET - 7 MAY 2025 (Pages 15 - 16)**

## **6. REPORT OF CABINET - 2 JULY 2025 (Pages 17 - 178)**

## **7. QUESTIONS**

To ask questions under Standing Order 22. Questions received will be published ahead of the meeting. (Members are reminded that questions must be submitted to Democratic Services by no later than 12.00 noon, Wednesday, 9 July 2025).

## **8. NOTICE OF MOTION**

In accordance with Standing Order 21, Cllr Tipp will move the following motion:-

### **Council notes that:**

Angela Rayner (the Deputy Prime Minister) has published a planning and infrastructure bill designed to liberalise planning rules. The Local Government Association has written to ministers to express reservations about this plan.

### **Council believes that:**

The proposed changes to the role and remit of planning committees, as advanced by the government in their current consultation will lead to an unacceptable loss of democratic accountability and oversight. It is the democratic role of councillors to be involved in the decision-making process of planning applications. Removing the ability for councillors to discuss, debate or vote on key developments in their localities could erode public trust in the planning system and local government itself.

### **Council resolves:**

That the Leader of the Council write directly to the Deputy Prime Minister, the Minister for Housing, Communities and Local Government, and our Members of Parliament for New Forest East and West to reiterate our opposition to the proposed changes. This is in addition to the detailed response that will be drafted in response to the consultation itself, and that will have been informed by engagement with Members, our current planning committee, our Place and Sustainability Overview and Scrutiny Panel and our Agents Panel.

Cllr Ward will second the motion.

Under the provisions of Standing Order 42, the above motion, after being proposed and seconded (without speeches), should stand referred to the body

within whose terms of reference the subject matter of the motions comes, or the Cabinet or such Committees or Panels that the Council may determined.

The Chairman may allow the motion to be dealt with at this meeting if they consider it urgent, convenient or conducive to the despatch of business.

**9. MEMBERSHIP OF COMMITTEES AND PANELS**

To consider any changes to the membership of Committees or Panels that might be proposed by the political groups.

**10. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT**

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12 MAY 2025

## NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held on Monday, 12 May 2025

- \* Cllr David Hawkins (Chairman)
- \* Cllr John Sleep (Vice-Chairman)

### Councillors:

John Adams  
\* Alan Alvey  
\* Peter Armstrong  
\* Geoffrey Blunden  
\* Hilary Brand  
\* Mark Clark  
\* Steve Clarke  
\* Jill Cleary  
\* Kate Crisell  
\* Sean Cullen  
\* Jack Davies  
\* Steve Davies  
\* Philip Dowd  
\* Barry Dunning  
\* Jacqui England  
\* Richard Frampton  
\* Allan Glass  
\* David Harrison  
\* Matthew Hartmann  
\* John Haywood  
\* Jeremy Heron  
\* Nigel Linford  
\* Patrick Mballa

### Councillors:

\* Colm McCarthy  
\* David Millar  
\* Ian Murray  
\* Stephanie Osborne  
\* Alan O'Sullivan  
\* Adam Parker  
\* Dave Penny  
\* Neville Penman  
\* Dan Poole  
Caroline Rackham  
Alvin Reid  
\* Joe Reilly  
\* Janet Richards  
\* Barry Rickman  
\* Steve Rippon-Swaine  
Michael Thierry  
\* Derek Tipp  
\* Neil Tungate  
\* Alex Wade  
\* Malcolm Wade  
\* Christine Ward  
Phil Woods  
\* Richard Young

\*Present

### Officers Attending:

Kate Ryan, James Carpenter, Tanya Coulter, Sara Hamilton, Sue Jennings, Richard Knott, Daniel Reynafarje, Andy Rogers, Joe Tyler, Karen Wardle and Amanda Wilson

### Apologies

Apologies for absence were received from Cllrs Adams, Rackham, Reid, Thierry and Woods.

## 1 MINUTES

### RESOLVED:

That the minutes of the meeting held on 14 April 2025, be confirmed.

**2 DECLARATIONS OF INTERESTS**

There were no declarations of any disclosable pecuniary interests by Members.

**3 VOTE OF THANKS TO THE OUTGOING CHAIRMAN**

The Leader of the Council proposed that a vote of thanks be extended to the outgoing Chairman, Cllr Hawkins, for the admirable way in which he had carried out the duties of Chairman during the past municipal year. Cllr Sleep seconded the motion.

**RESOLVED:**

That the thanks of this Council be extended to Cllr Hawkins for the admirable way in which he had carried out the duties of Chairman during the past municipal year.

**4 OUTGOING CHAIRMAN'S STATEMENT**

The Chairman expressed his thanks to the officers who had supported him over the last year, in particular, Sue Jennings, Business Support Officer (Democratic and Chairman). He asked the members join him in giving her a round of applause for the fantastic job she had done in supporting him.

The Chairman thanked the Vice-Chairman, John Sleep for stepping in to represent the District Council at any events he could not attend. Finally, thanks was expressed to members of the council and the Chief Executive for helping him over his year as chairman.

**5 ELECTION OF CHAIRMAN**

Cllr Hawkins moved that Cllr Sleep be elected Chairman of the Council for the ensuing year. Cllr Cleary seconded the motion.

**RESOLVED:**

That Cllr Sleep be elected Chairman of the Council for the 2025/26 municipal year, until his successor is elected at the Annual Council meeting in May 2026.

Cllr Sleep signed the declaration of acceptance of office, which was formally witnessed by the Monitoring Officer. He was then invested with the Chain and the Badge of Office before taking the chair.

**6 ADDRESS BY THE CHAIRMAN OF COUNCIL**

The Chairman addressed the meeting and thanked Cllr Hawkins for his sterling commitment in representing the District Council and that it had been a pleasure to support him through his year. He was honoured to be given the opportunity to stand before members in the year ahead.

The Chairman highlighted that the future was uncertain regarding the future representation of the forest communities in the proposed devolution plan. He referred to the council being extremely healthy, thriving and democratically sound, with a healthy opposition and that members should be united in ensuring the community had a voice at the table. The ongoing efforts of the Leader and Senior



Officers were acknowledged, to ensure the New Forest was represented at the table in any discussions.

The Chairman recognised that some Councillors were more vocal than others in their representation and that in the weeks ahead there would be some healthy debate, to leave no stone unturned, in making sure that all aspects were covered of where the future leads. He would do his best to allow all who represent their wards, the opportunity to have their voice, and on that basis, members could reassure residents that they had done their utmost to present a strong argument for maximum representation.

Finally, the Chairman looked forward to representing the council, and with the support of his wife and Consort, Denise, they would take great pride in undertaking this honour and were very much looking forward to the year in office. The chosen charities the Chairman would be supporting were Solent Mind and Youth and Families Matter.

## **7 APPOINTMENT OF VICE-CHAIRMAN**

Cllr Sleep moved that Cllr Penny be appointed Vice-Chairman of the Council for the ensuing year. The motion was seconded by Cllr Cleary.

### **RESOLVED:**

That Cllr Penny be appointed Vice-Chairman of the Council for the 2025/26 municipal year, until his successor is appointed at the Annual Council meeting in May 2026.

Cllr Penny signed the declaration of acceptable of office, which was formally witnessed by the Monitoring Officer. He was then invested with the Badge of Office.

Cllr Penny returned thanks for his appointment.

## **8 AMENDMENTS TO THE CONSTITUTION**

Cllr Cleary introduced the report and moved the recommendations. Cllr S Davies seconded the motion.

### **RESOLVED:**

That Council approved the amendments to the Constitution, as set out in the report and attached appendices.

## **9 ALLOCATION OF SEATS AND APPOINTMENTS TO COMMITTEES AND PANELS**

The Leader moved the adoption of the recommendations in the report, to approve the allocation of seats on committees and panels to the political groups where the political balance rules apply, and to appoint councillors to those committees and panels. Cllr S Davies seconded the motion.

**RESOLVED:**

That the Council:

- a) Agreed the allocation of seats to committees and panels in accordance with the principles set out in the report, and in doing so, agreed to the allocation set out in the table in Appendix 1; and
- b) Appointed councillors to individual committees and panels, as identified in Appendix 2, for the remainder of the four year period ending May 2027.

**10 NOTICE OF MOTION**

The Chairman announced that in accordance with Standing Order 42.2, that he would allow the motion to be dealt with at the meeting, as he considered it to be convenient to the despatch of business.

In accordance with Standing Order 21, Cllr Parker moved the following motion:-

***This Council notes:***

**1. Democratic Accountability in Hampshire:** *The current devolution process in Hampshire must prioritise democratic governance and accountability to ensure that decisions are made in the best interests of Hampshire residents.*

**2. The high cost of standing:** *The mayoral elections in England require a £5,000 deposit and a £5,000 contribution for inclusion in a candidate booklet, which deters capable individuals from running for office. While it is essential to discourage frivolous candidacies – the cost should be lowered and alternative mechanisms considered, such as requiring candidates to gather a specified number of signatures from electors.*

**3. Voting System Change:** *Until 2023, mayoral elections in England were conducted under the Supplementary Vote system, which provided a fairer voting mechanism compared to the First Past the Post system now in use.*

***This Council believes that:***

**1. Lowering financial barriers** *would encourage greater participation and diversity among candidates, enhancing democracy.*

**2. Reintroducing a fairer voting system,** *using Supplementary Vote (or a similarly fairer voting system) would ensure a more representative and democratic outcome.*

***This Council resolves to:***

**1. Call for the cost of standing for election to be lowered** *by reducing deposit requirements and introducing alternative mechanisms, such as requiring a specified number of signatures from electors, to discourage frivolous candidacies.*

**2. Support the reintroduction of a fairer voting system** *such as the Supplementary Vote, for mayoral elections in England.*

**3. Request formal support from:**

- *The Leader of Hampshire County Council*
- *The Minister for Communities, Housing, and Local Government (MCHLG)*
- *The local MPs (“New Forest West” and “New Forest East” constituencies)*

*Invite the Leader of the Council to write to the above recipients, unless the Leader does not support the motion, then instead invite the Chief Executive Officer. The letter to state the council's position regarding recommendations one and two (above) and seeking their support for these reforms.*

**4. Promote these reforms** *during the devolution process in our interactions with Hampshire County Council, the Ministry for Communities, Housing and Local Government and other relevant stakeholders.*

Cllr Parker reported that the motion sought to strengthen the foundations of local democracy in the New Forest and across Hampshire. The motion proposed some practical common sense changes to ensure that as powers shifted and evolved, local democracy would remain firmly rooted, fair, accessible for all and transparent. He felt that local democracy should be shaped by residents and that their diverse voices be represented. A healthy democracy should offer the ability for a diverse range of capable individuals to stand for public office irrespective of their financial position. It was highlighted that the substantial upfront cost was a financial barrier towards standing in the mayoral elections which were significantly higher, potentially 20 times higher than the cost of stand as an MP.

The requirement for a deposit and the booklet fees further amplified the initial financial hurdle, which make it difficult for individuals to consider standing, without significant funding or party political backing. Cllr Parker urged members to endorse the motion as a positive and necessary step towards strengthening local democracy.

Cllr M Wade seconded the motion.

Cllr Cleary proposed an amendment to the motion, which removed the references to the voting system, specifically that:

1. Under **This council notes**: that point 3. be removed
2. Under **This council believes** that: that point 2. be removed
3. Under **This council resolves to**: that point 2. be removed

Cllr S Davies seconded the amendment.

A number of members thanked Cllr Parker for bringing the motion forward for consideration and debate.

Members speaking for the amendment supported the first past the post method voting system on the basis it was simpler, quicker, and more representative and democratic in its outcome, recognising that people voted for the candidate they wanted to be elected. The use of the word “fairer” was contested in relation to an alternative voting system to that of first past the post.

Members speaking against the amendment considered the first past the post system to be less fair and that alternative voting systems enabled every vote to count. It was suggested that alternative voting systems were more likely to lead to

smaller parties or individuals being elected, recognising that the results of the most recent local elections reflected that politics was becoming more fragmented. It was highlighted that the current voting system, often meant that the successful candidate was elected with only a small proportion of the electorate voting for them. It was felt that the current voting system was broken and that public confidence was low, which was demonstrated by the poor turnout rates. A change to the system would help to restore trust in democracy. Furthermore, it was pointed out that alternative voting systems to first past the post were used successfully in other countries.

One member highlighted that proposing any change to the voting system at this stage was unlikely to change the direction of travel, given the intention to bring in the mayoral system in May the following year and with this in mind, it was felt that the amendment should be supported. It was acknowledged that members could however influence the costs associated with candidates standing in any mayoral election.

Put to the vote, the amendment was carried.

Members went onto debate the substantive motion. Members supported the call to lower the cost of standing for election which would encourage more candidates to stand.

#### **RESOLVED:**

##### ***This Council notes:***

**1. *Democratic Accountability in Hampshire:*** The current devolution process in Hampshire must prioritise democratic governance and accountability to ensure that decisions are made in the best interests of Hampshire residents.

**2. *The high cost of standing:*** The mayoral elections in England require a £5,000 deposit and a £5,000 contribution for inclusion in a candidate booklet, which deters capable individuals from running for office. While it is essential to discourage frivolous candidacies – the cost should be lowered and alternative mechanisms considered, such as requiring candidates to gather a specified number of signatures from electors.

##### ***This Council believes that:***

**1. *Lowering financial barriers*** would encourage greater participation and diversity among candidates, enhancing democracy.

##### ***This Council resolves to:***

**1. *Call for the cost of standing for election to be lowered*** by reducing deposit requirements and introducing alternative mechanisms, such as requiring a specified number of signatures from electors, to discourage frivolous candidacies.

**2. *Request formal support from:***

- *The Leader of Hampshire County Council*
- *The Minister for Communities, Housing, and Local Government (MCHLG)*

- *The local MPs (“New Forest West” and “New Forest East” constituencies)*

*Invite the Leader of the Council to write to the above recipients, unless the Leader does not support the motion, then instead invite the Chief Executive Officer. The letter to state the council's position regarding recommendations one and two (above) and seeking their support for these reforms.*

**3. Promote these reforms** during the devolution process in our interactions with Hampshire County Council, the Ministry for Communities, Housing and Local Government and other relevant stakeholders.

## **11 ATTENDANCE DISPENSATION UNDER SECTION 85 OF THE LOCAL GOVERNMENT ACT 1972**

Cllr Cleary moved the motion set out on the Council agenda which recommended that the legal requirement be waived, in relation to Cllr Thierry on the grounds of ill health, to prevent him being automatically disqualified as a councillor not attending council meetings for a period of six consecutive months from the date of his last attendance. This was until 18 May 2026.

Cllr S Davies seconded the motion.

Cllr J Davies proposed an amendment to the motion to reduce the timeframe for Cllr Thierry's attendance to the Full Council meeting on 15 December 2025. Cllr Haywood seconded the amendment.

Cllr J Davies spoke to the amendment recognising that it was a very difficult situation and that a balance needed to be struck between providing support to Cllr Thierry to recover but also ensuring local residents were represented in his ward. Cllr J Davies felt that a dispensation for one year was too long, and that any member who could not attend a meeting for a prolonged period of time should consider stepping down in order to allow someone else to be elected.

A number of members across the Council wished Cllr Thierry well in his recovery. It was highlighted and accepted by members that Cllr Thierry had been conducting case work for his local constituents, sometimes from his hospital bed and therefore his ability to carry out case work was not in question.

Members who spoke in support of the amendment, felt that a dispensation for a shorter period of time would allow the situation to be reviewed earlier and that local residents deserved to have their ward member participating in meetings in order to represent them. It was highlighted that the rule in relation to attendance had been put in place to ensure accountability and to protect the integrity of local democracy. It was highlighted that a similar approach to Cllr Thierry's meeting attendance had not been taken by Hampshire County Council. It was felt that a precedent would be set if a timely limit on attendance was not set.

Members who spoke in objection to the amendment reported that Cllr Thierry continued to be active in the local community and in his role as a ward councillor. The ability for him to attend meetings was difficult due to his mobility and his ability to drive. Cllr Thierry was a long standing member on the District Council and it was felt he deserved to have a dispensation for one year, to allow his health to improve. This was a practical solution which would remove the administrative burden of reviewing it should a shorter time period be agreed.

Upon being put to the vote the amendment was lost.

Before voting on the substantive motion, a councillor requested that the best wishes of the Council for a speedy recovery be passed onto Cllr Thierry.

**RESOLVED:**

That having regard to the current ill health of Cllr Thierry, and in accordance with Section 85 (1) of the Local Government Act 1972, the requirement for Cllr Thierry to attend any meeting of the authority, be waived until the Council's Annual Meeting on 18 May 2026.

For the avoidance of doubt, the next meeting that Cllr Thierry must attend to satisfy the requirements of the legislation, in the event that he is unable to attend a meeting prior, is the Council's Annual Meeting on 18 May 2026.

**12 MEETING DATES**

The Council noted the following meeting dates for the remainder of the 2025/26 municipal year, all commencing at 6.30 pm:-

- 14 July 2025
- 15 September 2025
- 13 October 2025
- 15 December 2025
- 23 February 2026
- 13 April 2026
- 18 May 2026 (Annual Meeting)

CHAIRMAN

**Council – 14 July 2025**

**Report of Cabinet – [7 May 2025](#)**

## **Part I – Items Resolved by Cabinet**

### **1. Rural England Prosperity Fund allocation for 2025/26**

#### **Portfolio – Planning and Economy**

##### **Cabinet Resolution:**

That Cabinet

1. Approved the addition of £162,005 to the Council's Capital Programme for 2025/26, noting the spend is fully financed through Government grant (being the Rural England Prosperity Fund);
2. Approved the proposed allocation of £162,005 from the Rural England Prosperity Fund for the financial year 2025-2026 towards the specific projects set out in this report; and
3. Delegated authority for future decision making associated with the finalisation of the project programme for 25/26 Rural England Prosperity spend to the Strategic Director for Place Operations and Sustainability, in consultation with the Portfolio Holder for Planning and Economy.

##### **Cabinet Discussion:**

The Portfolio Holder for Planning and Economy introduced the item raised the following, main points:

- The Council were pleased to be able to support the PEDALL scheme and assist individuals with disabilities to enjoy outdoor activities through cycling in the New Forest through allocated funding.
- Part of the Rural England Prosperity Fund (REPF) would also be allocated in grants to micro and small local producers to assist them in developing and growing their business.
- Furthermore, the REPF would provide funding to complement the UK Shared Prosperity Fund allocated to the Not in Employment, Education or Training (NEET) Support Programme.

The Assistant Director of Place Development explained that the total fund allocation was £162,000 and that Cabinet were being asked to

authorise delegation to the Strategic Director, in consultation with the Portfolio Holder, to finalise the programme with draft thresholds, timescales and criteria set out in Appendix 1 of the report.

A non-executive member made comments referring to paragraph 27 of the report, equalities implications, regarding the removal of barriers for disabled people within the District. It was heard that rural communities were more likely to be disadvantaged, as the 2021 Census showed, 16.3% of NFDC residents in rural communities were disabled and 14,000 individuals were economically inactive. The Assistant Director of Place Development explained that the business grants scheme and community grants scheme were both two channels that Council funding can reach those that are disadvantaged could bid for grants from these schemes.

Another non-executive member raised the matter of Hampshire County Council (HCC) stopping the use of disabled bus services before 9am and how the New Forest Disability Forum had raised this matter. It was asked whether this fund allocation could assist those individuals affected by this change. The Portfolio Holder for Finance & Corporate acknowledged how there are challenges facing those members of the District who are disabled and praised the Government for providing this funding and referenced the other funding allocations that could be applied for by communities in the District.

The Leader reminded members that the REPF was solely for capital funding but stated that she would contact the Leader of HCC to discuss the matter of disabled bus passes to ask HCC to reconsider their decision.



**Council– 14 July 2025**

**Report of Cabinet– [2 July 2025](#)**

## **Part I – Items Resolved by Cabinet**

### **1. Corporate Plan: Key Performance Data for Quarter 4 2024-2025, and Target Refresh April 2025 to March 2026**

**Portfolio – Leader**

#### **Cabinet Resolution:**

That Cabinet:

1. approve the Quarter 4 dashboard
2. approve the target refresh of measures.

#### **Cabinet Discussion:**

The Leader introduced the item and was pleased to announce that the Council's performance continued to be good across most areas. The Leader explained that it was not possible to report on some of the measures due to the decision to deprioritise them in light of the Local Government Reorganisation (LGR) process. However, the Council would continue to monitor performance across services. It was noted that the new style of the dashboards showcased the annual narrative and explained the reasons behind certain measures and the improvements undertaken. The performance indicators would continue to be reviewed and opportunities would continue to be taken to review the targets given the current context.

The Performance and Insight Manager provided further points of information on the report. He explained that the new reporting format included a richer data set and allowed the Council to reframe and better illustrate the progress of the journey so far. The narrative history provided showed emerging trends or patterns and allowed cross examination alongside the steps taken to address any areas of underperformance. It was explained that there were 32 Key Performance Indicators (KPIs) in the report as well as a summary of performance.

In terms of the Target Refresh, Cabinet heard that targets for each of the measures for the next financial year had been explored and approval was sought. The Council's Scrutiny Panels had reviewed the

targets. The revised format enabled a more effective cross examination and the new dashboards were acknowledged as clearer and more accessible with a healthy balance of green ratings across the board. It was confirmed that there would be the opportunity for measures to be reviewed on those areas where the Council had received feedback. Cabinet members expressed the view that the dashboards were an important opportunity to review and reflect in order to form lessons for learning. It was commented that staff continually provide excellent services and positive results. It was acknowledged that by being thorough in the measurement of performance the Council could improve their overall services.

Reference was made to the improvements seen in fly tipping management, chargeable waste, recycling rates and the reduction in carbon emissions from the Council's fleet.

A non-Cabinet member made comment about the measure of staff-turnover. The Assistant Director for Transformation explained that work was under way to understand this matter in more detail. Optional exit interviews were seldom taken up and it was not easy to understand leaver destinations. To gain better insight this, HR would carry out a data-gathering exercise, working with managers of those staff leaving and monitor the results to inform future actions. Another non-Cabinet member commented on the measure of staff sickness days. Cabinet heard that although sickness remains a challenge, the performance rating had improved from red to amber over previous quarters. Cabinet was reassured that work continued with the Council's HR team to support service managers on the matter of staff sickness absence.

## **2. Corporate Plan: Annual Performance Report 2024/25**

**Portfolio – Leader**

### **Cabinet Resolution:**

That Cabinet note the Corporate Plan Annual Performance Report 2024/2025.

### **Cabinet Discussion:**

The Leader introduced the item. She was proud of the first full performance report on the Council's new Corporate Plan. The Performance and Insight Manager explained that the Annual Performance report 2024/2025 upheld the Council's principle of transparency and accountability, in line with the Corporate Plan priority areas and was underpinned by the New Forest's Transformation

Programme. The Council's Executive Management Team had reviewed the content of the report and their comments and questions had been included. The report had been well received by the Council's Scrutiny Panels. They acknowledged that there had been an effective overview and narrative of the achievements made in the past year. Qualitative evidence within the report further detailed the work that had been undertaken to achieve the Council's priorities.

Cabinet members gave their thanks to staff across all service areas for their hard work. The positive Panel comments were noted, and the broad variety of services the Council provides were acknowledged. LGR was considered as an opportunity for the Council to be viewed positively and for its performance to be acknowledged.

The Portfolio Holder for Housing and Homelessness explained that a tenant of the Council had been made a co-opted member of the Housing and Communities Overview and Scrutiny Panel and that this level of engagement in Council decision making was very positive.

### **3. Annual Complaints Performance and Service Improvement Report 2024/25**

**Portfolio** – Finance and Corporate & Housing and Homelessness

#### **Cabinet Resolution:**

That Cabinet:

1. Approves the Annual Complaints Performance and Service Improvement Report 2024/25.
2. Approves the self-assessments against the Complaint Handling Codes.
3. Approves the governing body's response to the Annual Complaints Performance and Service Improvement Report 2024/25.

#### **Cabinet Discussion:**

The Portfolio Holders for Finance and Corporate and Housing and Homelessness introduced the item and both spoke to the report. The Portfolio Holder for Housing and Homelessness explained that the report had been scrutinised by the Housing and Communities Overview and Scrutiny Panel.

Part of the report concerned complaints that the Council had received over the past year from tenants to the Council in its capacity as a

landlord. The report also included the self-assessment against the Housing Ombudsman's Complaint Handling Code. The Portfolio Holder stated that it was unfortunate when any tenant felt the need to complain but that it was vitally important that the Council make the complaint process as simple and helpful as possible. A complaint was considered to be an opportunity to improve services and make progress. The Portfolio Holder for Finance and Corporate highlighted that there had been a service level improvements in the last financial year and that the process was a helpful learning tool.

It was recognised that there would always be complaints to learn from and that it was important that residents can make contact with the Council easily and raise issues in a simple format so that they can be resolved. The Service Manager for Legal and Information Governance provided further points of information on the report and appendices.

It was explained that the Council was required to report on the complaints received throughout the year. Both the Resources and Transformation and the Housing and Communities Overview and Scrutiny Panels had provided useful feedback and that their comments would be taken forward by officers. Sections 5, 6, 9 and 10 of the report were highlighted. Finally, it was heard that the report contained details of where complaints had not been accepted by the Council and where positive feedback had been received across all service areas.

#### **4. Local Government Reorganisation – Programme Update, Governance and Resources**

**Portfolio – Leader**

##### **Cabinet Resolution:**

That Cabinet:

1. Notes the progress made on the development of final local government reorganisation proposals by September 2025.
2. Agrees that the priority for LGR proposals are: -
  - a. A financially sustainable rural-focused unitary council, bringing together the New Forest area with mid-Hampshire.
  - b. An authority that does not split the historic communities of the New Forest through boundary changes, or forces the district into an urban-led model.

3. Supports the active engagement in competing proposals for LGR in Hampshire and the Solent, to best represent and campaign for the above priorities, including the strong opposition to any proposals that involve boundary changes that would split the historic communities of the New Forest.
4. Supports the establishment of the LGR Programme Governance and Member oversight arrangements detailed in the report, alongside current programme activity and spend incurred from the established LGR reserve.

### **Cabinet Discussion:**

The Leader introduced the item and spoke at length about NFDC's views on the matter of LGR. She encouraged all stakeholders to respond to the consultation on LGR. Cabinet heard that the Council's focus would be on making the case for new, rural unitary authority of which the New Forest would be a key part of. The Leader emphasised that Option 1 would be the natural fit for the District and that it would protect the residents of the New Forest while meeting their needs through service provision that was designed around them. Option 1 would also promote sustainable growth through rural practices and innovation. The Leader explained that the new authority must maintain a connection with rural life and encouraged all stakeholders, residents and businesses to support Option 1.

The Leader made it clear that Option 2 would not be supported by NFDC. It was heard that Option 2 would make the New Forest an extension of a city, which fundamentally misunderstood the needs of the residents, businesses and the unique environment. All of these elements would need to be finely balanced to meet their needs of community and conservation, which Option 2 would not provide. Option 2 would lead to poorer services for New Forest residents and would risk the sustainability of the area going forward. NFDC had long adopted a planning approach which understood the pressures, duties and sensitivities that comes with managing land within the District.

Option 3, it was explained, would fracture NFDC and would split the historic footprint across two new Councils. The Leader stated that this would be an insult to the communities across the New Forest. Option 3 would ignore the rural identity of the communities within the Waterside. The residents of Hythe, Fawley, Totton and Marchwood did not identify with high-rise city centres and were more accustomed to the environment of rural life.

The Leader encouraged all consultation responders to oppose Option 2 and Option 3.

The Assistant Director, Strategy and Engagement provided further points of information on the report. He explained that the report summarised the feedback received from Government on the interim plan for LGR. This response was to all 15 councils across Hampshire and the Solent. The response came in answer to the ongoing work that all constituent authorities had invested in the LGR process. The latest engagement opportunity, which went live on Monday 30 June, would enable all stakeholders to have their say and had been commissioned by 12 councils working together. Appendix 2 demonstrated in more detail the impact that Option 3 would have on the New Forest and its Waterside parishes and wards.

Cabinet members agreed with the Leader's comments and endorsed Option 1. Non-Cabinet members echoed the points raised and acknowledged that the process was ever moving. Following a question on the business case that will be put to Government, Cabinet was reassured that officers and Cabinet were continually working to promote NFDC's option of choice.

It was acknowledged that there had been significant, collaborative work undertaken to this point by the 12 authorities and that there was a number of work streams on the configuration of the new authority. A non-Cabinet member referred to the need for a sense of place for the New Forest in the new authority and therefore hoped that any plans being made would include Town and Parish Councils.

The Leader confirmed that she had asked this question at workshops and that a letter had been sent to the Government. It was explained that despite the Government's response on this issue being ambiguous, NFDC would continue to support the inclusion of its Town and Parish Councils in the configuration of the new authority. The Assistant Director, Strategy and Engagement explained that the findings of the Waterside engagement were being drafted and would be available shortly.

## **5. Public Space Protection Order(s) Review & Extension**

**Portfolio** – Community, Safety and Wellbeing

### **Cabinet Resolution:**

That Cabinet approve a public consultation is undertaken to evidence and support the renewal of the orders in their current form from 1 July 2026.

## **Cabinet Discussion:**

The Portfolio Holder for Community, Safety and Wellbeing introduced and endorsed the report, noting there was only one year until expiration of the two Public Space Protection Orders. It was explained that the PSPOs had been a successful vehicle for communication, discussion, engagement and learning on the matter across the New Forest.

The Strategic Director of Housing and Communities provided further points of information on the report. He explained that the overarching aim continued to be to educate residents and visitors on protecting the New Forest and its animals. The level of interactions and mixture of interactions through both PSPOs showed the level of education which had been given. The Fire Service had reported a reduction in fire incidents which was a positive outcome in the last year. The number of fixed penalty notices that had been issued was low and therefore also reflected that engagements had mostly resulted in the ceasing of activities. The Strategic Director of Housing and Communities explained that Option A within the recommendations paragraph was the option being recommended to Cabinet as opposed to Options B and C. It was confirmed that Option A had been supported by the Housing and Communities Overview and Scrutiny Panel.

Portfolio Holders agreed that most residents and visitors to the New Forest wanted to conform to the rules and to help protect the Forest and its animals. The focus was on education rather than enforcement. It was remarked that there had been a high number of incidents and that there had been some high-profile incidents. Cabinet commented that the high-profile incidents had provided new platforms by which the guidance could be publicised. It was acknowledged that the Council and its partners, such as the Forestry England, had worked hard on monitoring and educating on the matter throughout the last year. A non-Cabinet member asked a question on public interaction. The Strategic Director of Housing and Communities explained that any incidents should be raised with the Council and that the consultation would give the Council fresh advice on how to promote the information and awareness. It was heard that meetings had taken place with the Commoners Association and other bodies across the Forest to work on signage and how best to target visitors and residents. The Safer New Forest partnership had also done lots of work over Summer to work with partners so that tourist hotspots would have the relevant literature available.

The Leader clarified the recommendations and proposed that Cabinet support Option A.

## **6. Adoption of the New Forest Skills Action Plan**

**Portfolio** – Planning and Economy

### **Cabinet Resolution:**

That Cabinet:

1. note and adopt the content of the New Forest Skills Action Plan and accompanying Technical Report;
2. support the objectives and recommended actions of the New Forest Skills Action Plan including the setting up of a New Forest Skills Group.

### **Cabinet Discussion:**

The Portfolio Holder for Planning and Economy was unable to attend the meeting and therefore the Leader introduced the item.

The New Forest had a set of unique work force challenges and therefore needed to unlock opportunities particularly in light of the Solent Freeport. The New Forest Skills Action Plan followed extensive research from stakeholders, key education providers and neighbouring authorities, identifying the key issues facing the area.

Some of the key issues were: the Forest's aging population, the shortage of higher skilled jobs, the widening of the gender pay gap, a reliance on low paid work, barriers such as public transport, an outflow of young people and a lack of affordable housing.

To tackle these challenges, the plan set out 4 objectives: inclusive growth, a positive transition to a low carbon economy whilst also supporting established sectors, lifelong learning and upskill and effective coordination of skills delivery.

The Plan would allow the Council to monitor efforts alongside the regional and national priorities whilst supporting the Corporate Plan priorities. The plan would also enable the Council to secure future funding for skills-based development.

The Assistant Director for Place Development provided further points of information on the report. He explained that this was the first skills action plan for NFDC and covered the District as a whole. The Plan had benefitted from significant engagement with the Council's partners. A skills group for the New Forest would be set up to help coordinate the



development and delivery of skills training across partner providers. The Council looked forward to working with these partners and for the Economic Development team to ensure good quality skills training across the Forest.

The Portfolio Holder for Finance and Corporate explained that the Council must grasp the opportunity to upgrade and work on its people's skills development and the data within the report illustrated the target groups which had been identified.

A non-Cabinet member requested that explicit mention be given to residents with disabilities within the plan. The Assistant Director for Place Development reassured Cabinet that the Council would ensure that part of the New Forest Skills Group would include the intention to work with people with disabilities.

## **Part II – Recommendations to Council**

### **7. Financial Monitoring Report (provisional budget outturn 2024/25)**

**Portfolio** – Finance and Corporate

#### **Cabinet Resolution:**

That Cabinet:

- 1) Note the provisional outturn of the General Fund, HRA, and Capital budgets for 2024/25.
- 2) noted the year-end rephasing, as included in the provisional outturn figures.
- 3) approve an additional £350,000 is added to the Devolution and Local Government Reorganisation reserve.

#### **Recommended:**

That Council approve adding £500,000 to the Capital Programme to facilitate improvements across the Council's depot estate.

#### **Cabinet Discussion:**

The Portfolio Holder for Finance and Corporate introduced the item and highlighted that there had been an exceptionally good outturn when compared to the national picture. Interest earnings had exceeded the budget and there had been a small amount of rephasing. The Capital Programme continued to be delivered at an improvement to previous years. The Council stood in a good position financially going into LGR, although it was acknowledged that it would be a challenging time as there would be future requirements to deliver more services across additional areas. The Portfolio Holder for Housing and Homelessness noted that the Council would be transferring funds into the Acquisition and Development Reserve following a surplus in the Housing Revenue Account. This demonstrated the Council's skill and performance within the Housing department.

The Assistant Director of Finance provided further points of information on the report. He explained that the report set out the Council's General Fund and the HRA Capital Budget. There had been positive variations within the General Fund totalling £3.366 million, that would enable a top up of £350,000 to the Devolution and Local Government

Reorganisation Reserve and £500,000 allocated to the Capital Programme for welfare improvements across the Council's depot estate. Reference was made to the Housing Revenue Account and the surplus that would be transferred to the Acquisition and Development reserve. A question was posed by a non-Cabinet member on savings within the recycling and waste service and specifically whether, during phase 2, there had been any thought on increasing the coverage for complaints and feedback from residents. The Portfolio Holder for Finance and Corporate explained that proposals to move money across to the service had been discussed and that as it was a major change, the Council intended for more resources to be made available to make it as good a service as possible for residents. A question was raised on the decrease in parking income in the last quarter of 2024. The Portfolio Holder for Finance and Corporate stated that there had been a reduction in the metered income as well as in the parking clock sales for the 4th quarter. Additionally, the number of Parking Contravention Notices issued had also seen a reduction.

## **Appendix 1 – Background report to Cabinet**

### **8. Strategic Asset Management Plan**

**Portfolio** – Finance and Corporate

#### **Recommended:**

That Council approve:

1. the Strategic Asset Management Plan 2025-28 ('SAMP') and the high-level actions which flow from the Plan.
2. the Asset Disposal Policy. 219 Agenda Item 10
3. the Community Asset Transfer policy.
4. the re-direction of the £1.5 million Corporate Priorities reserve to support the delivery of the SAMP, resulting in the full budget equalisation reserve being available to support budget preparation over the medium-term period.
5. a delegation to the Strategic Director Corporate Resources and Transformation to drawdown the Corporate Priorities reserve for the purposes of SAMP delivery, in consultation with the Portfolio Holder for Corporate Resources.

6. the approval of a delegation to the Chief Executive and Strategic Director Corporate Resources and Transformation in their positions as Transformation Board members, to take decisions in accordance with the Governance arrangements as set out in the SAMP and associated policies.

### **Cabinet Discussion:**

The Portfolio Holder for Finance and Corporate introduced the item and highlighted that the Council had a duty to ensure that its assets were well managed. From this, the Council was keen to see any opportunities explored for the potential transfer of its open spaces or assets to Town and Parish Councils, where appropriate.

The Assistant Director for Transformation stated that the report and its appendices were a detailed documentation that provides important structure and framework for the handling of the Councils assets, shaped around the delivery of five pillars that contain interlinked objectives. The plan was a high-level roadmap of realistic actions within a short time frame.

The plan had been considered by the Resources and Transformation Overview and Scrutiny Panel which had commented on the document and agreed that it was a comprehensive and positive plan. There were two constructive suggestions made by the Panel, highlighted by the Chairman of the Panel as requesting more information on the time limits facing the Council and the involvement of Ward members in the process. The Panel understood that the plan's delivery would need to take place at speed.

A non-Cabinet member asked whether Town and Parish Councils could be given the opportunity to apply for the transfer of assets. The Portfolio Holder for Finance and Corporate encouraged Town and Parish Councils to feedback on the process. However, it was acknowledged that the Council would need to consider the significant time constraints and resource demands in setting a programme of activity in this area.

### **Appendix 2 – Background report to Cabinet**

**Resources and Transformation Overview and Scrutiny Panel – 26 June 2025**

**Cabinet – 2 July 2025**

**Financial Monitoring Report (Provisional Budget Outturn 2024/25)**

Purpose	For Decision
Classification	Public
Executive Summary	<p>This report provides the provision outturn of the General Fund, Housing Revenue Account (HRA) and capital programme for the 2024/25 financial year.</p> <p>It states:</p> <ul style="list-style-type: none"> <li>the General Fund has a provisional surplus of £3.366 million with the intention to enhance specific reserves for Devolution and Local Government Reorganisation reserve (£350,000), Depot Improvements (£500,000) and the Council's Capital Programme reserve (£2.516 million).</li> <li>the HRA has a provisional surplus of £1.436 million, which is earmarked to enhance the Acquisition and Development reserve.</li> <li>£46.439 million has been invested in our Capital Programme (General Fund £17.787 million; HRA £28.652 million)</li> </ul>
Recommendation(s)	<p><b>It is recommended that Panel members provide feedback on:</b></p> <p><b>1) the provisional budget outturn 2024/25 for onward consideration by Cabinet</b></p> <p><b>2) the proposed Cabinet recommendations as follows:</b></p> <p><b>It is recommended that Cabinet:</b></p> <p><b>1) note the provisional outturn of the General Fund, HRA, and Capital</b></p>

	<p><b>budgets for 2024/25.</b></p> <p><b>2) note the year-end rephasing, as included in the provisional outturn figures.</b></p> <p><b>3) approve an additional £350,000 is added to the Devolution and Local Government Reorganisation reserve.</b></p> <p><b>Is asked to recommend to Council that they:</b></p> <p><b>4) Approve adding £500,000 to the Capital Programme to facilitate improvements across the Council's depot estate.</b></p>
Reasons for recommendation(s)	<p>To comply with accounting codes of practice and best practice which requires councils to regularly monitor the annual budget position and take any action to support the sustainability of the council's financial position ensuring we are being financially responsible.</p> <p>To comply with the council's financial regulations regarding budget virements and supplementary budget requests.</p>
Ward(s)	All
Portfolio Holder(s)	Councillor Jeremy Heron – Finance and Corporate
Strategic Director(s)	Alan Bethune – Strategic Director Corporate Resources and Transformation (Section 151 Officer)
Officer Contact	<p>Paul Whittles</p> <p>Assistant Director - Finance</p> <p>02380 285766</p> <p>paul.whittles@nfdc.gov.uk</p>

## Introduction and background

- Following the approval of the Original Budget for 2024/25 in February 2024 and quarterly updates via Financial Monitoring reports presented to Cabinet 4 September 2024, 6 November 2024 and 5 February 2025, this report sets out the provisional outturn

results for revenue and capital budgets for both the General Fund and Housing Revenue Account for 2024/25.

2. Financial Monitoring is an important feature in the management of the council's finances as it gives an opportunity to reflect on variations as against the latest set budget and reflect on the impact that these variations may have over the period covered by the council's Medium Term Financial Plan (MTFP).
3. Furthermore, the Council's financial planning process supports the delivery of the corporate objectives and the setting of the annual budget, and its performance is an important element of delivering the overall Corporate Plan.
4. The Council's statutory Statement of Accounts will be completed and signed by the Responsible Financial (S151) Officer and will be presented as final to the Audit Committee following the completion of an external audit. Should there be any significant variations from the figures presented in this report, they will be highlighted at that Committee. The Outturn position now presented is in management format.

### **Budget Outturn – General Fund**

5. The overall General Fund Net Budget Requirement (Revenue) provisional outturn position confirms a spend of £22.040 million against an original budget of £24.513 million. A positive variation of £2.473 million.
6. Within those figures, the net spend at Service Portfolio level is £0.615 million below the original budgeted sum for the year (£21.683 million spend as against £22.298 million original budget).
7. Further outturn variations, when compared against the original budget, totalling £1.858 million have occurred outside of the Service Portfolios mainly due to additional interest earnings of £1.287 million above the originally budgeted sum, a £303,000 reduction in Minimum Revenue Provision, £93,000 less interest payable costs and a reduction of £175,000 in revenue financing of the capital programme.
8. In addition, business rates income exceeded the original budget by £124,000, additional Government Grants of £45,000 were received and £724,000 was transferred back from sums allocated to reserves in previous years.
9. These positive variations, totalling £3.366 million, mean that the General Fund has been able to:

- enhance the Devolution and Local Government Reorganisation Reserve, approved by Cabinet in February, by £350,000 (total £500,000), to ensure we deliver the best possible outcomes for the New Forest.
  - allocate up to £500,000 to welfare improvements across the Council's depot estate, supporting our people strategy and reputation as an employer of choice.
  - transfer £2.516 million to the Capital Programme Reserve (resulting in overall annual movement of this reserve from a balance of £10.573m as of 31/3/24, to a balance of £7.989m as of 31/3/25).
10. Rephrasing to future years, included in the outturn position, totals £1.035 million and includes:
- Local Plan Grants £298,000
  - Totton Commercial Investment £157,000
  - Homes for Ukraine Support £139,000
  - Economic Development Planning Skills Grant £100,000
  - Improve Digital Planning Grant £63,000
  - Homes for Afghans Support £62,000
  - CCTV £51,000
  - Other £165,000
11. The Financial Monitoring reports presented through Cabinet during the year included the rationale for the in-year variations and the summarised position is shown within Appendix 1, with further detail on the new outturn General Fund variations being shown by portfolio within Appendix 2.
12. In addition to the rephased elements detailed above (£1.035 million; paragraph 10) each portfolio has a number of new expenditure and income variations positively totalling £1.527 million net. Full details can be found at Appendix 2, but the most significant variances are as follows:
- **Health and Leisure Centres (Community and Wellbeing) -£257,000:** The council invested an additional £190,000 in asset maintenance partly supported by an extra £107,000 of income. Furthermore, £362,000 less was required to support the energy pain share contract provision with our leisure



partner with other minor leisure related variances totalling £22,000 net.

- **Car Parking (Environment and Sustainability)**  
**£200,000:** £93,000 of extra costs predominately regarding maintenance of car parks and vehicle hire were incurred throughout the year. Furthermore, there was a shortfall of £107,000 car parking income against budget.
- **Refuse and Recycling (Environment and Sustainability)**  
**-£325,000:** Additional grant funding to support the new waste service roll out totalling £202,000 was received at the end of the year. Final income figures relating to glass, trade and special collections provided £157,000 more than budgeted expectations. These were mitigated partly due to minor overspends relating to operational costs (£34,000).
- **Waste Strategy (Environment and Sustainability)**  
**-£121,000:** Primarily as a result of vacant posts in the service relating to waste strategy resource, waste advisor and technical support posts. These savings have been incorporated into the MTFP for 2025/26 following a restructure of the service which removed these posts.
- **Economic Development (Planning and Economy)**  
**-£265,000:** Predominately due to vacant posts but also includes associated supplies and services underspends.

13. The original General Fund Capital Programme budget was set at £16.579 million. This was increased to £20.545 million via financial monitoring throughout the year to take into account rephased amounts from 2023/24 and new in year requirement updates. The outturn position confirms a spend for the year of £17.787 million.
14. The Council remains committed to delivering the capital programme, consequently rephasing budgets to future years as part of the outturn position is proposed totalling £1.010 million. Additionally, project savings were £1.748 million in 2024/25, with further details found at Appendix 4.
15. This results in a year-end variation in comparison to the revised budget of -£2.758 million.

### **Budget Outturn – Housing Revenue Account**

16. The Housing Revenue Account provisional position confirms income for the year of £36.752 million (an increase of £565,000 from the original budget) and revenue spend for the year of £21.265 million (a decrease of £681,000 from the original budget). After taking

these variations into account, and after allowing for net transfers to earmarked reserves of £151,000 and contributions to capital of £14.202 million, this results in an overall surplus for the year of £1.436 million, with this sum being transferred to the Acquisition and Development reserve.

17. Full details can be found at Appendix 3, but the most significant variances are as follows:
  - General Management -£407,000
  - Cyclical Maintenance -£188,000
  - Housing Scheme and Temporary Accommodation -£163,000
  - Capital Financing Costs -£103,000
18. The original Housing Revenue Account Capital Programme budget was set at £32.380 million. This was reduced via financial monitoring through the year to £32.180 million. The outturn position confirms a spend for the year of £28.652 million. Outturn project underspends, primarily on the Major Repairs and Decarbonisation works were £2.607 million, with project rephasing to future years relating to Major Structural Refurbishments totalling £0.921 million. Further details can be found at the foot of Appendix 4.

### **Corporate plan priorities**

19. Regular monitoring and reporting of our financial activity including adjusting budgets whilst maintaining a balanced medium term financial plan (MTFP), ensures we are being financially responsible and supports our Corporate Plan which underpins the delivery of all our priorities.

### **Options appraisal**

20. In consultation with the s151 Officer a review of the items eligible for rephasing was undertaken to determine those carried forward to support specific deliverable schemes.
21. Furthermore, the council could choose now to allocate the £3.366 million surplus in the general fund to alternative reserves or other council initiatives, but in consultation with the Cabinet those currently proposed best support the council's current priorities. Further exploration of options to utilise the additional funds will be carried out during year, and specifically during the budget preparation process for 2026/27.

22. Additionally, the HRA surplus could be earmarked differently but given the extensive development programme it remains appropriate to enhance the Acquisition and Development reserve (in the knowledge that the reserve will support the financing of 2025/26 Capital Programme).

### **Consultation undertaken**

23. Internal consultation between finance officers, service managers and budget holders has determined the provisional outturn data presented in the report.

### **Financial and resource implications**

24. This is a financial report with budget implications already detailed and considered in the main body of the report.

### **Legal implications**

25. There are no legal implications arising directly from this report.

### **Risk assessment**

26. The provisional outturn figures are prepared in good faith and in line with accounting practice. Some figures are based on estimates and assumptions in consultation with services and all figures are subject to final confirmation following the conclusion of the external audit. Therefore, there is a risk some figures may change. Any changes will be reported to Audit Committee.

## **Environmental / Climate and nature implications**

27. There are no environmental implications arising directly from this report.

## **Equalities implications**

28. There are no equality implications arising directly from this report.

## **Crime and disorder implications**

29. The in-year underspend (£51,000) relating to the council's CCTV project has been rephased into 2025/26 to ensure delivery is achieved.

## **Data protection / Information governance / ICT implications**

30. There are no data protection, information governance or ICT implications arising directly from this report.

### **Appendices:**

Appendix 1 – General Fund Outturn 2024/25

Appendix 2 – Variation Analysis General Fund Outturn 2024/25 – Portfolio Summary

Appendix 3 – Housing Revenue Account Outturn 2024/25

Appendix 4 – Capital Programme Outturn 2024/25

### **Background Papers:**

Cabinet 5 February 2025:  
[Financial Monitoring Report - \(Based on Performance April to December 2024 inclusive\)](#)

Cabinet 6 November 2024:  
[Financial Monitoring Report - \(based on Performance April to September 2024 inclusive\)](#)

Cabinet 4 September 2024:  
[Financial Monitoring Report - \(based on Performance April to June 2024 inclusive\)](#)

Cabinet 21 February 2024 –  
Budget Reports 24/25:  
[Housing Revenue Account Budget and the Housing Public Sector Capital Expenditure Programme 2024/25](#)

[Medium Term Financial Plan and Annual Budget 2024/25](#)

FINANCIAL MONITORING 2024/25		GENERAL FUND OUTTURN 2024/25				
	Feb-24 2024/25 £'000's Original Budget	Feb'25 2024/25 £'000's Updated Budget	Outturn 2024/25			
			2024/25 £'000's New Variations Expend.	2024/25 £'000's New Variations Income	2024/25 £'000's New Variations Rephasings	2024/25 £'000's Outturn Position
<b>PORTFOLIO REQUIREMENTS</b>						
Community, Safety and Wellbeing	3,468	3,466	-236	-198	-118	2,914
Environment and Sustainability	8,540	9,241	32	-334	-65	8,874
Finance and Corporate	4,220	3,702	-218	271	-183	3,572
Housing and Homelessness	3,499	3,291	85	-15	-185	3,176
Leader	1,174	1,271	256	-329	0	1,198
Planning and Economy	3,997	3,839	-453	-21	-484	2,881
Multi Portfolio adjustments - To be allocated	0	367	-367	0	0	0
	24,898	25,177	-901	-626	-1,035	22,615
Reversal of Depreciation	-2,190	-2,190	341			-1,849
Contribution (from) / to Earmarked Revenue Reserves	-410	-118	0	0	1,035	917
<b>NET PORTFOLIO REQUIREMENTS</b>	<b>22,298</b>	<b>22,869</b>	<b>-560</b>	<b>-626</b>	<b>0</b>	<b>21,683</b>
Minimum Revenue Provision	2,269	2,269	-303			1,966
Contribution to Capital Programme Financing (RCCO)	1,250	1,075				1,075
Interest Costs	150	150	-93			57
Interest Earnings	-1,432	-1,832		-887		-2,719
New Homes Bonus	-22	-22				-22
<b>GENERAL FUND NET BUDGET REQUIREMENTS</b>	<b>24,513</b>	<b>24,509</b>	<b>-956</b>	<b>-1,513</b>	<b>0</b>	<b>22,040</b>
<b>COUNCIL TAX CALCULATION</b>						
Budget Requirement	24,513	24,509	-956	-1,513	0	22,040
Less: Settlement Funding Assessment						
Lower Tier Service Grant	0	0				0
Transparency Code New Burdens	0	0		-9		-9
Services Grant	-25	-28				-28
Guarantee Grant (MHCLG)	-1,200	-1,233				-1,233
Business Rates Baseline	-4,330	-4,330		-213		-4,543
	-5,555	-5,591	0	-222	0	-5,813
Locally Retained Business Rates	-4,320	-4,320		-225		-4,545
Estimated Collection Fund (Surplus)/Deficit Business Rates	1,305	1,305				1,305
Contribution from Business Rates Equalisation Reserve	-1,305	-1,305		314		-991
Estimated Collection Fund (Surplus)/Deficit Council Tax	-179	-179				-179
Contribution (from) / to Earmarked Revenue Reserves					-724	-724
Contribution to/ from(-) Variation Reserves	0	40	956	1,646	724	3,366
<b>COUNCIL TAX</b>	<b>14,459</b>	<b>14,459</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>14,459</b>
<b>TAX BASE NUMBER OF PROPERTIES</b>	<b>72,371.50</b>	<b>72,371.50</b>				<b>72,371.50</b>
<b>COUNCIL TAX PER BAND D PROPERTY</b>	<b>199.79</b>	<b>199.79</b>				<b>199.79</b>
<b>GENERAL FUND BALANCE 31 MARCH</b>	<b>3,000</b>	<b>3,000</b>				<b>3,000</b>

## FINANCIAL MONITORING 2024/25

## VARIATION ANALYSIS GENERAL FUND OUTTURN 2024/25 - PORTFOLIO SUMMARY

## PORTFOLIO ADJUSTMENTS

## Community, Safety and Wellbeing

Grants - Rephased into 25/26  
 Community Alarms- Equipment  
 CCTV - Underspend  
 Community Safety - committed schemes  
 Health and Leisure Centres - AMG Programme  
 Health and Leisure Centres - Contract Provision  
 Health and Leisure Centres - Other  
 Food Safety - Salary savings re vacancies /additional income  
 Taxi Licensing - Additional Licence fee income  
 Emergency Planning - Salary savings re vacancies  
 Net Other

## Environment and Sustainability

Cemeteries - Sway & New Milton AMR schemes into 25/26  
 Climate & Nature Action - Underspend  
 Foreshores - Coastal Water Safety AMR scheme into 25/26  
 Coastal Business Unit - Income received 23/24, expenditure ongoing  
 Car Parking - Meter, Clocks and Penalty Charges income shortfall  
 Car Parking - Various overspends mainly relating to Maintenance & Hired Vehicles  
 Cemeteries - Additional income, partially offset by Maintenance overspends  
 Clean Neighbourhoods - additional Fixed Penalty Notices income  
 Open Spaces - Trees and other Maintenance overspends  
 Pest Control - Higher than anticipated Employee costs and Income shortfall  
 Refuse & Recycling;  
 - Grant received re New Service Roll Out  
 - Additional income; mainly Glass, Trade & Special Collections  
 - Overtime, Clothing & Vehicle Repairs overspends. Sacks, Disposal & Fleet savings  
 Street Scene - Vacant posts underspends and additional Fees and Charges income  
 Waste Strategy - Mainly salary underspends due to vacancies  
 Corporate Allocations  
 Net Other

## Finance and Corporate

Corporate Management - Fleet & Infrastructure Strategy - rephase into 25/26  
 Corporate Management  
 Pension Increase Act  
 Lymington Town Hall Site - HCC grant - rephase into 25/26  
 Commercial Inv. Property - Lymington Town Hall  
 Commercial Inv. Property - Salisbury Road, Totton Scheme - rephase into 25/26  
 Commercial Inv. Property - Platinum Jubilee Business Park  
 Commercial Inv. Property - Hythe Marina  
 Council Tax & Business Rates  
 Housing Benefits  
 Eling Tide Mill  
 Contingency  
 Corporate Allocations  
 Net Other

2024/25 £'000's New Variations Expend.	Outturn			2024/25 £'000's New Variations Total
	2024/25 £'000's New Variations Income	2024/25 £'000's New Variations Rephasings		
	-8		-29	
	-33			
	3		-51	
	-5	-35	-34	
	190	-107		
	-362			
	25	-3	-4	
	-12	-5		
	-3	-17		
	-31			
		-31		
	-236	-198	-118	-552
			-47	
	-39			
			-21	
			3	
		107		
	93			
	11	-29		
	7	-33		
	70	-7		
	14	20		
		-202		
		-157		
	34			
	-67	-14		
	-121			
	7			
	23	-19		
	32	-334	-65	-367
			-10	
	-21	-23		
	29			
			-16	
	-30	23		
			-157	
	56	15		
		-49		
	-44	47		
	-184	255		
	16			
	-48			
	5			
	3	3		
	-218	271	-183	-130

## FINANCIAL MONITORING 2024/25

## VARIATION ANALYSIS GENERAL FUND 2024/25

## PORTFOLIO ADJUSTMENTS

## Housing and Homelessness

Homes for Ukrainian Families  
Homes for Afghan Families  
Homelessness Costs  
Stillwater Park  
Shared Amenities Contribution  
Community Housing Fund  
Corporate Allocations  
Net Other

## Leader

Transformation  
Elections  
UK Shared Prosperity Fund  
Corporate Allocations  
Net Other

## Planning and Economy

Local Plan - Rephasing- now underspend  
Local Plan - Local Plan Grant rephasing re consultancy  
Local Plan - Local Plan Grant rephasing + Green Belt grant  
Policy - Improve Digital Planning Grant  
Policy - S106 monitoring  
Planning - Development management salary underspends  
Planning -Planning Monitoring salary underspends  
Street Naming & Numbering - Additional Income  
Economic Development - Vacancies and Supplies & Services underspends  
Building Control - income shortfall  
Regeneration & Growth  
Corporate Allocations  
Net Other

## Portfolio adjustments - Non Direct

Net reallocated to Services

## TOTAL PORTFOLIO ADJUSTMENTS

## NON-PORTFOLIO ADJUSTMENTS

Contribution to/from(-) Earmarked Reserves  
Reversal of Depreciation  
Minimum Revenue Provision  
Interest Costs  
Interest Earnings

## TOTAL NON-PORTFOLIO ADJUSTMENTS

## GRAND TOTAL ADJUSTMENTS (Credited to (-) / Debited from (+) Budget Reserves)

Outturn			
2024/25 £'000's New Variations Expend.	2024/25 £'000's New Variations Income	2024/25 £'000's New Variations Rephasings	2024/25 £'000's Updated Variations Total
		-139	
		-62	
65			
1	-15		
13			
		16	
4			
2			
85	-15	-185	-115
-92			
27	-37		
324	-289		
1			
-4	-3		
256	-329	0	-63
-44		9	
-38			
		-298	
19	-38	-63	
		-32	
-56	-6		
-33			
	-20		
-265		-100	
-15	43		
-17			
8			
-12			
-453	-21	-484	-958
-367			
-367	0	0	-367
-901	-626	-1,035	-2,552
		1,035	
341			
-303			
-93			
	-887		
-55	-887	1,035	93
-956	-1,513	0	-2,459

FINANCIAL MONITORING 2024/25				
HOUSING REVENUE ACCOUNT OUTTURN 2024/25				
	Feb'24	Feb'25	Outturn	
	2024/25	2024/25	2024/25	2024/25
	£'000's	£'000's	£'000's	£'000's
	Original	Updated	New	Outturn
	Budget	Budget	Variations	Position
<b>INCOME</b>				
Dwelling Rents	-33,396	-33,796	19	-33,777
Non Dwelling Rents	-775	-735	2	-733
Charges for Services & Facilities	-1,169	-1,169	-35	-1,204
Contributions towards Expenditure	-60	-78	-33	-111
Interest Receivable	-441	-441	-135	-576
Sales Administration Recharge	-33	-33	8	-25
Shared Amenities Contribution	-313	-313	-13	-326
<b>TOTAL INCOME</b>	<b>-36,187</b>	<b>-36,565</b>	<b>-187</b>	<b>-36,752</b>
<b>EXPENDITURE</b>				
<b>Repairs &amp; Maintenance</b>				
Cyclical Maintenance	1,886	1,939	-188	1,751
Reactive Maintenance - General	3,400	3,452	-71	3,381
Reactive Maintenance - Voids	1,521	1,646	30	1,676
<b>Supervision &amp; Management</b>				
General Management	7,766	7,660	-407	7,253
Grounds Maintenance and Trees	936	1,037	-35	1,002
Housing Schemes and Temporary Accommodation	1,150	1,157	-163	994
<b>Provision for Bad Debt</b>	<b>150</b>	<b>150</b>	<b>24</b>	<b>174</b>
<b>Capital Financing Costs - Interest/Debt Management</b>	<b>5,137</b>	<b>5,137</b>	<b>-103</b>	<b>5,034</b>
<b>Capital Financing Costs - Internal Borrowing</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL EXPENDITURE</b>	<b>21,946</b>	<b>22,178</b>	<b>-913</b>	<b>21,265</b>
<b>HRA OPERATING SURPLUS(-)</b>	<b>-14,241</b>	<b>-14,387</b>	<b>-1,100</b>	<b>-15,487</b>
Contribution to Capital - supporting Housing Strategy	9,700	9,700	-47	9,653
Capital Financing Costs - Principal	4,541	4,541	8	4,549
<b>HRA Total Annual Surplus(-) / Deficit</b>	<b>0</b>	<b>-146</b>	<b>-1,139</b>	<b>-1,285</b>
Contribution to/from(-) Earmarked Reserves	0	-61	-90	-151
<b>HRA TOTAL ANNUAL SURPLUS(-) / DEFICIT</b>	<b>0</b>	<b>-207</b>	<b>-1,229</b>	<b>-1,436</b>



## FINANCIAL MONITORING 2024/25

## CAPITAL PROGRAMME OUTTURN 2024/25

	Portfolio	Feb-24	Feb'25	Outturn		
		2024/25 £'000's Original Budget	2024/25 £'000's Updated Budget	2024/25 £'000's New Variations Expend.	2024/25 £'000's New Variations Rephasing	2024/25 £'000's Outturn Position
UK Shared Prosperity Fund	LEADER/ALL	208	230	73		303
Rural England Prosperity Fund	LEADER/ALL	300	531			531
Disabled Facilities Grants	HSG (GF)	1,500	1,500	-438		1,062
Sustainability Fund - Unallocated	ENV & SUSTAIN	250	100	-37		63
Strategic Regional Coastal Monitoring (22-27)	ENV & SUSTAIN	2,667	2,925	-40	-180	2,705
Barton Horizontal Directional Drilling Trials	ENV & SUSTAIN	260	150		-103	47
Hurst Spit Beach Shingle Source Study	ENV & SUSTAIN	100	25		-15	10
Milford Beach and Cliff Study	ENV & SUSTAIN	100				
Milford - Sea Wall Construction Works	ENV & SUSTAIN	100				
Waste Strategy Containers	ENV & SUSTAIN	1,025	1,088	-27	-43	1,018
St Georges Hall, Calshot	ENV & SUSTAIN		375			375
Asset Modernisation Programme - Public Convenience	F&C/E&S	300	225	-159	-58	8
New Depot Site: Hardley	FIN & CORP	4,372	6,349	90		6,439
Ringwood Depot: Extension and Works	FIN & CORP	250	250		-248	2
V&P; Replacement Programme	FIN & CORP	2,102	3,102	-329		2,773
V&P; Waste Strategy Vehicles	FIN & CORP	885	885	-695		190
ATC East Wing Boiler Replacement	FIN & CORP	160	160	-38		122
Commercial Property - Queensway - addit.works	FIN & CORP		610		-323	287
Eling Toll Bridge and Quayside Repairs	FIN & CORP		40		-40	
Crow Lane - Platinum Jubilee Business Park, Ringwood	FIN & CORP			-7		-7
Mitigation Schemes	PLAN & ECON	1,000	1,000	287		1,287
Infrastructure Projects	PLAN & ECON	1,000	1,000	-428		572
<b>TOTAL GENERAL FUND CAPITAL PROGRAMME</b>		<b>16,579</b>	<b>20,545</b>	<b>-1,748</b>	<b>-1,010</b>	<b>17,787</b>
Fire Risk Assessment Works	HRA	1,000	1,000	-194		806
Major Structural Refurbishments	HRA	1,260	1,260		-921	339
HRA - Major Repairs	HRA	8,600	8,600	-1,091		7,509
Decarbonisation	HRA	2,170	1,970	-927		1,043
Estate Improvements	HRA	200	200	-18		182
Council Dwellings - Strategy Delivery	HRA	18,200	18,200	-376		17,824
Disabled Facilities Grants	HRA	950	950	-1		949
<b>TOTAL HRA CAPITAL PROGRAMME</b>		<b>32,380</b>	<b>32,180</b>	<b>-2,607</b>	<b>-921</b>	<b>28,652</b>
<b>GRAND TOTAL CAPITAL PROGRAMME</b>		<b>48,959</b>	<b>52,725</b>	<b>-4,355</b>	<b>-1,931</b>	<b>46,439</b>

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**Resources & Transformation Overview and Scrutiny Panel –  
26 June 2025**

**Cabinet – 2 July 2025 / Council 14 July 2025**

**Strategic Asset Management Plan**

Purpose	For Decision
Classification	Public
Executive Summary	<p>This report introduces the council's Strategic Asset Management Plan 2025-28 ('SAMP'), Asset Disposal and Community Asset Transfer Policies.</p> <p>By reviewing the operating context both within and outside the Council, the SAMP sets out the main priorities and high-level actions by which the Council intends to manage its property assets over a 3-year period.</p> <p>The aim of the SAMP is to enable the council to review its property assets to better pursue its corporate goals, which may enable existing sites to be repurposed for other priorities.</p> <p>It will also allow us to focus on Best Value in relation to property – through aspects such as improving occupancy of our service buildings and optimising the income received through our leased estate.</p> <p>The New Forest District Council Strategic Asset Management Plan 2025-28, Disposal Policy and Community Asset Transfer Policy are appended in full at the end of this report.</p>
<b>Recommendation(s)</b>	<p><b>It is recommended that Cabinet approve:</b></p> <ol style="list-style-type: none"> <li><b>1. the Strategic Asset Management Plan 2025-28 ('SAMP') and the high-level actions which flow from the Plan.</b></li> <li><b>2. the Asset Disposal Policy.</b></li> </ol>

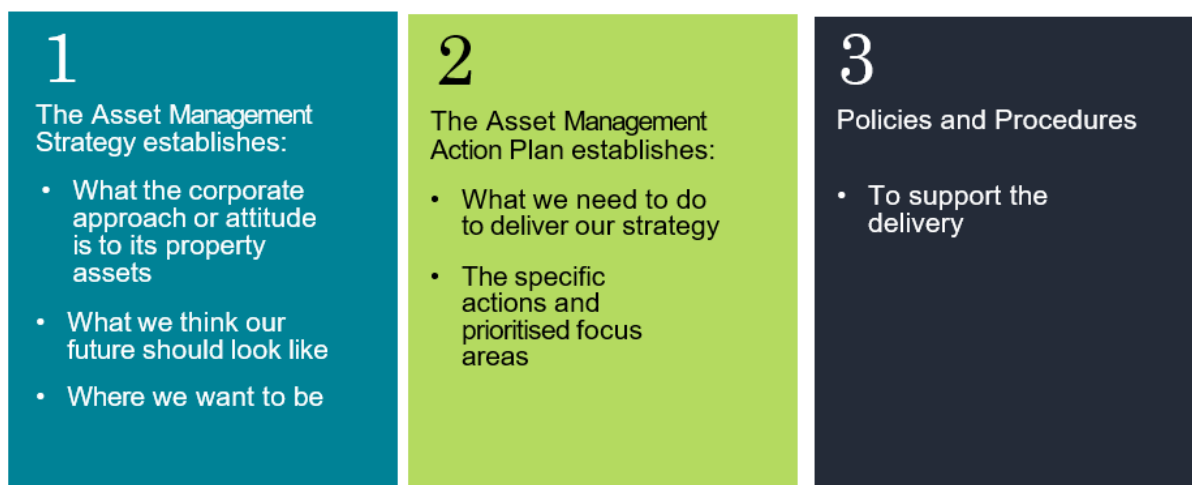
	<p><b>3. the Community Asset Transfer policy.</b></p> <p><b>4. the re-direction of the £1.5 million Corporate Priorities reserve to support the delivery of the SAMP, resulting in the full budget equilisation reserve being available to support budget preparation over the medium term period.</b></p> <p><b>5. the approval of a delegation to the Strategic Director Corporate Resources and Transformation to drawdown the Corporate Priorities reserve for the purposes of SAMP delivery, in consultation with the Portfolio Holder for Corporate Resources.</b></p> <p><b>6. the approval of a delegation to the Chief Executive and Strategic Director Corporate Resources and Transformation in their positions as Transformation Board members, to take decisions in accordance with the Governance arrangements as set out in the SAMP and associated policies.</b></p>
Reasons for recommendation(s)	<p>The Strategic Asset Management Plan allows the Council to set out longer-term goals in respect of its property assets, thereby aligning property to key corporate priorities. The development of the plan also aligns with the recommendations of the Corporate Peer Challenge report (December 2024) and supports the preparedness for Local Government Reorganisation (LGR).</p> <p>This plan is closely aligned to the strategic objectives within the corporate plan, transformation strategy, customer strategy and people strategy.</p>
Ward(s)	All
Portfolio Holder(s)	Councillor Jeremy Heron – Portfolio Holder for Finance and Corporate
Strategic Director(s)	Alan Bethune – Corporate Resources & Transformation

Officer Contact	Alan Bethune – Strategic Director Corporate resources & Transformation 023 8028 5001 Alan.Bethune@nfdc.gov.uk
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## Introduction and background

1. It is recognised good practice for local authorities to produce a Strategic Asset Management Plan setting out their broad objectives for the management, development and rationalisation of their built and land asset base over a three-to-five-year period. The recent Corporate Peer Challenge also made recommendations as to the establishment of a Strategic Asset Management Plan and action plan. Due to ongoing discussions in relation to devolution and local government reorganisation this SAMP covers a three-year period.
2. A Strategic Asset Management Plan (SAMP) sets out what the council intends to do in the future to ensure property assets support corporate priorities.
3. The challenge facing all local authorities is that we must continue to deliver effective services with ever decreasing resources and competing demands. The financial constraints and uncertainty in the wider economy bring additional challenges. In this context, it is essential that we take a strategic view of our asset portfolio to deliver our corporate priorities and achieve the best value for money possible from our assets.
4. Effective asset management is a key element of Future New Forest, the Council's transformation strategy and is vital for achieving the council's strategic priorities and driving service improvements, with asset rationalisation playing a key role in reducing costs and enhancing efficiency. The strategic deployment of land and property assets supports core objectives such as maintaining a clean and welcoming environment, empowering neighbourhoods, and fostering economic growth through inward investment and job creation. Given the high capital and operational costs associated with property assets, a structured asset management approach is essential to ensure value for money through optimal use, maintenance, and income generation over the asset lifecycle.
5. The SAMP covers General Fund assets (non-housing stock) and not those contained within the ring-fenced Housing Revenue Account.
6. The new Strategic Asset Management Plan (**Appendix 1**) is a suite of living documents, divided into three clear parts that can be updated

separately to remain relevant. The framework is made up of 3 core sections;



7. The Strategic Asset Management Plan 2025-2028 centres around the delivery of five pillars with interlinked objectives and will provide an overview of our land and property estate (excluding housing).

These are:

**a. Digital Asset Management**

- i. To create an effective digital asset management database enabling the capture of accurate management information, in support of ensuring statutory and regulatory compliance is upheld across the estate.
- ii. To Embed a culture that recognises that property assets are a key corporate resource, where informed decisions are made that are linked to corporate and service objectives that deliver good financial sustainability and service outcomes.

**b. Asset Optimisation in Support of Corporate Plan Priorities**

- i. To optimise the estate to generate operating savings, ensure assets are fit for purpose, meet service operating and user needs, incorporate technological advances and minimise whole life building costs.
- ii. To ensure ownership and occupation of assets is robustly challenged.

**c. Working with Partners and Communities to Promote Efficient and Effective Service Delivery**

- i. To enable transfer of management / ownership of the asset where it can provide a benefit to service delivery and demonstrate longer term benefit.
- ii. Maximise efficient use of our assets through collaborative working with partners.

**d. To Reduce the Environmental Impact of Council Assets**

- i. Champion reduction in the Environmental impact of occupation, use, travel and waste.

**e. To Support Economic Growth, Regeneration and Prosperity**

- i. We will manage our commercial portfolio effectively, balancing regeneration needs, job creation and income generation.
- ii. We will work with key partners to support our business base and economic centres to thrive and grow.

**Estate Overview**

- 8. Property assets play a critical 'enabling' role within the Council: accommodating services; underpinning our finances; and supporting our wider aims of local economic and social development.
- 9. In relation to the General Fund New Forest District Council owns over 366 separately listed non-dwelling building and land assets covering a combined 770 hectares. With a book value of over £107.4M and an annual holistic running costs of £4.9M.
- 10. Property holdings range from administrative office buildings, operational buildings situated in the community (such as community halls and public conveniences) and more complex operational sites (such as depots). They are held on a mixture of tenures, freehold (predominantly) and leasehold.
- 11. They can be summarised in the following categories;
  - a. 14 Investment properties
  - b. 148 Non-operational Assets
  - c. 204 Operational Assets

## **Implementation**

12. The SAMP includes sections under the heading of 'Asset Management Action Plan'. These sections set out the high-level roadmap actions which will be required to implement the SAMP. Each of the strategic pillars has clear objectives and an annual action delivery plan for the 3-year period. The Estates, Valuation and Facilities department will lead on these, in partnership with services.
13. Following adoption of the SAMP, these will be further developed by the Estates, Valuation and Facilities department into a detailed 'Living Action Plan'. This action planning will ultimately be integrated into the work programmes of the corporate property services – Facilities Management, Asset Management, and Capital Delivery – as appropriate.
14. As part of the above, an Asset Review project will be undertaken, including a risk based five-yearly asset condition survey which will then guide a future phase in terms of deciding which assets to retain, which to make further investment in, and which to repurpose for other uses, as part of the Asset Challenge Framework included within the SAMP.
15. Aligned to the action plan understanding the condition of our assets will be prioritised, along with specific investment to ensure the longevity of key community facilities. Opportunities for open space transfer to support sport and recreation will also be prioritised.

## **Governance**

16. The Council recognises that good governance is a key component of this strategy, so it is essential that all decisions to dispose of or acquire an asset must be subject to clear governance process.
17. The SAMP provides clear governance guidelines for
  - a. Asset disposal
  - b. Community Asset Transfer
18. Each governance process has clear owners and defined roles and responsibilities to progress matters and attain necessary approvals. Further details are contained within the relevant respective policy documentations.
19. In the case of asset transfer or disposal specific delegation is given within the governance matrices to the Chief Executive and the Strategic Director (Corporate Resources and Transformation) through the Transformation Board. If the asset transfer meets the definition of a key decision, this will be progressed through a Council decision.



20. It also likely that when dealing with assets across such a broad Portfolio, a case-by-case basis will be required, and fluid decision making may be required from time-to-time. The Strategic Director for Corporate Resources and Transformation will ultimately oversee the process and will be required to use professional judgement where required in order deliver on the strategic actions.

### **Asset Disposal Policy**

21. This policy (**Appendix 2**) sets out the core principles, procedures and governance to be applied when considering land or property for disposal. Whilst the primary focus of this document is to provide key policy guidance for officers, elected members, businesses and the general public, it is important to note that each individual case will be assessed on its own merits and nothing in this document binds the Council into any particular course of action when dealing with the portfolio.

### **Community Asset Transfer Policy**

22. The principal aim of the Council's Community Asset Transfer Policy at **Appendix 3** is to ensure the efficient use of assets through community empowerment and minimise costs through retention or transformation.
23. The policy identifies the process and tools for the Council to follow when it considers the transfer of its buildings or land to different forms of community ownership. It will ensure the Council can work in a consistent and transparent manner when/if embarking on a community asset transfer.
24. Finally, it establishes the nature of the organisations to which the Council will consider an asset transfer, the basis of the transfer and how requests will be processed.

### **Corporate plan priorities**

25. The management of assets and accommodation is a key theme of Future New Forest, the council's transformation programme which underpins the delivery of the corporate plan priorities.

### **Options appraisal**

26. The Council could choose not to adopt the Strategic Asset Management Plan. This would mean that our aims for our property assets are not explicitly articulated in council strategy and policy and long-term actions would be taken forward in a less coordinated fashion.

## **Consultation undertaken**

27. The SAMP has been developed in consultation with EMT, the Transformation Board and the Finance and Corporate Resources Portfolio Holder.

## **Financial and resource implications**

28. During the setting of the 2025/26 budget, the Council resolved;

*'the principle of utilising up to £1.377 million of the budget equalisation reserve to fund investment in community assets, supporting the future transition to the new unitary authority and town and parish councils, is approved'.*

29. To deliver on the actions within the SAMP and accompanying policies, funding will be required to ensure the right resource is in place to manage the programme, to finance required surveys, and works emanating from them.
30. The Council previously resolved the placement of £1.5m into the 'Corporate Priorities Reserve', there to fund the then planned works across Appletree Court (to facilitate third party letting of part of the building). As this project is no longer proceeding, it is now proposed that this Corporate Priorities reserves be used instead to support the delivery of the SAMP, enabling the budget equalisation reserve to be used for other purposes, to be explored further during the budget setting cycle.

## **Legal implications**

31. The SAMP will support the Council to meet its statutory compliance and property management obligations and minimise the risk of harm to individuals as well as costs and reputational damage to the Council.
32. There will be legal implications arising as and when the Council looks to progress with any disposals. The Council's legal department will commission supplemental third-party expertise as required.

## **Risk assessment**

33. None

## **Environmental / Climate and nature implications**

34. Environmental implications are detailed within the body of the SAMP 2025-2028 document Appendix 1.

### **Equalities implications**

35. There are no immediate equalities implications arising from the SAMP. Any new decisions, policies or plans flowing from the action plan will be reviewed for any equalities impacts.

### **Crime and disorder implications**

36. There are no immediate equalities implications arising from the SAMP, although it is worth noting that the Council's deploys varying measures to ensure the security of its assets.

### **Data protection / Information governance / ICT implications**

37. None

### **New Forest National Park implications**

38. Some assets within the Council's Portfolio fall within the boundary of the National Park. The Council will always have due consideration to the purpose of the Parks Authority in the strategic management and review of its assets.

#### **Appendices:**

Appendix 1 – SAMP 2025-28  
Appendix 2 – Asset Disposal Policy  
Appendix 3 – Community Asset  
Transfer Policy

#### **Background Papers:**

Asset Investment Strategy

# Strategic Asset Management Plan

2025 - 2028

Estates and Valuation

June 2025

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# Asset management

## Executive summary

This Strategic Asset Management Plan 2025 – 2028 (SAMP) sets out what the council intends to do in the future to ensure property assets support corporate priorities.

Effective asset management is essential to meeting the council's priorities and improvement aims with asset rationalisation a key means of reducing costs and improving efficiency. Strategic use of land and property assets is a prerequisite for the achievement of key corporate priorities in relation to a clean and welcoming environment, supporting neighbourhoods and promoting inward investment and job creation.

The challenge facing all local authorities is that we must continue to deliver effective services with ever decreasing resources and competing demands. The financial constraints and uncertainty in the wider economy bring additional challenges.

In this context, it is essential that we take a strategic view of our portfolio, to deliver our corporate priorities and achieve the best value for money possible from all our assets.

The Strategic Asset Management Plan centres around the delivery of five pillars with interlinked objectives:

- Pillar 1: Digital asset management
- Pillar 2: Asset optimisation in support of corporate plan priorities
- Pillar 3: Working with partners and communities to promote efficient and effective service delivery
- Pillar 4: To reduce the environmental impact of council assets
- Pillar 5: To support economic growth, regeneration and prosperity.

In December 2024, the government published the **English Devolution White Paper**. This sets out plans to move power out of Westminster and back to local communities, ensuring that every part of England is covered by devolution.

We have been formally invited by the government to work with other councils in Hampshire and the Solent to develop a proposal for local government reorganisation (LGR). Taking this into account, the SAMP should be viewed as a key partner document for the LGR program in addition to our Corporate Plan 2024 - 2028. It also means we must be mindful of the LGR timeline, and the potential for key decision making of the Council to be somewhat restricted at some stage in the program.

## Introduction

Local authorities across the UK hold large real estate (assets made up of buildings and land) which have been acquired, inherited or gifted over many years.

It is recognised good practice for local authorities to produce a SAMP setting out their broad objectives for the management, development and rationalisation of their built and land asset base over a three-to-five-year period. Due to ongoing discussions in relation to devolution and LGR this SAMP covers a three-year period, 2025 - 2028.

Asset management provides a structured process to ensure value for money from property in serving the needs of the organisation. Property assets are expensive, in terms of both their capital value and annual maintenance and running costs. They need to be carefully managed over their lives to ensure best value through their use, maintenance and generation of income.

The SAMP sets out the council's approach to the strategic management of its General Fund land and buildings, outlining how our assets support our strategic priorities. The document also identifies the action required to develop these priorities further and contains proposals for improving the effectiveness and efficiency of the Council's property portfolio.



## Asset management framework

The SAMP is a suite of living documents, divided into three clear parts that can be updated separately to remain relevant.

To support this, the council has adopted a new asset management framework which has three core sections as follows:

1

The asset management strategy establishes:

- What the corporate approach or attitude is to property assets
- What we think our future should look like
- Where we want to be

2

The asset management action plan establishes:

- What we need to do to deliver our strategy
- The specific actions and prioritised focus areas

3

Policies and procedures

- To support delivery

## Aims and approach

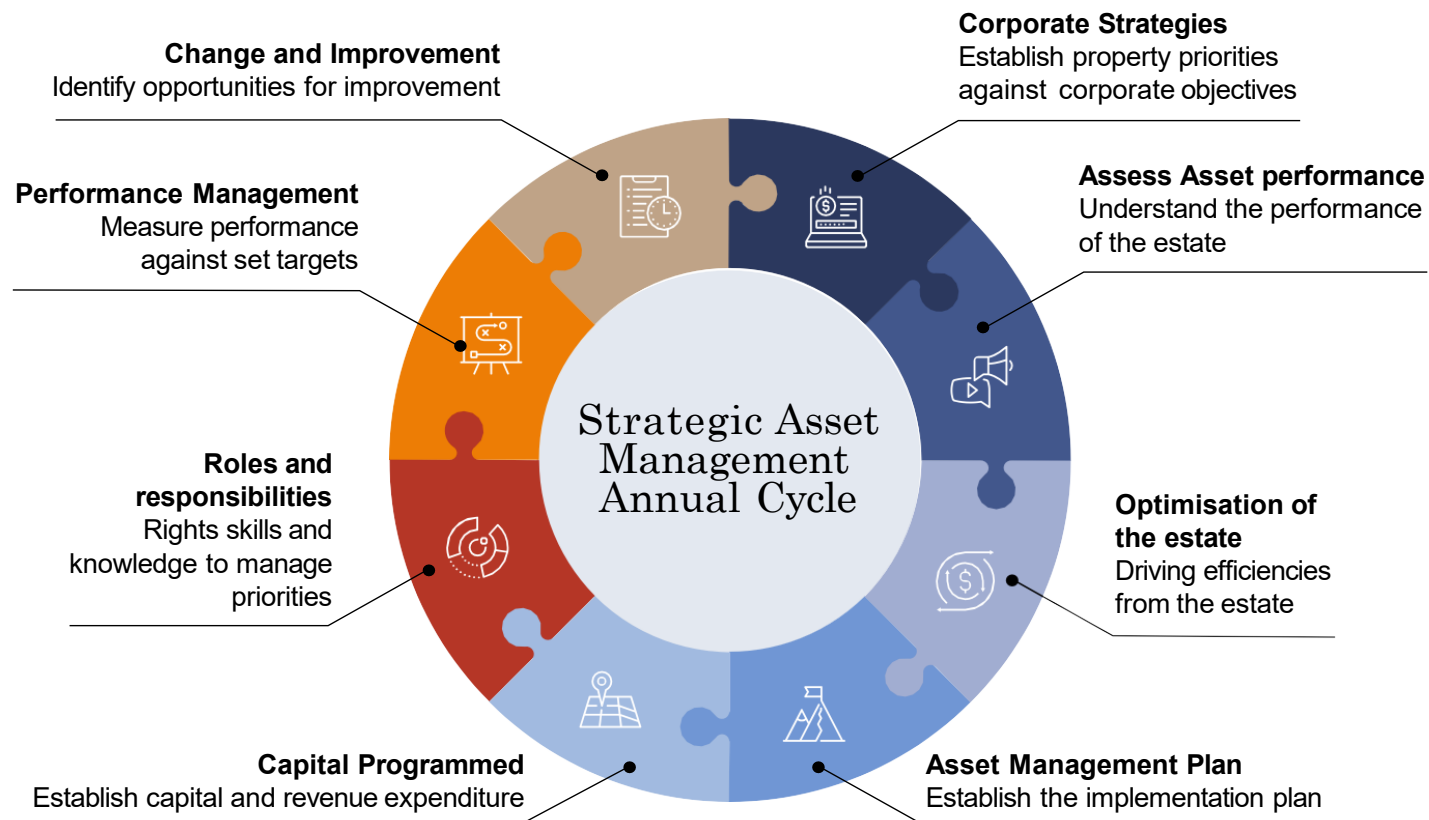
The aim of the SAMP, is to provide a framework for asset decision-making for the future use of our assets, enabling delivery to the organisation's way of working.

The document commits the council to managing its asset strategically.

In producing this SAMP, we will:

- Explain the framework in which the estate sits, including financial and portfolio summary
- Establish objectives for asset management
- Provide a programme of activity for the delivery of the objectives
- Set out a framework for an annual review of the 'state of the estate'

## Review process cycle



## Strategic pillars

The Strategic Asset Management Plan will provide an overview of our land and property estate (excluding Housing stock). Working within our five-pillar approach, we will focus areas for managing and developing the estate over the next three years. This will be supported by a suite of policies and procedures.

Effective management and ownership of a portfolio of assets will facilitate the future needs of the council services and functions within our financial means, whilst maximising opportunities for our residents, visitors and businesses.



## SAMP objectives

The SAMP provides a framework within which we can secure the operational and financial benefits of an estate which aspires to standards of best practice.

The objectives of the SAMP are:

- Establishing a corporate framework for the management of all our non-housing property assets
- Highlight our corporate priorities that deliver the best outcomes
- Articulate a vision for Council land and property assets over the next three years
- Set out a strategic approach in respect of the Council's land and property assets so the portfolio is managed as a whole rather than considering assets in isolation
- Support longer term regeneration and growth by preparing business cases for retaining, acquiring or disposing of assets ensuring best consideration is achieved and where relevant community and social value is taken into consideration
- Develop an approach that maximises income and works across the New Forest District as One Public Estate for efficiencies
- Ensure that to meet services objectives and Community needs, we have the right assets in the right location, in good condition and efficiently managed.

## Pillar objectives

In developing our strategic approach to our land and buildings, this policy includes certain actions and behaviours that we need to adopt, these are specific but also compliment the overall organisational values and behaviours.

### 1. Pillar one: Digital asset management

- To create an effective digital asset management database enabling the capture of accurate management information, in support of ensuring statutory and regulatory compliance is upheld across the estate.
- To embed a culture that recognises that property assets are a key corporate resource, where informed decisions are made that are linked to corporate and service objectives that deliver good financial sustainability and service outcomes.

### 2. Pillar two: Asset optimisation in support of Corporate Plan priorities

- To optimise the estate to generate operating savings, ensure assets are fit for purpose, meet service operating and user needs, incorporate technological advances and minimise whole life building costs.
- To ensure ownership and occupation of assets is robustly challenged.

### 3. Pillar three: Working with partners and communities to promote efficient and effective service delivery

- To enable transfer of management / ownership of the asset where it can provide a benefit to service delivery and demonstrate longer term benefit.
- Maximise efficient use of our assets through collaborative working with partners.
- Improve efficient and effective asset use and value to the community.

- Maximise the use of government available grants.

4. Pillar four: To reduce the environmental impact of council assets

- Champion reduction in the environmental impact of occupation, use, travel and waste.
- Protect our climate, coast and natural world.
- Promote the target for net zero carbon for the benefit of our residents.
- Identify areas of support or grants from external private or public sources.
- Eliminate or reduce the use of fossil fuel systems and seek to improve thermal efficiency across the estate

5. Pillar five: To support economic growth, regeneration and prosperity

- Support our business base and economic centres to thrive and grow.
- Support economic growth and regeneration across NFDC.
- Revitalise town centres through regeneration repurposing with a modern offering which fosters greater social interaction, community spirit, local identity and heritage.
- We will manage our commercial portfolio effectively, balancing regeneration needs, job creation and income generation.

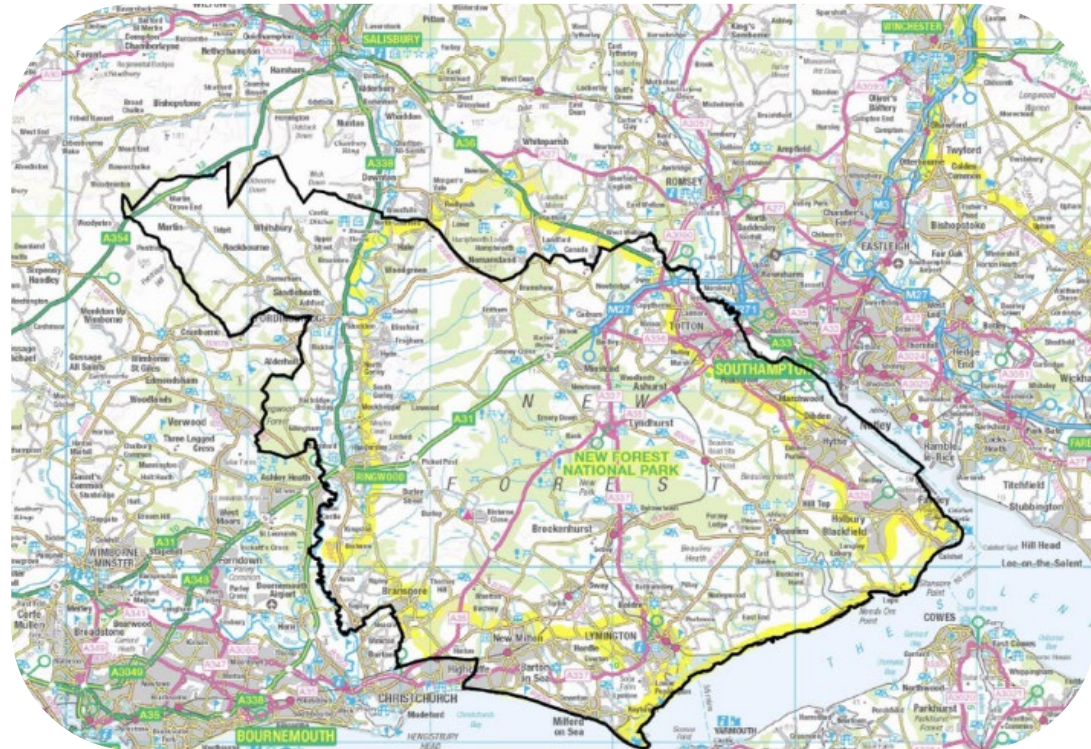
# New Forest district context and Corporate Plan 2024 - 2028

## About the New Forest district

The New Forest is the second most populated district authority in the southeast, with over 175,000 residents. It is home to the New Forest National Park which covers 75% of the land.

The New Forest is located within the county of Hampshire on the south coast of England positioned between Bournemouth, Wiltshire and Southampton. It is a vibrant and unique area known for its natural landscapes, ancient woodland, and 40 miles of stunning coastline. The New Forest National Park area covers 566km<sup>2</sup> (219 sq. mi) of the central area of the district making it the largest contiguous area of unsown vegetation in lowland Britain.

It is a working forest that has prospered for nearly 1,000 years. Many local practices are unique and date from historic times. This includes most significantly the depasturing of the iconic New Forest ponies, as well as cattle, pigs, and donkeys in the open forest by authorised landowners known as Commoners. These agricultural commoning practices are administered by the Verderers.



The largest settlements are Fordingbridge, Hythe, Lymington, Marchwood, New Milton, Ringwood, and Totton. Approximately 72% of residents live in urban areas, and 28% of residents live in rural areas.

It is home to an increasingly aging population with 30% of residents over the age of 65 compared to 19% nationally.

The average property price is just over £498,000 and around 74% of householders own their homes. Rental prices are high with the average monthly rent £125 higher than that for England.

Just over half of our residents of employment age are in full time employment.

30.4% of working people now state they work from home full time and around 2.2% of employment age residents claim unemployment benefit, representing a rise from previous years.

Around 30,100 people who live locally cross district boundaries to go to work with the main working areas being

- Southampton
- Bournemouth
- Test Valley

Approximately 22,500 workers travel inwardly from where they live to their employment within the district. Marine, hospitality and health and social care occupations make up some of the major industries.

Administrative occupations are the most common job type at 13.6%, Followed by corporate managers and directors at 12.0%, and customer service occupations make up 10.9%.

The area's largest employers include Exxon Mobil, Garmin, Paultons Park (home of Peppa Pig World), as well as public sector bodies including the NHS and us as the district council.



## Demographics

175,785 residents living within the district	Life expectancy is 83 years	51.9% of residents are female	48.1% of residents are male	96.8% of the population are White	1.3% of the population are Mixed Race	1.2% of the population are Asian or Asian British	0.4% of the population are Black or Black British	0.3% of the population are other ethnic groups	Average age in New Forest is 51.8 years	Average age in England is 40.
Median gross annual earnings are £34,647	The salary growth rate is 1.5% lower than England	51.8% of residents are employed	33.4% of residents are retired	18% have a disability which limits their day-to-day activities by a little or a lot						
Main language is English	0.2% of residents reported having poor English language skills									
We collect Council Tax from 83,380 properties	4th largest economy in Hampshire with £4.4 billion (GVA) generated in 2020 and circa 8,000 business enterprises									

Data sourced from: NOMIS ONS 2021 census data, ONS Local statistics, 2019 Index of Multiple Deprivation, New Forest Economic Profile 2022.

## Corporate Plan 2024 – 2028

To secure a better future by supporting opportunities for the people and communities we serve, protecting our unique and special place, and securing a vibrant and prosperous New Forest.

Our focus is on creating thriving and safe communities and a strong economy, providing homes, and supporting the most vulnerable, responding to the climate and nature emergency, and delivering excellent services that are future proof.

Our corporate plan priorities are designed to tackle these challenges head-on.

### People

Helping people in the greatest need and creating balanced, resilient, and healthy communities who feel safe and supported with easy access to services

- Priority 1: Helping those in our community with the greatest
- Priority 2: Empowering our residents to live healthy, connected and fulfilling lives
- Priority 3: Meeting housing needs.

### Place

Delivering growth, opportunity and services that shape our place now and for future generations, within a unique environmental context, to ensure we remain a special place to live, work and visit

- Priority 1: Shaping our place now and for future generations
- Priority 2: Protecting our climate, coast, and natural world
- Priority 3: Caring for our facilities, neighbourhoods and open spaces in a modern and responsive way.

## Prosperity

Promoting a strong local economy that delivers its inclusive aspirations through effective partnerships, attracting investment, and increasing skills and employment opportunities

- Priority 1: Maximising the benefits of inclusive economic growth and investment
- Priority 2: Supporting our high-quality business base and economic centres to thrive and grow
- Priority 3: Championing skills and access to job opportunities.

## Future New Forest

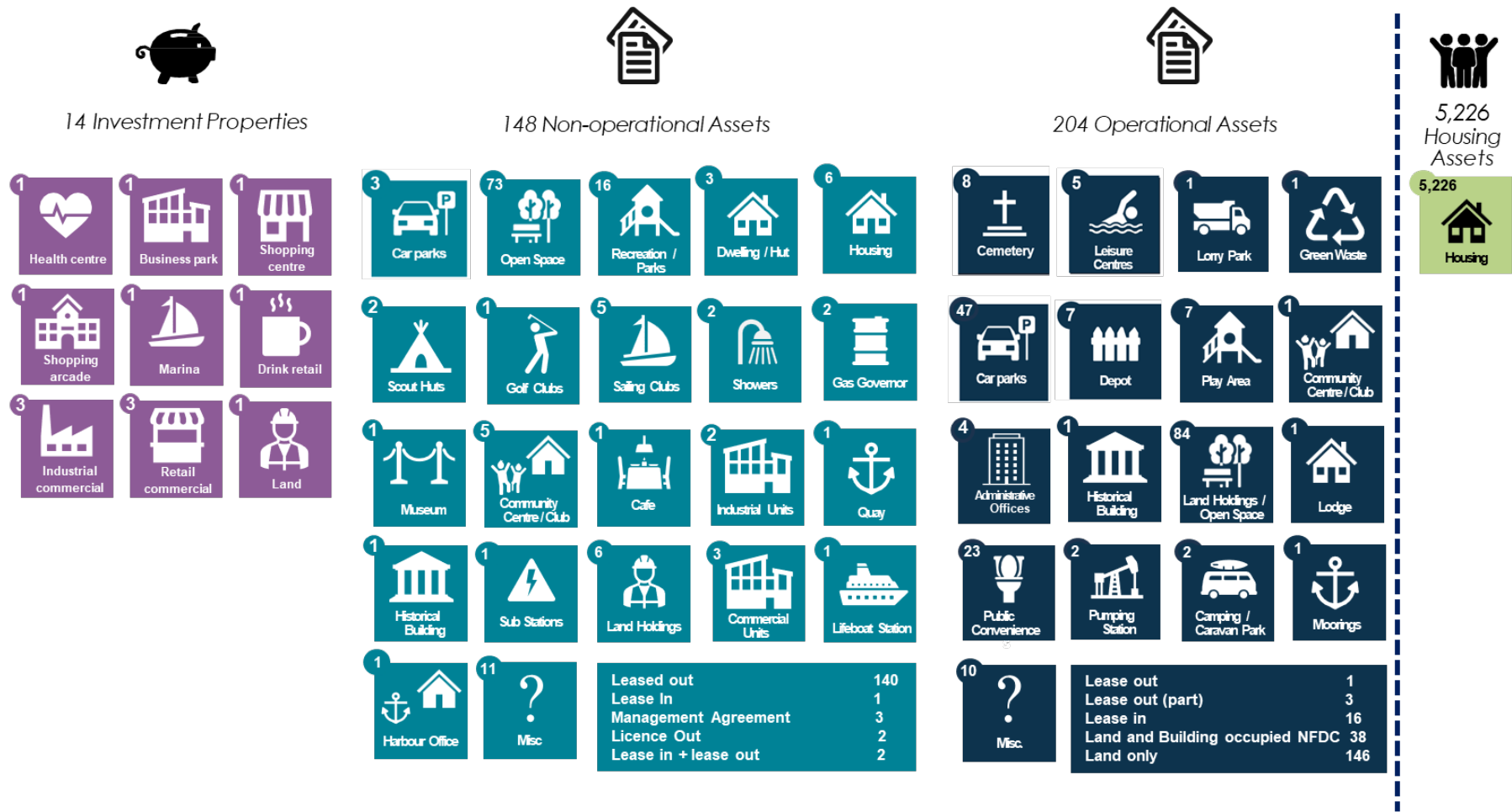
Underpinned by our transformation programme: Future New Forest. Investing in our people and services to meet customer needs, protecting the council's financial position, and embedding sustainability through our Future New Forest transformation programme.

- Priority 1: Putting our customers at the heart
- Priority 2: Being an employer of choice
- Priority 3: Being financially responsible
- Priority 4: Designing modern and innovative services.

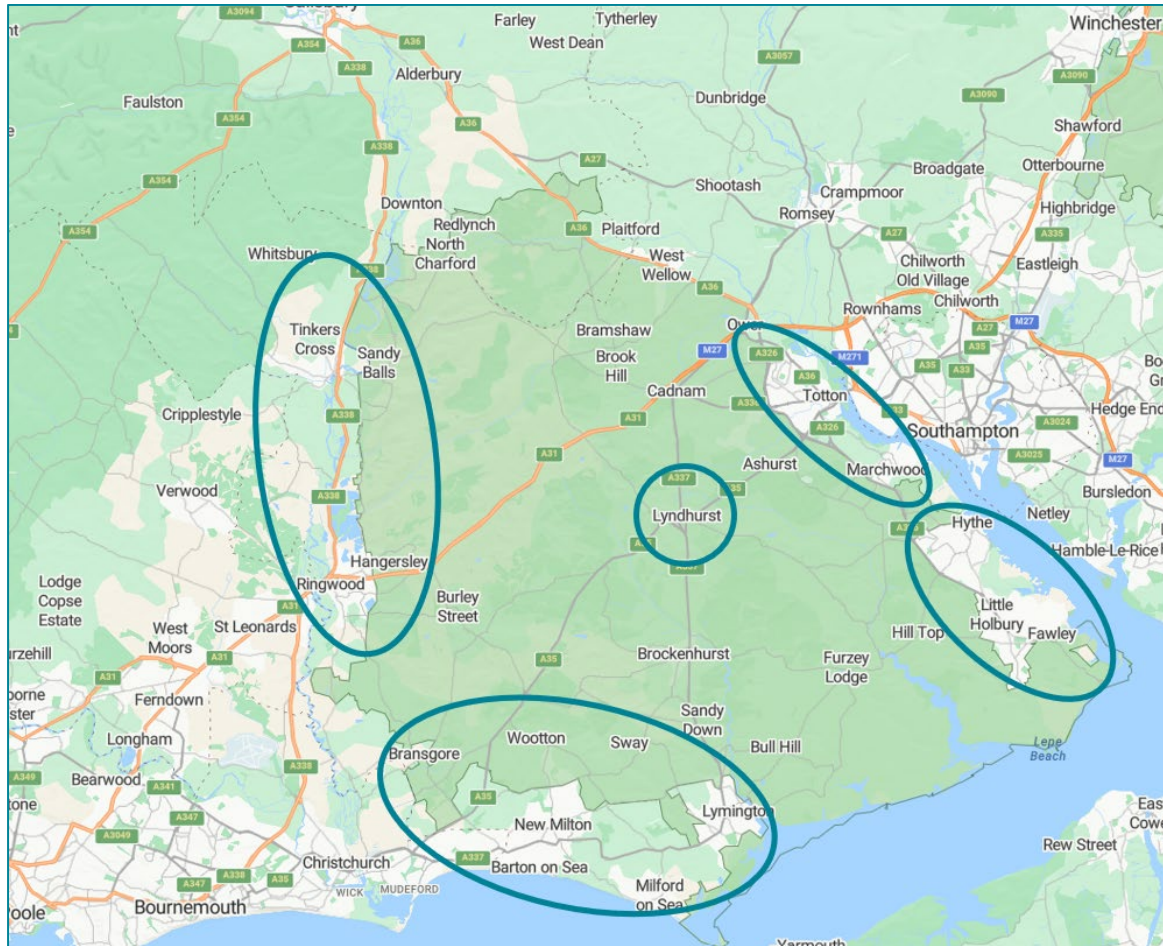
# Portfolio overview

## Our assets by type

The Council’s General Fund accounts for a total of 366 assets. The non-operational assets are typically leased to 3<sup>rd</sup> parties to maintain and operate. In addition, NFDC hold the freehold on the land of c750 Beach Huts.



## Summary of the current portfolio



The heat map shows the geographic distribution of assets. It reveals four concentrated areas of assets and loosely resembles a hub and spoke distribution, with Lyndhurst in the centre of the district.

It is noted that geographic location of assets could be considered more of a strategic tool for the development of the appropriate service asset strategies and the council’s overall operating model.



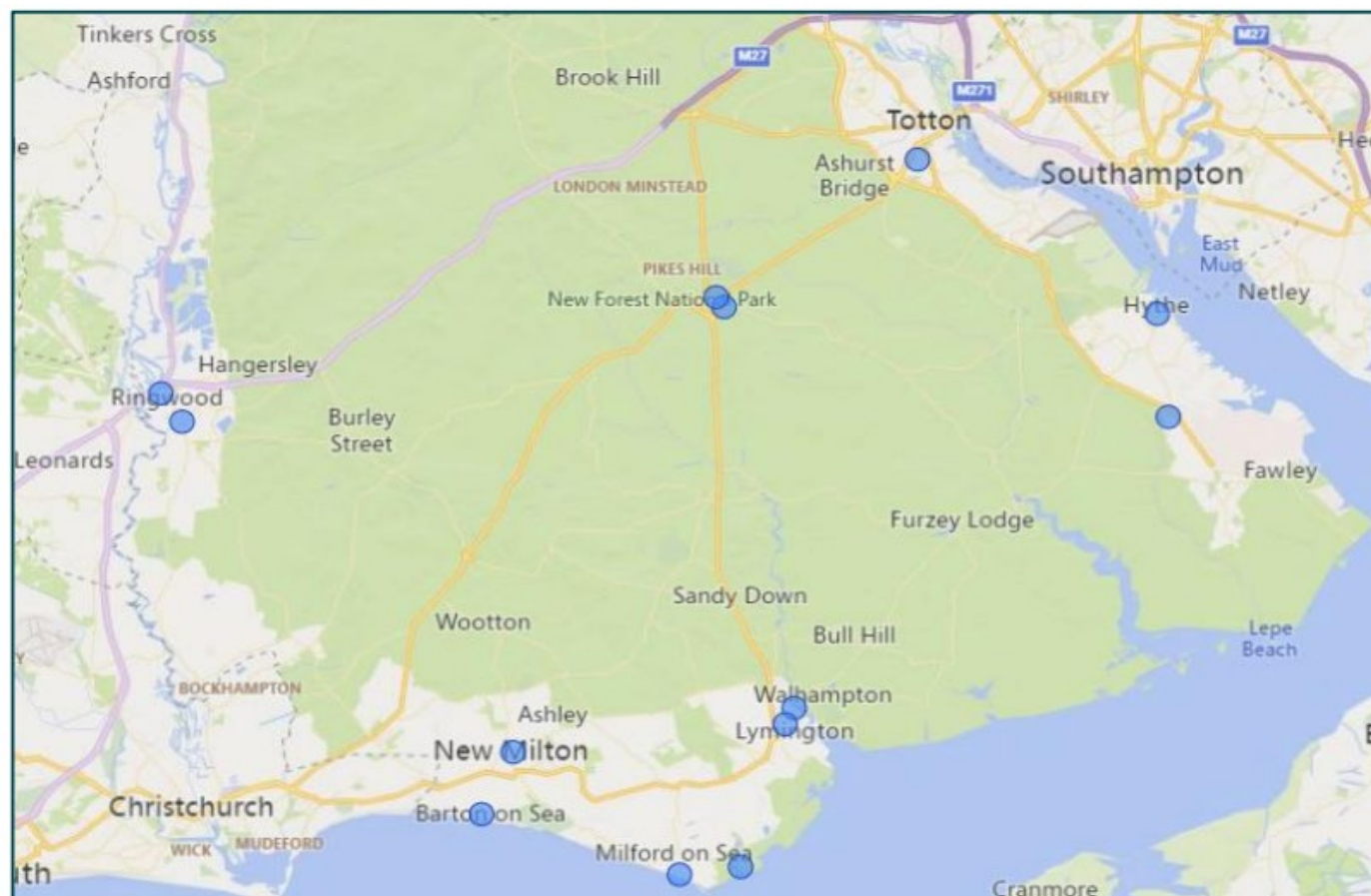
This map shows the locations of the operational estate, offices and depots. This geographic distribution may not reflect the service needs and demand. This will be highlighted via the Asset Challenge Framework.

## Assets by type

- Operational 204
  - Freehold 191
  - Leasehold 13
- Non-operational 148
  - Freehold 145
  - Leasehold 3
- Investment 14
- Overall value £107.4m

## Estate

- Footprint 770Hectares (Ha)
- Open space only 417Ha (Excluding foreshore)



## Commercial and investment portfolio

The investment assets or 'commercial portfolio' have been purchased mostly since 2018, in addition to 3 historical assets, by taking professional advice to obtain a balanced portfolio and reduce the risk of voids and loss of the capital investment. This was all initially financed through internal borrowing.

### Investment portfolio

The portfolio has been assembled to invest in the local business economy with a view to creating sustainable employment and other benefits to the district and its communities. Secondary to generate a return on the investments that make a significant contribution to the ongoing financing of council services, ensuring the financial sustainability of the council as government funding reduces.

These assets can be reviewed to ensure that the return on investment is maximised and opportunities for development are actively explored to secure these returns in the medium to long term.

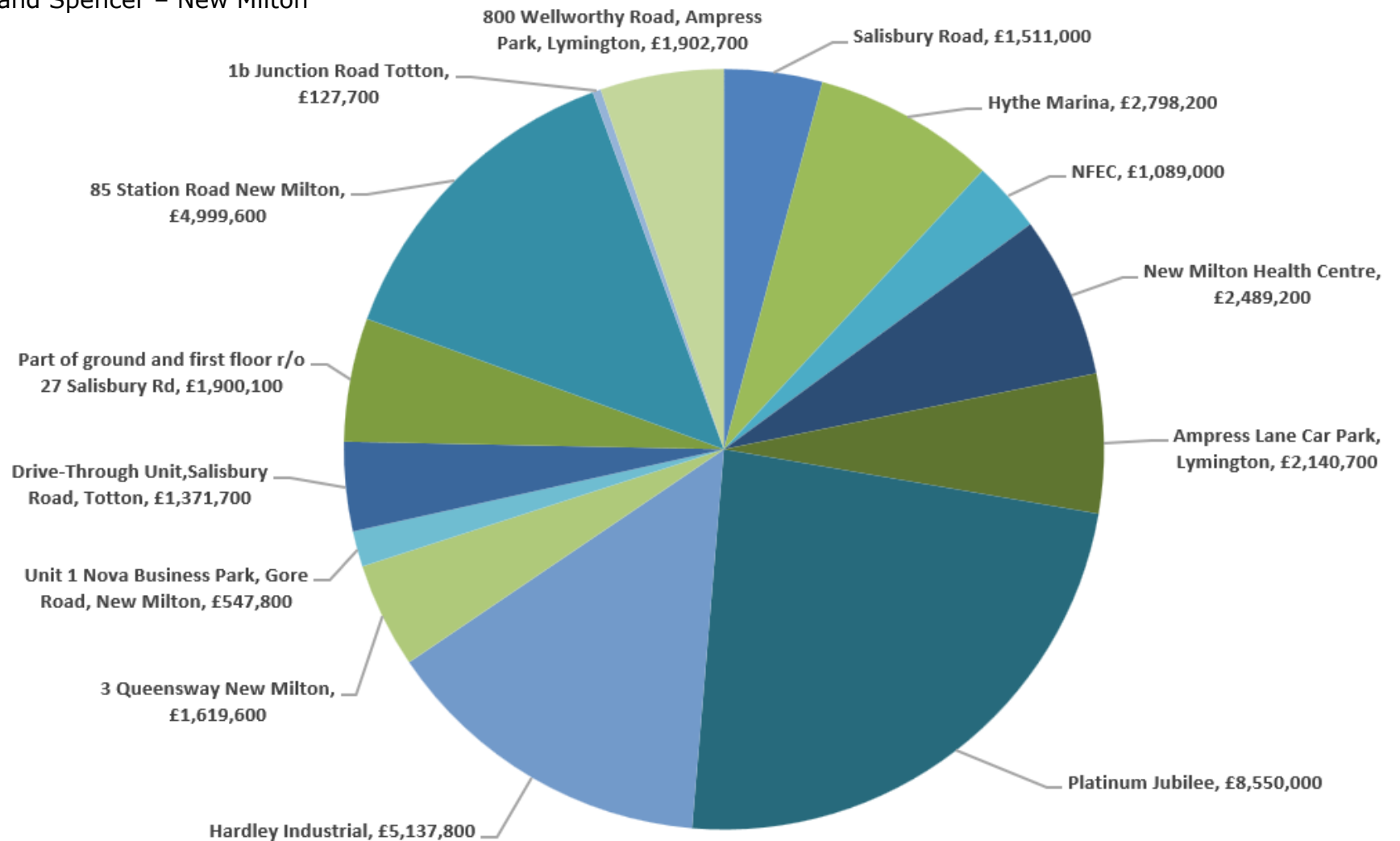
Where opportunities to acquire further investment properties occur, these will be explored, in line with the Councils Asset Investment Policy and subject to the relevant due diligence processes. Due to the current economic climate a decision was taken in 2023 to pause any future investment.

- Total assets 14
- Leases 56
- Gross income £1.84m
- Occupancy rate 91%
- Net book value £36.2m
- Yield 6%



Assets within the investment portfolio shown in the pie chart and include:

- Platinum Jubilee Business Park
- Hardley Industrial Estate
- Marks and Spencer – New Milton



Values as at 31 March 2024

## Commercial portfolio

The lease register shows there are 301 assets leased out. 167 of these generate income greater than £100 per annum. The remaining 134 are classed as peppercorn leases.

- Total leases 301
- Peppercorn leases 134
- Gross income £619k
- Occupancy rate 87.4%

## Appletree Holdings

Appletree Holdings are an arm's length group of companies. Wholly owned by NFDC, the remit is to invest in residential property and then letting to the private sector.

- Total assets 16
- Gross income £235k
- Net book value £5.1m
- Yield 4.61%

## Overview of Estates and Facilities management

NFDC's estate comprises of 366 property and land holdings, with a combined footprint of 770 hectares. These consist of operational, non-operational (commercial) and investment property portfolios.

The Council's Estates and Facilities Management function sits within the Corporate Resources & Transformation directorate.

Property holdings range from administrative office buildings, operational buildings situated in the community (such as community halls and public conveniences) and more complex operational sites (such as depots). They are held on a mixture of tenures, freehold (predominantly) and leasehold.

The Estates team is responsible for a variety of property matters. These include the management of the Council's non-domestic commercial and investment assets.

Activities include:

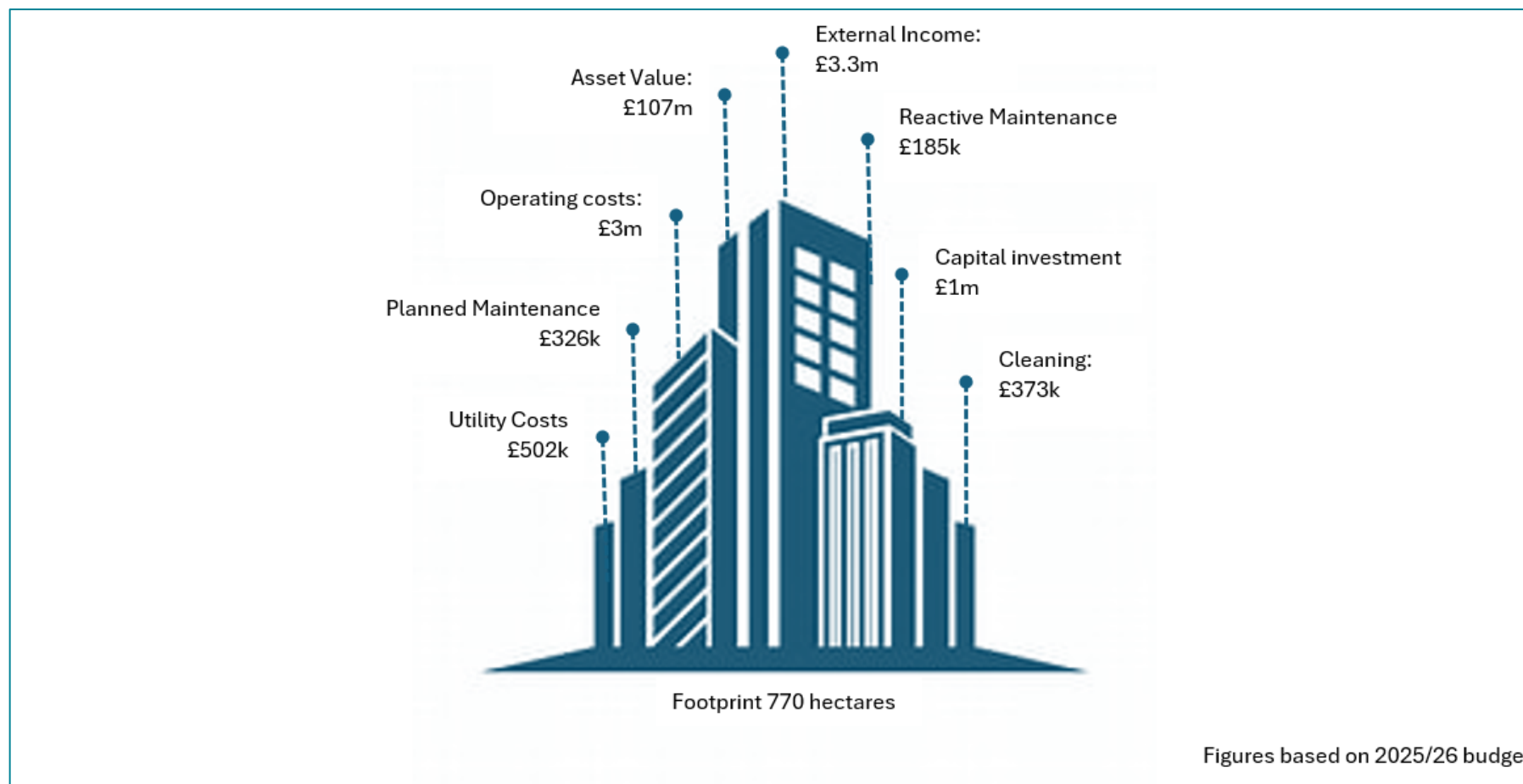
- Arranging asset valuations for all properties owned by the Council
- Ensuring a correct rates assessment of all the Council-owned properties
- Purchasing and selling Council properties and land
- Managing the leasing of properties owned by the Council and properties we lease from others
- Maintaining records of Council ownership

The Facilities Management team provides a range of property support services through a mix of in-house provision and outsourced contracted services. The team also rely on services to provide some low-level maintenance and housekeeping tasks, such as fire alarm testing and key holding at the depots.

Facilities Management oversight encompasses the management of buildings, infrastructure, and other facilities, as well as the services and processes required to keep them functioning effectively and efficiently.

Activities include:

- Planned and reactive works
- Building statutory compliance
- Property Management
- Cleaning services
- Energy management
- Space planning



Facilities Management have full budget control of 15 buildings with a responsibility for delivering planned and reactive works on a further 51 assets.

Alongside the management of the Council's property portfolio the function is responsible for the delivery of the FM related projects within the council's capital programme.

# Asset management strategy

## The strategy

Strategic Property Asset Management is the process which aligns business and property asset strategies, ensuring the optimisation of an organisation's property assets in a way which best supports its key business goals and objectives.

This strategy determines the high-level strategic framework for the effective management of our land and property portfolio (non-housing). It will guide decisions regarding the use of land and property assets ensuring that they support the optimisation of both financial and social value to meet the corporate objective of developing sustainable and resilient communities.

In all cases, assets will be aligned to delivering the Councils corporate priorities and must be maximised to ensure effective service, community or financial benefit. Financial conditions continue to be challenging, whilst customer expectations and demand is increasing.

In the development of the strategic asset management plan, the corporate plan has been reviewed to ensure that the SAMP priorities and corporate priorities align.

A high-level assessment of asset performance has been undertaken and the outcomes have assisted in developing the approach to ongoing estate reviews which will inform the SAMP.

Our Assets and Property are enablers which exist to meet corporate needs based on the council's priorities and service delivery requirements.

## The five pillars

The following five Pillars set out the council's approach to asset management, and guide future asset decision making. They reflect the role of Assets and Property as an enabler and demonstrate our ambitions to collaborate, rationalise, commercialise, decarbonise and innovate to contribute to the council's priorities and support delivery of council services.

The asset management strategy will be reviewed on a regular basis and evolve to ensure its relevance to the changing landscape within which NFDC operates. This is particularly important where there is evidence of underperforming assets or opportunities to drive further value from the estate.

### The five pillars



## Pillar one: Digital asset management

### SAMP objectives

1. Create an effective digital asset management database enabling the capture of accurate management information, in support of ensuring statutory and regulatory compliance is upheld across the estate.
2. Embed a culture that recognises that property assets are a key corporate resource, where informed decisions are made that are linked to corporate and service objectives that deliver good financial sustainability and service outcomes.

### Delivery mechanism

1. A fit for purpose digital system containing up to date and accurate records 'a single version of the truth'.
2. Proactive monitoring and managing the condition and safe use of buildings to provide comprehensive assurance of compliance and health and safety.
3. Oversight of suitable Key Performance Indicators.
4. Working with Service Areas to understand their current and longer-term requirements.

## Digital Asset Management

A strong and robust grasp of asset management data and property records underpins effective asset management, enabling the efficient evaluation and comparison of properties and land to support decision making and robust record keeping supporting estate management and compliance activities.

NFDC do not currently employ a single system or a single source of data, rather using up to 9 separate systems, including as an example spreadsheets and CIPFA Asset Management software.



A fit for purpose digital system containing up to date and accurate records inclusive of, helpdesk, planned and reactive works by building and full details of the council's investment and leased estate will provide “a single version of the truth”.

As such this system will be a fundamental foundation for property asset management and assurance via the introduction of a key performance dashboard.

This means that the system will be a single source of property records and data. The property function will invest in populating the system fully, maintaining the integrity of data records over time, and integrating the new system functionality into day-to-day operations.

Proactive maintenance monitoring and implementing planned condition surveys will inform asset strategy on the estate and would enable the council to make informed decisions on the future use, informed budget setting and investment requirements of its estate.

The condition survey's will address the essential and backlog maintenance needs of our remaining buildings – repairing mechanical and electrical (M&E) systems and prolonging their operational lifespan in the most cost-effective manner.

Working closely with individual council services we will develop and assist in the development of their service plans ensuring consideration is given to current and future asset requirements. Having a holistic overview will enable the council to challenge the use of assets through the asset challenge framework.

## Pillar two: Asset optimisation in support of Corporate Plan priorities

### SAMP objectives

1. To optimise the estate to generate operating savings, ensure assets are fit for purpose, meet service operating and user needs, incorporate technological advances and minimise whole life building costs.
2. To ensure ownership and occupation of assets is robustly challenged.
3. To ensure the Council's maintenance and refurbishment / renovation programme is fully informed and prioritised.

### Delivery mechanism

1. Challenge the use of the assets through an asset challenge framework.
2. Rationalise and reduce the number of buildings and areas of land where possible and appropriate, considering potential long- and medium-term needs, and ensuring assets are held for a clear purpose and provide best value.
3. Working with Services Areas in the development of their Service Plans to ensure consideration in relation to asset requirements.

### Asset optimisation approach

The Asset Management plan must consider the potential impact on profitability, investment return and staff, as well as the internal structural and managerial implications.

For the Estates and Facilities Management functions to perform a leadership role in the organisational transformation agenda and secure savings, we will develop a mature understanding of our property data and opportunities to optimise the estate.

To act as a mature strategic property function, we will adopt a robust estate optimisation process; first at a high level, then by drilling-down and assessing the opportunities in the assets. Furthermore, opportunities will be developed with varying degrees of change that can be adapted to suit New Forest District's needs. Estate optimisation is not just about cutting costs, but is about bringing material advantages to our residents, and ultimately enhancing the delivery of the corporate objectives and strategy. The process of estate optimisation aims to identify and prioritise those sub-portfolios that have the greatest potential to release savings.

Core data for each building within the NFDC's portfolio including running costs, value, condition and backlog maintenance, suitability assessments and future need ratings will be reviewed.

Considering the incomplete and fragmented nature of property data we will take a pragmatic view to identify and plug any gaps in data. Using this process, those portfolios with high revenue spend and/or those areas subject to significant business change can be identified and subjected to a more detailed analysis and opportunity assessment.

The process to undertake the estate optimisation as outlined in the diagram overleaf. The outcome of this review will include:

- financial analysis of the estate
- potential revenue impact and capital generation opportunities
- ranked by the potential impact (low/medium/high) and ease of implementation (quick/medium/long term)
- quick wins which would help release existing liabilities
- longer term initiatives which may substantially change the way the estate is managed
- recommendations and next steps for how the opportunities could be delivered
- The potential identification of assets that are suitable for potential disposal

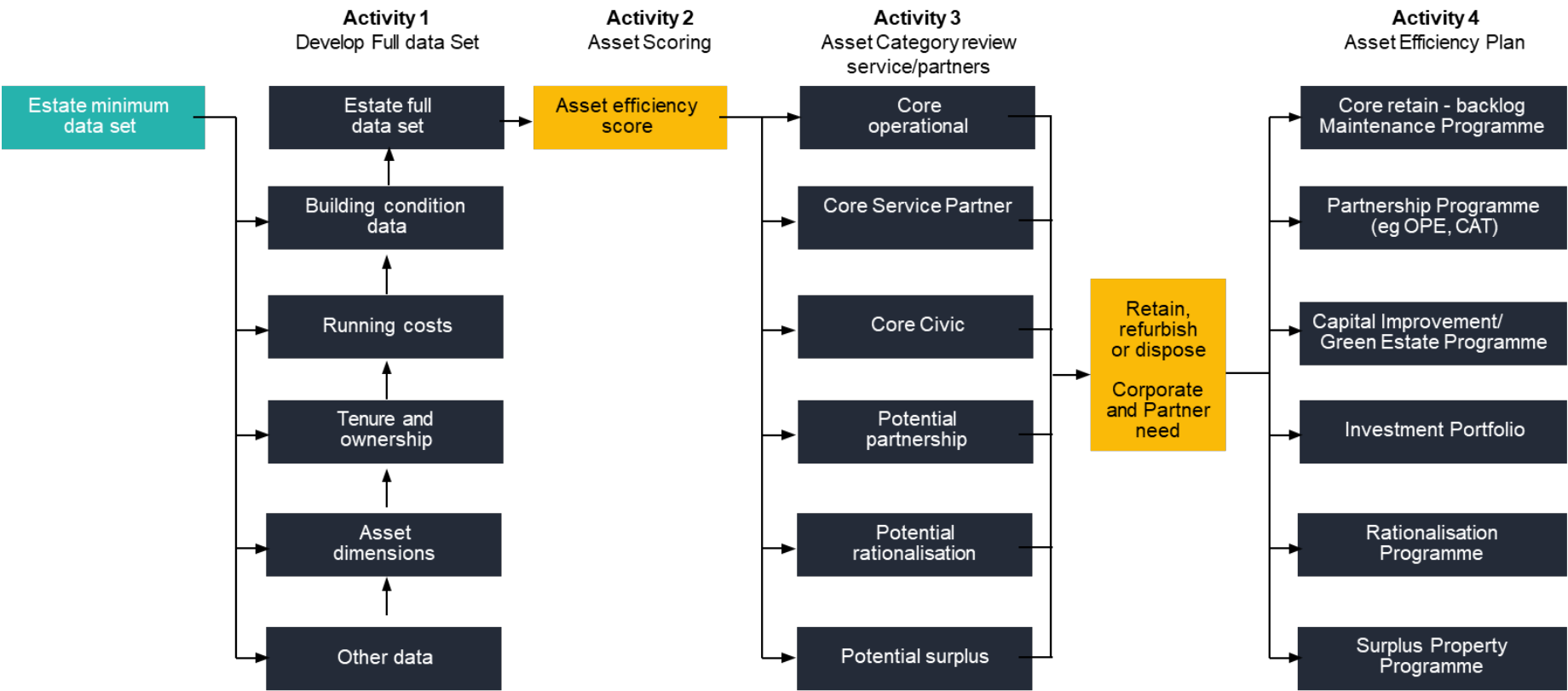
## The asset challenge framework

The Asset Challenge Framework is a process to continually review our asset portfolio on a continuous rolling programme, ensuring that only those assets needed or performing to acceptable levels are retained.

The ultimate aims of asset challenge is to reduce costs, identify assets to be retained for use and/or invested in and those that can be disposed of. Each asset will be assessed periodically using the asset challenge steps and outcomes recorded within the asset optimisation section of the SAMP framework.

Strategic purpose	Opportunities and risks	Performance appraisal	Options appraisal	Pre-implementation consultation	Outcome
<ul style="list-style-type: none"> <li>Why do we have the asset?</li> <li>What is its strategic purpose?</li> <li>Who is accountable for performance of it?</li> <li>What do we expect of it?</li> <li>Is this financial, non- financial or both?</li> </ul>	<ul style="list-style-type: none"> <li>Are there any opportunities that could be developed?</li> <li>Are there any blockages to exploiting these opportunities?</li> <li>Any there any risks to overcome?</li> </ul>	<ul style="list-style-type: none"> <li>What is the financial performance being delivered?</li> <li>Can non-financial benefits be quantified?</li> <li>What are the management costs?</li> <li>Are there any invisible costs?</li> </ul>	<ul style="list-style-type: none"> <li>Balance of performance opportunities and risks?</li> <li>What options are available?</li> <li>What are the relative costs and benefits of these options?</li> <li>Do any options present increased risks?</li> </ul>	<ul style="list-style-type: none"> <li>Internal stakeholders</li> <li>External stakeholders and partners</li> </ul>	<ul style="list-style-type: none"> <li>Retained</li> <li>Repurposed / Regenerated</li> <li>Recycled</li> <li>Disposed (Asset Transfer or Open Market)</li> </ul>

Estate optimisation model



85

## Pillar three: Working with partners and communities to promote efficient and effective service delivery

### SAMP objectives

1. To enable transfer of management / ownership of the asset where it can provide a benefit to service delivery and demonstrate longer term benefit.
2. Maximise efficient use of our assets through collaborative working with partners.
3. Improve efficient and effective asset use and value to the community.
4. Maximise the use of government available grants.

### Delivery mechanism

1. Agree and adopt Community Asset Transfer (CAT) and Disposal Policies, identifying assets that local communities or not for profit organisations could be better positioned to deliver. e.g.
  - a. Community Halls
  - b. Public Conveniences
  - c. Open Spaces
2. Enhanced collaboration with partners, including our One Public Estate partners to identify innovation, efficiencies and maximise asset usage.

### Partnerships – Working with Partners

The General Disposals Consent 2003 allows the Council to transfer the ownership and management of land and buildings they own to local communities at 'less than best consideration' (at less than full market value), where it can demonstrate the promotion of social, economic and environmental wellbeing support service integration, joint working and/or co-location.

## Community Asset Transfer

If following a review of an asset via the Asset Optimisation Framework it may be deemed that the asset can meet the above criteria and be suitable for a Community Asset Transfer (CAT).

The principal aim of the Council's CAT approach is to ensure the efficient use of assets through community empowerment and minimise costs through retention or transformation.

Any transfer will follow the published Community Asset Transfer Policy.

Transfer of an asset may enable greater access and simplification for suitable grants.

This does not prevent community organisations nominating an Asset of Community Value, which if meeting the recognised criteria could be placed on the relevant register.

The Council intends that suitable assets will be made available through the CAT process in a way that:

- Ensures compliance with legislation (e.g. Section 123 of the Local Government Act)
- Encourages community empowerment and pride
- Helps develop strong, cohesive and sustainable communities
- Reduces holding costs, risks and related liabilities
- Helps develop strong, cohesive and sustainable communities
- Demonstrates a fair and transparent process

## One Public Estate

One Public Estate (OPE) is a national programme, jointly managed by Cabinet Office and the Local Government Association, that brings public sector organisations together. It provides practical and technical support and funding to councils to deliver ambitious property focused programmes in collaboration with central government and other public sector partners (blue light services).

By working in partnership, we can look at how we can use our land and buildings collaboratively to:

- Improve public services to residents, visitors, employees and businesses in the county
- Renew and rationalise the public estate so there is a reduction in the amount of money we spend on buildings
- Free up much needed land for the development of housing, commercial and employment space
- Support local economic growth
- Generate capital receipts and income.

And it could include working with existing and developing partnerships with the likes of:

- Hampshire County Council
- Hampshire and the Isle of White Constabulary
- Hampshire Fire Service
- NHS
- RNLI



## Partnerships – Locations

The Local Asset Reviews have sought to maximise the efficiency of the wider public sector corporate asset base to provide an integrated facilities with improved service delivery for users, focused on:

- Place based co-ordination to build/develop integrated services, retail, leisure/culture within neighbourhoods/town centres
- Co-location with other partners
- Integrated service delivery partnership combining public and private expertise and resources
- Provide assets that are easily accessible to communities.



Example map plotting: Public Conveniences located within New Forest District boundaries.

## Pillar four: To reduce the environmental impact of council assets

### SAMP objectives

1. Champion reduction in the environmental impact of occupation, use, travel and waste.
2. Protect our climate, coast and natural world.
3. The council to promote the target for net zero carbon for the benefit of our residents.
4. Identify areas of support or grants from external private or public sources.
5. Eliminate or reduce the use of fossil fuel systems and seek to improve thermal efficiency across the estate.

### Delivery mechanism

1. Ensuring our assets are appropriately located to serve the Service and community needs.
2. Ensure new assets meet Climate Emergency pledges and reduce the consumption of embodied carbon in new build and refurbishment projects.
3. Proactively monitor performance of the portfolio and identify efficiency opportunities.
4. Explore the opportunities to use our land and buildings to generate renewable energy.

## Environmental impact

The council has a climate and nature emergency action plan, targeting a significant reduction in carbon emissions from our buildings, external uses (i.e. street lighting) and transport fuel.

Carbon emissions from our buildings form the majority of council’s total operation emissions and therefore how we manage, maintain, refurbish, redevelop or dispose of our buildings has great significance to the achievement of these aims.

The council owns a number of buildings of significant age which were designed to be used with heating and plumbing systems which have long become obsolete. In addition to their energy inefficiency, some of these buildings represent a significant revenue drain in terms of repairs and energy costs.

In such instances therefore, the net zero and value-for-money agendas reinforce each other and may point towards either redevelopment or disposal of our buildings, although this will have to be assessed on a case-by-case basis via the Asset Challenge Framework.

The Council will lead by example for the benefit of our community.

Key Data	
CO2 Tonnage*	261 tons
Electricity	£303,500
Gas	£75,570
Water	£144,620
Total utility spend	£523,690
*Electricity is procured as a renewable energy and is CO2 reporting exempt (205 Tons).	

The SAMP will be a key enabler in helping to deliver against the Council's carbon Net Zero ambition by:

- Seeking to deliver sustainable MMC (modern methods construction) projects in line with reducing carbon footprint and utilising more brownfield sites.
- Ensure new assets meet Climate Emergency pledges wherever possible
- Proactively monitor and benchmark performance of the portfolio and identify efficiency opportunities.
- Further optimisation of Building Management Systems (BMS) across our estate.
- Proactively improving the EPC ratings of our asset portfolio.

#### What has been achieved to date

- Delivery of Hardley Depot to BREEAM Excellent Standards (final outcome pending)
- Externally funded installation of 2 x Air source heat pumps at Appletree Court.
- Secured Salex funding of up to £1.8M for the Installation of solar PV panels, air source heat pumps, window replacement and lighting upgrades over a 3-year period at Applemore Leisure Centre.
- Majority externally funded installation of 8 x EV charging points at Appletree Court.

## Pillar five: To support economic growth, regeneration and prosperity

### SAMP objectives

1. We will work with key partners to:
  - Support our business base and economic centres to thrive and grow.
  - Support economic growth and regeneration across NFDC.
  - Revitalise town centres through regeneration/repurposing with a modern offering which fosters greater social interaction, community spirit, local identity and heritage.
2. We will manage our commercial portfolio effectively, balancing regeneration needs, job creation and income generation.
3. We will continue to consider direct delivery of affordable housing

### Delivery mechanism

1. Invest in sites that meets our needs, invest wisely in our towns and communities, help drive sustainable growth and attract wider private sector investments.
2. Dispose of assets that do not align to our requirements / priorities, are a liability, or will not generate a return on investment.

## Economic growth

The SAMP will support the District Council and wider business community across New Forest district by ensuring that Economic Development and Regeneration are embedded elements with the SAMP Objectives.

- Support long-term regeneration and growth of the district through strategic approach to development and management of Council's assets
- Ensure that wider regeneration and community benefits are derived from acquiring, developing and divesting assets
- Provide a framework and strategies for the development of assets for housing, transport, and parks
- Achieve wider regeneration benefits by sharing asset through one public estate initiative
- Contribute to the delivery sustainable housing growth by using Council's assets to control or shape developments with other sectors
- Support infrastructure and land assembly for regeneration projects
- Promote development sites for future growth
- Support the delivery of new developments and strategic needs
- Given scale of development needs look to assemble underused brownfield sites for commercial gain and better use of Council assets

### What has been achieved to date

- Delivery of Platinum Jubilee Business Park
- Refurbishment of Totton shopping arcade



## Priority projects

### Totton masterplan

The Council has also commissioned master planning work on Totton which will inform opportunities for regeneration including public realm, art and culture. Supporting businesses in part by way of an investment plan.

### The Solent Freeport

The Solent Freeport is a unique opportunity to bring sustainable economic growth to the NFDC district.

In particular, it provides the vehicle and focus to deliver the Council's Waterside visions, realising investment on sites of national significance.

Which includes several development sites giving businesses operating within the designated area access to tax benefits such as enhanced capital allowances. Forecasted benefits to the district include several thousand jobs and significant pooled retained business rates over 303ha of development land.

The Solent Freeport will:

- Be a hub for global trade and investment
- Promote regeneration and job creation
- Create hotbeds for innovation

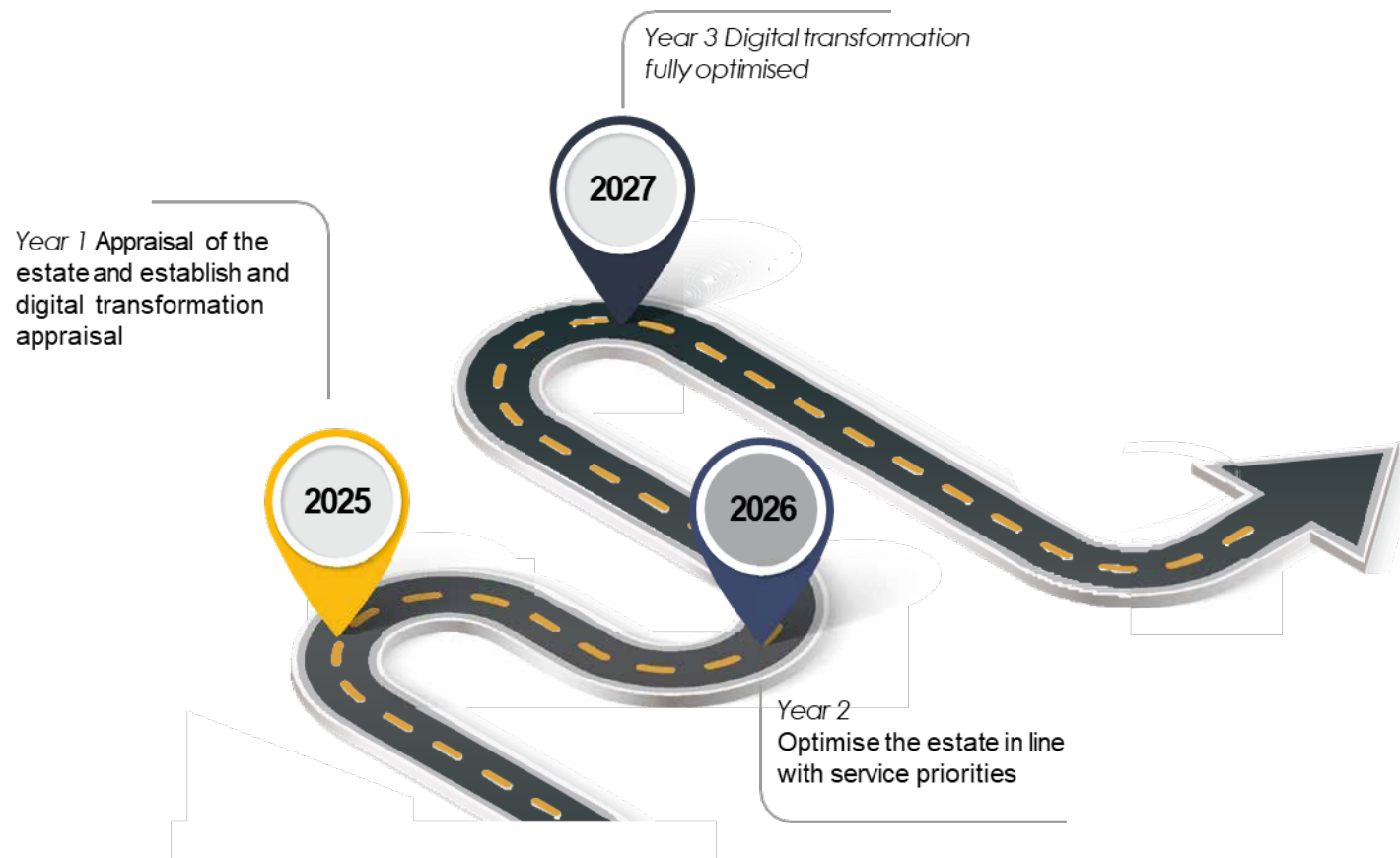
The Council should look to use existing assets to help support the delivery of the freeport such as providing mitigation land.



# Asset Management Action Plan 2025-2028

## SAMP Roadmap

To keep the asset management strategy relevant and aligned to changing corporate priorities, it will evolve over time. Each of the five pillars is supported by an Asset Management Action Plan with detailed objectives and actions.





## Five pillars headline plan

Pillar	Year 1	Year 2 - 3
Digital asset management	<ul style="list-style-type: none"> <li>Develop digital asset platform specification</li> <li>Digital systems market appraisal v inhouse solution</li> <li>Complete asset data refresh</li> <li>Introduce Key Performance Indicators</li> </ul>	<ul style="list-style-type: none"> <li>Estate optimisation development with service areas</li> <li>Establish core corporate programmes of work from estate optimisation</li> </ul>
Asset optimisation in support of corporate plan priorities	<ul style="list-style-type: none"> <li>Occupation and use of assets are reviewed, and asset framework challenge initialised</li> <li>Condition surveys and initial refurb / regen prioritisation undertaken</li> <li>Works underway for refurb / regen of initial prioritised assets</li> <li>Full lease review</li> </ul>	<ul style="list-style-type: none"> <li>Review and action plan for non-income generating non-operational assets</li> <li>Introduce measures to drive A low carbon public estate</li> <li>Maintenance programme underway according to prioritised schedule</li> </ul>
Working with partners and communities to promote efficient and effective service delivery	<ul style="list-style-type: none"> <li>Identify assets suitable for CAT</li> <li>Identify options for collaborative working with partners, including OPE</li> </ul>	<ul style="list-style-type: none"> <li>Progress 'quick-win' Community Asset Transfers (being mindful of LGR timeline and required governance)</li> </ul>
To reduce the environmental impact of council assets	<ul style="list-style-type: none"> <li>Define criteria for sustainability within portfolio</li> </ul>	<ul style="list-style-type: none"> <li>Embed energy efficient criteria to all projects</li> <li>Benchmark running costs of assets against the market</li> </ul>

	<ul style="list-style-type: none"> <li>• Optimise Building Management Control Systems</li> <li>• Identify avenues for additional green funding</li> </ul>	<ul style="list-style-type: none"> <li>• Deliver PSDS project</li> </ul>
To support economic growth, regeneration and prosperity	<ul style="list-style-type: none"> <li>• Totton Town Regeneration master planning</li> <li>• Continue engagement in Freeport</li> </ul>	<ul style="list-style-type: none"> <li>• Promotion of NFDC priorities within the Freeport program</li> </ul>

# Measuring success and performance

## Performance

Annually the priorities will be identified and appropriate performance measures applied. Each pillar will have specific key performance indicators with measurable targets.

Overall performance measures for this may include (but are not limited to):

### Appropriate data improvement relating to time, cost and quality

- Validation and quality of asset data
- Improvement in customer satisfaction results
- Continual process/procedure improvement based on feedback

### Assessment of asset performance

- Utilisation and improvement to operational requirement satisfaction
- Improvement in the rate of occupation of assets
- Improvement in appropriate financial target
- Reduction in operating costs

## Reduction in compliance and safety matters

- Compliance of the asset
- Time lost through assets not being adequately maintained
- Areas of risk to safety
- Energy performance
- Reactive vs Planned maintenance ratio
- Maintenance deficiency affecting service delivery
- Performance against budget

## Financial performance indicators for income and expenditure for the estate

- Returns that reflect risk exposure
- Asset utilisation
- Current cost of the estate
- Future cost of the estate
- Capital receipts realised against realistic targets

## Environmental performance targets

- Reduction in utility and energy usage

- Reduction in EPC
- Reduction in carbon emissions
- Percentage of land release
- Revenue savings

## Measures against targets appropriate to the regeneration projects

- Target delivery
- Use of s106 contributions measurement against outcomes

# Approach to governance

## Asset disposal governance

As part of the SAMP, land and property assets held by the council will be appraised and considered for disposal and potentially surplus to requirements if any of the following examples apply:

- The Asset Challenge Framework has been completed
- The Asset no longer makes a positive contribution to delivery of council services
- The revenue and capital demands to maintain far outweigh any income of financial or policy benefits
- Has no potential for future strategic regeneration and/or redevelopment purposes
- An alternative site can provide a more cost effective and efficient service
- No adopted and resourced council plan/policy/strategy, that could bring the asset into use in foreseeable future
- No potential advantageous shared use with partners (One Public estate/CAT)

The Council recognises that good governance is a key component of this strategy, so it is essential that all decisions to dispose of an asset must be subject to gateway approvals.

Each Gateway has clear owners and defined roles and responsibilities to progress matters and attain necessary approvals.

Full details are contained within the Asset Disposal Policy.

## Asset disposal governance matrix

Stage		Action	Responsible	Informed	Decision Point
1	Asset Challenge Framework	<ul style="list-style-type: none"> <li>Asset identified as surplus or underperforming. Potential better model of delivery</li> </ul>	Head of Estates and Facilities Management  Estates Manager	Strategic Director Corporate Resources & Transformation	
2	Internal Review	<ul style="list-style-type: none"> <li>Request Title Report, red line and terrier report to see if there any covenants, charitable land etc.</li> <li>Review details with transformation board</li> <li>Notification given to internal stakeholders of availability of asset</li> <li>What is the likely disposal timeframe?</li> <li>Is the asset suitable for community asset transfer. If “Yes” then consider potential CAT (follow CAT Policy)</li> </ul>	Legal	Service Manager  Transformation Board  Portfolio Holder  Ward Member	

		<ul style="list-style-type: none"> <li>If no suitable options prepare for disposal and place asset on surplus land/asset register</li> </ul>			
3	Preparation for Disposal – Capital Receipt	<ul style="list-style-type: none"> <li>Professional valuation (x 2 if &gt;£100k)</li> <li>Consult with Ward Members</li> <li>If Asset is an ‘Asset of Community Value’ then the community has 6 weeks to express an interest in buying</li> <li>Write Disposal Business Case paper for the disposal. To include scoring key decision scorecard</li> </ul>	Estates	Ward Member	Transformation Board
4	Approval to proceed with disposal	<ul style="list-style-type: none"> <li>Key decision if value &gt; £150k OR the asset covers multi-wards OR if high score is returned on key decision scorecard.</li> <li>Review Business Case Decision paper</li> <li>Agree any reserve valuation</li> </ul>	Strategic Director Corporate Resources & Transformation	Estates Ward Member	Transformation Board / Council
5	Property disposal	<ul style="list-style-type: none"> <li>Proceed with agreed disposal route</li> </ul>	Estates		



		<ul style="list-style-type: none"> <li>• If land is 'Open Space' then it will require additional steps outlined in the Disposal Policy</li> </ul>			
6	Evaluation and Council consultation	<ul style="list-style-type: none"> <li>• Review offers</li> <li>• Completion of Business Case Decision Paper with recommendations</li> <li>• Council consultation of submission/decision</li> <li>• Approve sale – depending on sale value and delegated level of authority.</li> </ul>	Estates Strategic Director Corporate Resources & Transformation		Transformation Board
7	Practical completion	<ul style="list-style-type: none"> <li>• Instructions to Legal preparing/completion of agreements</li> <li>• Receive Capital Receipt</li> </ul>	Legal		

## Community asset transfer governance

The community asset transfer (CAT) policy is a key enabler as part of the Council's Strategic Asset Management Plan (SAMP), ensuring property assets held by the council will be appraised and considered for use or transfer into the community.

The Council's portfolio of assets is varied in tenure and use and the pace of change in how the Council meets new and challenging service needs means the asset base must constantly evolve to respond to help improve and develop new delivery solutions.

The Council sees this challenge as an opportunity. There will be instances when Council owned community assets often used by VCOs (Voluntary or Community Organisation) are returned to the Council, become surplus to requirements, are functionally or economically obsolete or may have the opportunity of being more effectively run by the communities themselves. Further details are contained within the Community Asset Transfer Policy.

The principal aim of the Council's CAT is to ensure the efficient use of assets through community empowerment and also minimise costs through retention or transformation. The Council intends that suitable assets will be made available through the CAT process in a way that:

- Ensures compliance with legislation (e.g. Section 123 of the Local Government Act)
- Encourages community empowerment and pride
- Reduces holding costs, risks and related liabilities
- Demonstrates a fair and transparent process
- Helps develop strong, cohesive and sustainable communities
- Ensures sustainable CATs do not conflict with other community projects.

## Eligibility

Each organisation wishing to apply for CAT needs to meet the following criteria:

- Charitable or not-for-private-profit organisation
- Generate social, economic or environmental benefits which directly benefit the people of the New Forest District
- Benefit a wide and diverse a range of local people as possible
- Have the capacity and resources to manage the asset and have directors or committee members who have the necessary experience and skill

NOTE: We will continually make available assets available for transfer and provide a defined expression of interest form for interested parties to apply

## Community asset transfer governance matrix

Stage		Action	Responsible	Informed	Decision Point
1	Asset identification	<ul style="list-style-type: none"><li>• Potential CAT identified as part of the disposal process</li><li>• Preferred transfer route agreed. This could be an open marketed CAT or if better served by a singular organisation i.e. Town / Parish Council</li></ul>	Estates		

2	Preparation for CAT disposal	<ul style="list-style-type: none"> <li>Professional valuation (x 2 if &gt;£100k)</li> <li>Consult with Ward Members (20 working days)</li> <li>If Asset is an 'Asset of Community Value' then the community has 6 weeks to express an interest in the transfer</li> <li>Write Business Disposal Business Case paper for CAT</li> </ul>	Estates Strategic Director Corporate Resources & Transformation	Strategic Director Corporate Resources & Transformation Finance Portfolio Holder	
3	Approval to proceed with CAT	<ul style="list-style-type: none"> <li>Key decision if value &gt; £150k or the asset covers multi-wards. Or if a high score is returned on the CAT scorecard</li> <li>Review decision paper</li> <li>Agree any terms of transfer and route</li> </ul>	Strategic Director Corporate Resources & Transformation	Estates Ward Member	Transformation Board / Council
4	Expression of Interest	<ul style="list-style-type: none"> <li>Create information pack</li> <li>Advertise the opportunity (4 weeks) if applicable e.g. not for direct route freehold</li> <li>Receive informal enquiries</li> <li>Review and score informal expressions of interest</li> </ul>	Estates	Portfolio Holder Ward Member	

		<ul style="list-style-type: none"> <li>Selected organisations to submit business case</li> </ul>			
5	Formal Submissions of Interest/ Bids	<ul style="list-style-type: none"> <li>Inform organisation</li> <li>Receive formal enquiries</li> <li>Consult with Organisations</li> <li>Evaluation and scoring of bids</li> <li>Completion of Portfolio Holder Decision Paper with recommendations</li> <li>Council consultation of submission/decision</li> </ul>	Estates	Strategic Director Corporate Resources & Transformation Finance Portfolio Holder	Transformation Board
6	Evaluation and Council Consultation	<ul style="list-style-type: none"> <li>Presentation of business case and feasibility assessment by bidding organisation(s)</li> <li>Evaluation and scoring of bids</li> <li>Completion of Disposal Business Case Decision Paper with recommendations</li> <li>Council consultation of submission/decision</li> </ul>	Estates	Strategic Director Corporate Resources & Transformation Finance Portfolio Holder	
7	Practical Completion	<ul style="list-style-type: none"> <li>Instructions to Legal preparing/completion of agreements</li> </ul>	Legal		

8	Monitoring	<ul style="list-style-type: none"> <li>Monitoring arrangements post transfer</li> </ul>	Estates		
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## Asset investment / acquisition

The Council remains of the view that purchases of commercial properties and future development (including re-development of land or the repurposing of existing Council real estate) when made on a cautious and prudent basis will over time contribute to the Council's vision and priorities as set out in full in the Asset Investment Policy (which also outlines the governance arrangements in place).

Land and property interests should be considered for acquisition if the following circumstances apply:

- The acquisition will make a positive contribution to the current or future delivery of council services
- The acquisition has economical benefits in reducing occupational costs (revenue and capital)
- Asset meets minimum requirements of the Investment Policy
- The asset provides the opportunity promote or support economic activity with the New Forest District.
- To achieve the minimum evaluation requirement of yield, that is to ensure the income from the investment does not place an additional financial burden on the General Fund
- Option appraisal has been undertaken which highlights acquisition as the most economic and efficient means of service delivery, for council and wider public services
- The acquisition of the interest has potential for future strategic regeneration and/or redevelopment or contributes to wider corporate objectives and appropriate funding has been identified.

## Major development and capital project governance

A key principle of the 'Strategic Asset Management and Major Developments' delivery programme is to ensure the Councils capital investments are managed effectively through the adoption of a streamlined gateway review process that will ensure that:

- Money is well invested
- Proposals are thoroughly assessed and align with SAMP and Corporate objectives
- Projects and Programmes are delivered on time, to budget and quality
- Change is delivered to a high standard (efficiently and controlled)
- Benefits and project outcomes are clearly defined and tracked
- Projects have been through appropriate approval process at key defined stages (Can't pass through a gateway without necessary approval)
- Capital spend assessments are looked at quarterly to review the gross position, liability and risks to council and partners
- Communications are improved with clear accountability and responsibility matrix defined on all projects

The annual project 'bid' process as included within the budget preparation cycle, and the gateway stages as included within Contract Standing Orders provide the necessary governance to ensure rigorous program approval and delivery.

Appendix – Plan on a page





# Asset Disposal Policy

## Estates, Valuation and Facilities

27<sup>th</sup> May 2025

Version number Version 3.0

Version	Author	Date	Changes made
Version 1	John Cooper	20/04/25	Initial document
Version 2	John cooper	14/05/25	Changes to format and order of the document
Version 3	John Cooper	27/05/25	Removal of Roles and Responsibilities section Consultation table inserted (Section 4.9) Addition of Key Decision scorecard (Appendix 5) Addition of Bid balanced scorecard (Appendix 6)

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# 1. Introduction

- 1.1 This policy sets out the core principles to be applied when considering land or property for disposal. Whilst the primary focus of this document is to provide key policy guidance for officers, elected members, businesses and the general public, it is important to note that each individual case will be assessed on its own merits and nothing in this document binds the Council into any particular course of action when dealing with the portfolio. Alternative methods of disposal, not specifically mentioned in this policy, may be used where appropriate and subject to obtaining proper authority.
- 1.2 The disposal or relinquishment of surplus or underperforming council land and property assets is a key part of New Forest District Council's ("the council") strategy to meet the aims outlined in its Corporate Plan 2024-2028 and also forms a key part of the Strategic Asset Management Plan (SAMP) which identifies how the use of assets will feed into the Corporate Plan.
- 1.3 A definition of an asset disposal for the purposes of this Policy includes the sale of a freehold interest, an assignment or grant of a lease for more than 7 years, and the granting of easements and options. Leases of less than 7 years or an assignment of a term with less than 7 years to run which are exempt from the statutory requirement to obtain best consideration, are outside of this policy, although in such cases there will be a general presumption that Officers will follow the policy's principles.
- 1.4 The policy document will ensure that a common, robust disposal and governance process is adopted in order to support effective property disposal decision making within the council and to ensure that requests to purchase council-owned assets are dealt with in a fair and consistent manner.
- 1.5 The policy is not intended to apply to leases where a tenant has a statutory right of renewal, or statutory easements and wayleaves granted to utility companies unless there is clear public interest in which case the Portfolio Holder for Corporate Resources will be consulted.
- 1.6 The aims of this policy are:
  - a) To set out procedures that council officers will follow when dealing with disposals, to ensure they are dealt with in a consistent and transparent way. There will be exceptional circumstances when officers may need to depart from the procedures set out in the Policy depending upon the circumstances of a disposal.
  - b) All actions recommended within this disposal policy document will strive to promote the disposal of assets in a way that positively supports the delivery of the council's Corporate Plan 2024-2028.

- c) To enable actual and latent capital value tied up in potentially surplus assets to be realised.
- d) To eliminate / minimising future liabilities through the disposal of non core assets.
- e) To maximise the proceeds or land use benefit from disposals for the benefit of the council and its community.

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## 2. The Legislative and regulatory context

- 2.1 A Local Authority may dispose of land it owns as it wishes; however, any disposal is subject to compliance with certain statutory provisions. Section 123 Local Government Act 1972 ('s123') imposes the overriding duty to obtain the best consideration that can reasonably be obtained for relevant disposals of land.
- 2.2 For the purposes of Section 123, a disposal includes the sale of a freehold, granting a lease, assigning any unexpired term of a lease and the grant of an easement. It may also extend to the grant of an option to purchase a freehold or to take a lease. Section 123 does not apply to the grant of a short-term tenancy of less than 7 years or an assignment of an existing term with no more than 7 years to run.
- 2.3 The Local Government Act 1972 general disposal consent (England) 2003 provides a mechanism for Local Authorities to proceed with disposals at an undervalue, without the need for specific consent from the Secretary of State, subject to conditions. Examples may include those where the local authority considers that such disposal will help to secure the promotion or improvement of the economic, social or environmental well-being of its area; although this should not be considered an overriding factor.
- 2.4 The general consent is subject to a condition that the undervalue does not exceed £2 million. The undervalue is calculated by assessing the difference between the market value of the land or property (known as the unrestricted value) and the actual consideration received. If the under-value exceeds £2 million or the authority considers for any other reason that the general consent cannot be applied to the disposal, then specific consent from the Secretary of State must be obtained for the disposal to proceed.
- 2.5 Open Space: Section 10 of the Open Spaces Act 1906 states: "A local authority who have acquired any estate or interest or control over any open space or burial ground under this Act shall, subject to any conditions under which the estate, interest or control was acquired:
  - (a) hold and administer the open space or burial ground in trust to allow, and with a view to, the enjoyment thereof by the public as an open space within the meaning of this Act and under proper control and regulation and for no other purpose; and
  - (b) maintain and keep the open space or burial ground in a good and decent state..."
- 2.6 The provisions regarding the disposal of Common Land require consent from the Secretary of State and replacement land to be made available where the area of land to be sold exceeds 200m<sup>2</sup>.

- 2.7 European Commission Communication on State Aid elements in sales of land and buildings by public authorities (97/C 209/03) – also known as the 'State Aid Rules'.
- 2.8 RICS Valuation – Professional Standards 2019 UK VPGA 17 – Local authority disposal for less than best consideration. (updated Jan 2019)
- 2.9 Crichton Rules - In 2015 the Department for Communities and Local Government updated a circular entitled "Compulsory Purchase and the Crichton Down Rules" which prescribed the way in which all Government departments and executive agencies that are subject to a power of direction from a Minister must manage the disposal of land previously acquired by the use of compulsory powers. Local authorities, which are not subject to a ministerial power of direction, are not subject to such a prescription but are still recommended to also follow the rules.
- 2.10 In particular the General Rule of these guidelines states that "where a department wishes to dispose of land to which the Rules apply, former owners will, as a general rule, be given the first opportunity to repurchase the land previously in their ownership, provided that its character has not materially changed since acquisition." Disposals to former owners under these arrangements will be at current market value.

## 3. Definitions

- 3.1 **Common Land:** is land subject to rights enjoyed by one or more persons to take or use part of a piece of land or of the produce of a piece of land which is owned by someone else – these rights are referred to as 'rights of common'. Those entitled to exercise such rights were called commoners.
- 3.2 **Community Asset Transfer:** The transfer of an interest in property and or land from the council to a community group, or Town or Parish Council to secure community benefits.
- 3.3 **Disposal:** For the purposes of this policy, a disposal of property is considered to be a disposal if it consists of the transfer of the freehold interest or the surrender, assignment of a leasehold interest held by the council.
- 3.4 **Freehold:** means to own a property, including the land it's built on, with no fixed time limit.
- 3.5 **Leasehold:** is a property that you own for a fixed length of time. The land that the property sits on is usually owned by the freeholder.
- 3.6 **One Public Estate (OPE):** is a national programme that supports locally-led partnerships of public sector bodies to collaborate around their public service delivery strategies and estate needs. The programme is jointly managed by Cabinet Office and the Local Government Association. The aim of the programme is to help partners to repurpose surplus public estate for housing, regeneration, and other locally determined uses.
- 3.7 **Open Space:** is defined in the Town and Country Planning Act 1990 as any land 'laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground'. It is generally considered to be a valuable community resource, to be enjoyed by the wider community and there will be a general presumption against the disposal of these assets.
- 3.8 **Royal Institute of Chartered Surveyors (RICS):** Is the official body of property professionals that issues and monitor the standards of a chartered surveyor. All RICS accredited surveyors must pass a thorough process before they receive their chartered status.
- 3.9 **Strategic Asset Management Plan (SAMP):** is a documented statement of intent and planning tool. It specifies how the Council's objectives are to be converted into asset management objectives and describes the approach for achieving those objectives.



## 4. Main body

### 4.1 Overview

4.1.1 The council owns many properties ranging in type and size with a portfolio including offices, shops, and leisure and community centres as well as parcels of land such as parks and amenity space.

4.1.2 The council utilises its property in several ways, including:

- Operational accommodation for corporate use.
- The provision of residents' health and wellbeing facilities through managed leisure centres and swimming pools, outdoor sports pitches and parkland and nature reserve facilities.
- Encouragement of economic development in the district through the provision of commercial property to let, resulting in subsequent income generation.
- Car parks provided to ensure a joined-up approach to traffic management, strategic planning, and economic development.
- The provision of community space for community events and club meetings, exercise classes, children's parties, and community meetings.
- The holding of property as an investment to produce an income.

4.1.3 As part of its SAMP, the Council will ongoingly review the purpose, value and condition of its assets and consider whether a business case for disposing of an asset should be explored. The decision-making process will be informed by its Asset Challenge Framework (**Appendix 1**) that will enable officers to consider the relative value of assets within its portfolio, considering financial value alongside operational, environmental, social, economic and community values. The process may include assets that are no longer needed by the Council, are unaffordable to repair, or that are unlikely to be required for any future use. Alternatively, the Council may consider assets that provide a benefit that is disproportionate to the opportunity cost of capital tied up in the asset.

4.1.4 The Disposal policy is a key enabler as part of the Council's Strategic Asset Management Plan (SAMP), ensuring property assets held by the council will be appraised and considered for disposal and potentially surplus to requirements. Furthermore, assets may be deemed surplus to the Council's requirement following the policy principles.

- The asset no longer makes a positive contribution to delivery of council services
- The revenue and capital demands to maintain far outweigh any income, financial or policy benefits

- Has no potential for future strategic regeneration and/or redevelopment purposes
- An alternative site can provide a more cost effective and efficient service
- No adopted and resourced Council plan/policy/ strategy, that could bring the asset into use in foreseeable future
- No potential advantageous shared use with partners (One Public estate/CAT)
- The asset does not contribute towards the Council's commitment to delivering and maintaining a zero-carbon, energy efficient estate.
- The property or land is surplus to operational requirements and if sold would therefore contribute to the Council's financial sustainability

4.1.5 It should be noted that some land or property assets which meet the 'surplus' or 'underperforming' criteria may still be held by the council with the aim of enabling long term development or future infrastructure projects, as part of wider strategic regeneration or place shaping. Further, some property disposals may be compulsory transfers driven by statute rather than the identification of surplus or underperforming assets.

4.1.6 Once confirmed as surplus and a prospect for disposal via the Asset Challenge Framework, the property should be logged on the council's surplus land register.

4.1.7 The Estates team also receives a number of requests to purchase small parcels of land for use either as an example, gardens or for parking purposes the process for dealing with these is set out in **Appendix 2**.

## 4.2 Definition of A Disposal

4.2.1 For the purposes of this policy, a disposal of property is considered to be a disposal if it consists of the transfer of the freehold interest or the surrender, assignment of a leasehold interest held by the council.

4.2.2 In respect of the grant of new leases these will not be considered to be a disposal (but they will be de-recognised from the council's fixed assets and added to long-term debtors in the balance sheet) where the following applies: -

- The grant of leases to community groups charities or other organisations where the primary objective is the provision of a service to the community.
- In respect of properties held at least partially for investment purposes unless it is for an unbroken lease term in excess of 25 years

## 4.3 Governance

4.3.1 The Council recognises that good governance is a key component of this policy. The below table details the various stages, actions required and responsible person(s). Note these can also run concurrently.

Stage	Action	Responsible Person(s)	Informed	Decision Point
Stage 1	Asset Challenge Framework	Head of Estates and FM Estates Manager	Strategic Director Corporate Resources & Transformation	
Stage 2	Internal Review	Legal	Service Manager Transformation Board Portfolio Holder Ward Member	
Stage 3	Preparation for Disposal – Capital Receipt	Estates	Ward Member	Transformation Board
Stage 4	Approval to proceed with disposal	Strategic Director Corporate Resources & Transformation	Estates Ward Member	Transformation Board / Council
Stage 5	Property Disposal	Estates		
Stage 6	Evaluation and Council Consultation	Estates  Strategic Director Corporate Resources & Transformation		Transformation Board
Stage 7	Practical completion	Legal		

## 4.4 Internal Review

- 4.4.1 Once confirmed on the surplus land register the asset should then be internally reviewed and shared with the Transformation Board.
- 4.4.2 The council's Legal department should be engaged at an early stage to produce a report on title for the asset to be disposed of, to include any rights or obligations which might affect it. Consideration should also be given as to whether there is an obligation to offer the land back to a former owner under the Crichel Down Rules (see **Appendix 4 – Crichel Down Rules**) or whether the property has been the subject of funding in the past, which requires the repayment of grant monies.
- 4.4.3 The title report may highlight any restrictions in relation to future use or disposal routes for the asset. These will need to be considered and evaluated prior to proceeding further with any disposal.
- 4.4.4 Reasons to consider disposal of an asset via Community Asset Transfer may include:
- Supporting the third-party organisation to continue delivery of a key activity for residents when the transfer will allow the organisation to bid for and secure funds and/or to support a more sustainable business model.
  - Supporting the third-party organisation to deliver a specific service in line with the council's objectives where the service can best be provided through a council-owned asset.
  - Protecting a heritage or otherwise important council asset that may fall into disrepair if stewardship is not provided by a third sector organisation.
  - When a Town Parish/Council or third-party organisation is considered to be best placed to provide an alternative delivery model for an existing council service from an existing council-owned asset.
- 4.4.5 If the asset is suitable for Community Asset Transfer, then the Community Asset process should be considered.
- 4.4.6 Estates should seek to inspect the site in order to assess any development potential and any matter, such as on-site physical constraints, that is likely to materially affect the disposal. In addition, and where relevant, building condition surveys, health and safety certification and Environmental Performance Certificates should be collated (through Facilities Management/Property helpdesk) and the VAT position should be established (through Finance).

## 4.5 Preparation for Disposal

- 4.5.1 Before deciding whether to formally dispose of land or property, a business case decision paper setting out all relevant information should be produced.

- 4.5.2 An internal or external valuation should be completed by a RICS registered valuer early within the process. Where an asset is likely to be valued at more than £100,000 two valuations will be required one of which will be external. There may be some instances where an offer may be accepted conditional on a satisfactory valuation being obtained.
- 4.5.3 Where development potential has been identified, engagement with the council's Planning department should be made in order to establish the authorised use of the property and what potential alternative uses might be considered in order to assess the means by which maximum sale proceeds can be generated.
- 4.5.4 Where the council wishes to ensure a desired use of the property to achieve its policy objectives, it will be necessary to introduce absolute user clauses (in leases) and restrictive covenants (for sales) where appropriate. Overage and clawback provisions might also be considered, in order that the council might share in the benefits of any future increase in value due to a more alternative planning consent being secured by the purchaser of any property.
- 4.5.5 There is a need for continual liaison/communication with all stakeholders between a property being declared surplus and the completion of a disposal. In particular, the party responsible for the day-to-day management of the property is to be kept regularly informed of developments to an agreed timescale.
- 4.5.6 The council should, in most cases, seek to obtain the best consideration by the most appropriate method of disposal. To protect the council's interest in the event of subsequent (onward) sales, it should include where appropriate, the right for the council to have a 'first call' on the property in the event of a proposed subsequent sale (to be based on the council paying no more than the original transfer amount). As well as the clawback or overage clauses and restrictive covenants mentioned earlier, ransom strip retention or user rights may also be introduced where relevant.
- 4.5.7 Where a property is deemed unsuitable or unviable for use by either a partner organisation or the local community, then the council should proceed to market disposal following the due authority process.

## 4.6 Disposal Business Case

- 5.6.1 The Council recognises that good governance is a key component of this Policy, so it is essential that all decisions to dispose of an asset must be subject to a full business case report that will include a minimum set of requirements, including:

- The financial case for a disposal - this must show holding costs and potential savings and any loss in rental income.
- Proposed timing of the disposal - likely marketing and due diligence/legal work prior to exchange. Any conditional sales should include estimated timelines and longstop dates for planning etc.
- Method of disposal – this will be chosen to reflect the nature of the property and consider the best way to maximise value and minimise holding costs.
- Impact[s] risks of the disposal – financial, reputational, political, operational, etc.
- Evidence of an independent valuation to show that best consideration is guaranteed. This must be obtained from an RICS qualified Registered Valuer. On occasion this may be provided by a suitably qualified internal surveyor but will normally be provided externally.
- A market assessment by a suitably qualified agent.
- Options Appraisal – which covers all options considered.
- Estimated cost of sales and any budgetary approval required. This will include any legal, agents and cost of specialist reports, marketing material etc.
- Confirmation of deliverability of sale – where required. For example, if staff, public or other consultations are required, and the likely timescales.

## 4.7 Approval To Proceed with Disposal

- 4.7.1 Dependant on set criteria the delegated authority to approve the business case and disposal will be assessed on a case-by-case basis
- 4.7.2 A copy of the Key Decision Scorecard (**Appendix 5**) should completed and be included in any disposal business case. This will determine the delegated authority route for the approval of disposal.

### Minor Disposal

- 4.7.3 A minor disposal will include land parcels and value of less than £10,000
- 4.7.4 A minor disposal can be authorised by the Strategic Director Corporate Resources & Transformation

### General Disposal

- 4.7.5 This covers asset value between £10,000 and £149,999 and covers 1 ward.
- 4.7.6 A General disposal can be authorised by

## Key Decision Disposal

4.7.7 A key decision will be required if the following criteria is met

- The value of the asset is greater than £150k
- The asset covers more than one ward

4.7.8 A key decision will be authorised by

## 4.8 Methods of Disposal

4.8.1 A key consideration when seeking the appropriate authority to dispose of an asset is its method of disposal. The methods of sale generally adopted are set out below but these are not exhaustive, and alternative methods which are not listed below may be used to deal with unusual disposals.

4.8.2 All land and property assets which are released for disposal will be fully marketed except for disposals to nominated and special purchasers (see below), which will be sold by private treaty negotiation.

BASIS	METHOD	When to adopt
<b>Open market</b>	Private Treaty	Limited interest and narrow valuation band. The most common form of concluding a sale and one used for all types of properties mainly as it affords the seller the greatest degree of flexibility and time. Can have a closing date and by progress by the way of informal tender where considerable interest is shown during marketing
	Auction	Wide interest anticipated, no obvious purchaser and easy to allocate a reserve. Speed and best price can be demonstrated. Effectively promotes an immediate sale.  Often appropriate for residential assets not suitable for third party lending, land sales where there is limited prospect of development or alternative use and commercial property investments.  Requires 'up front' authority to allow setting of appropriate reserve and may result in no sale if reserve is not met.
	Formal Tender	Wide interest, land ownership not complex, no uncertainties regarding the grant of planning consent and any obligations that are to be placed on a purchaser are clear and capable of specification in advance.

		Not commonly used due to its complex nature and the rigid structure of the formal tender process.
	Informal Tender	<p>To identify a preferred bidder and enable further detailed terms or proposals for development to be negotiated.</p> <p>Appropriate for sales where there are uncertainties (particularly planning) and for large or complex development or regeneration sites and where the proposal may need to be developed in co-operation with the council to achieve best consideration.</p> <p>Allows for the use of conditional contracts, including clauses which allow for further sums to become payable (clawback) upon the grant of planning in the future or improvement in market conditions (overage).</p>
<b>Special purchaser</b>		<p>Sale to adjoining owner where special circumstances prevail.</p> <p>Typical examples include a conditional disposal where the council is selling for a particular purpose (i.e., to a developer for regeneration or to a nominated housing association for social housing development) or where there is a small area in size and value and the adjoining or locally located landowner is the only potential or likely purchaser (e.g., for garden extension).</p>
		<p>Sale to former owners under the Crichel Down Rules.</p> <p>See <b>Appendix 4 – Crichel Down Rules.</b></p>



- 4.8.3 Until a legally binding contract has been entered into, the council has a duty to consider any late offers or bids. This should be made clear to any prospective purchaser when disposing of land by private sale or negotiated/informal tender. In considering late bids, the council should take into account the likelihood of the late bid proceeding to completion in a timely manner and the possibility of it being used as a spoiling or delaying tactic, and the council may reject bids for sound commercial reasons such as these. In cases where the council does not wish to exercise any control over the future use of the property, other than through the planning process, then the disposal of the freehold will obtain the best price. However, where the council wants to exercise some control of the future use of the land, a leasehold disposal for a term necessary to ensure the satisfactory completion of the scheme is usually required.
- 4.8.4 In the case of the latter, these are often highly complex agreements and a development agreement will usually be entered into before a formal disposal is concluded – plus, in many instances, a Section 106 Agreement (setting out conditions and contributions to the community through the planning system). Major regeneration disposals are now more commonly negotiated by dedicated teams of valuation, finance and legal professionals representing local authorities, it is recommended that the property disposal and S106 Agreement are negotiated in tandem by appropriate private sector specialists for these types of disposals, in order to maximise the benefits to the council.

## 4.9 Consultation

- 4.9.1 The following consultation will be required during the Disposal process

Consult With	Comment	Length of Time
<b>Ward Members</b>	<ul style="list-style-type: none"> <li>During the disposal preparation stages. This is to gauge feedback for the disposal. This feedback will be included in the disposal business case</li> <li>Before disposing of surplus land or property and the release or variation of restrictive covenants</li> <li>As part of the process for advertising the disposal of 'public open space'</li> <li>Before submitting planning applications on Council owned land</li> <li>Before a report goes to Cabinet or Cabinet Committee / Transformation Board – Assets on land and property within their Ward</li> <li></li> </ul>	20 days
<b>Portfolio Holder</b>	<ul style="list-style-type: none"> <li>During the preparation and disposal stages. This is to gauge feedback for the disposal. This feedback will be included in the disposal business case</li> </ul>	
<b>Community</b>	<ul style="list-style-type: none"> <li>If the asset is registered as an asset of community value. The Community has the right to raise finance, develop a plan and make a bid to acquire the asset</li> </ul>	6 months

<b>General Public</b>	<ul style="list-style-type: none"> <li>If the asset is available for open market. This needs advertising</li> </ul>	4 weeks

## 4.10 Property Disposal

5.10.1 An appropriate marketing strategy will be developed for use by either the inhouse Estates team or external agents undertaking the disposal, with all costs (legal, consultants, marketing, and agency fees) being charged against the receipt.

5.10.2 Marketing materials will be produced in draft form whether inhouse or by the appointed disposal agent the latter for approval by the Estates Manager and arrangements made for the erection of a 'For Sale' board where appropriate.

5.10.3 Where formal sales particulars are prepared these will be forwarded, as a minimum, to:

- Relevant ward members
- Be posted on the council website page
- Any relevant potential buyers whose interest is registered on the 'Disposal Enquiries Register'
- The relevant town or parish council clerk.

5.10.4 This list is not exhaustive, and the relevant member of the Estates team will determine other appropriate recipients on a case-by-case basis to ensure as broad exposure as possible.

5.10.5 Consideration should be given to advertising the availability of the property on social media and the local press/property websites.

5.10.6 All negotiations for disposal should be conducted by a suitably qualified property professional, preferably a member of the Royal Institution of Chartered Surveyors.

5.10.8 If appropriate, for example a community group together with a developer submit a bid to acquire the asset and assessment of potential purchasers will be conducted by way of an appropriate weighted scoring matrix (this will ensure compliance with S123 requirements), like the one attached as **Appendix 6.**

5.10.9 Once a purchaser is found, following confirmation in respect of proof of funding and ability to proceed then Heads of Terms (subject to contract) are to be agreed. The necessary authority to dispose will be sought at this point in accordance with the approved governance.

5.10.10 Websites/marketing boards should be updated to reflect the property sale

5.10.11 The Legal team should be instructed by the relevant Property surveyor to prepare the relevant legal documentation.

## 4.11 Public Open Space and Common land

- 4.11.1 Disposal of land which is, or forms part of an area of Public Open Space or Common Land (excludes amenity land), is subject to special rules and procedures. **(see Appendix 3)** Before disposing of such areas, the Council is obliged to publish the intention to dispose and consider any representations which are subsequently received. Publication is to be considered for a 2 week period via the local press
- 4.11.2 The provisions regarding the disposal of Common Land require consent from the Secretary of State and replacement land to be made available where the area of land to be sold exceeds 200m<sup>2</sup>.

## 4.12 Best Consideration

- 4.12.1 Best consideration is not necessarily the highest financial offer available, it can also reflect the substance and strength of any supporting information submitted with an offer including the financial security of a bidder and the commitment of the bidder to a proposed scheme (except in the case of an auction).
- 4.12.2 The Council will comply with normal and prudent commercial practices including obtaining the view of a professionally qualified valuer as to the likely financial consideration that can be expected for any disposal and the most appropriate method of disposal to encourage bidders to offer the best consideration; where time and available budgets allow, two valuations is considered best practice to demonstrate best value.
- 4.12.3 The Council must test whether an offer is the best that can reasonably be obtained having regards to any restrictions or the effect on value of any conditions placed on the use of the land, including whether the offer under consideration is reliable, advice on possible changes to the price that may flow from changes to the planning position etc. The Valuer should also consider the most appropriate pricing structure. It may be appropriate to use an overage arrangement, whereby the Council receives future payments representing any uplift in value of the land/property once it has been developed / sold on.
- 4.12.4 Overage provisions negotiations can be complex, so it would be sensible to discuss the preferred structure with the legal adviser and valuer prior to agreeing terms of the disposal. A calculation of the overage that the Council is likely to receive and the likelihood of that sum being correct given changing market conditions will be essential to assessing the business case for disposal of surplus property.
- 4.12.5 In determining whether or not to dispose of land for less than best consideration, the Council will ensure that it complies with normal and prudent commercial practices, including obtaining the view of a professionally qualified valuer as to the likely amount of the undervalue. Any decision to sell at an undervalue will be made by the Portfolio Holder.

## 4.13 Disposal Terms

- 4.13.1 Wherever possible, the Council will endeavor to keep land and property disposals simple and cost effective for both parties. For certain types of disposals, it may be necessary for the Council to impose terms which are considered necessary to protect the Council's interests. Such terms may include:
- 4.13.2 **Development Obligations** – The Council generally will only dispose of strategic development land for identified development proposals. Where appropriate, the Council will impose obligations to commence and complete the proposed development within a reasonable timescale backed up with an option for the Council to re purchase the land.
- 4.13.3 **Development Option Agreements** – Development agreements will be used for the disposal of strategic development sites where the principal aim of the disposal is to facilitate regeneration benefits from a particular scheme.
- 4.13.4 **Overage and claw back** – Where appropriate, disposals will include provisions for securing a share of future enhanced values through the use of overage and claw back clauses.

## 4.14 Fee Recovery

- 4.14.1 Where appropriate, the Council will seek to recover from third parties, its reasonable legal, surveying and administrative costs incurred in dealing with all matters involving the non-operational portfolio. The fee recovery will be determined on a case by case basis.

## 4.15 Other Considerations

- 4.15.1 In most cases, disposals of land will fall outside the scope of the Public Contracts Regulations 2015. However, if as part of the disposal the Council is involved in determining the scope of future development of its land and its intention is to impose on the purchaser certain obligations as to the nature of the development, possibly including certain standards to which the works must be constructed then the result may be that procurement rules will apply.
- 4.15.2 The Estates Team must consider the possibility of public procurement rules applying to any disposal and in all such cases must refer the matter to Legal and Procurement for comment before proceeding further with the proposed disposal.

# Appendices

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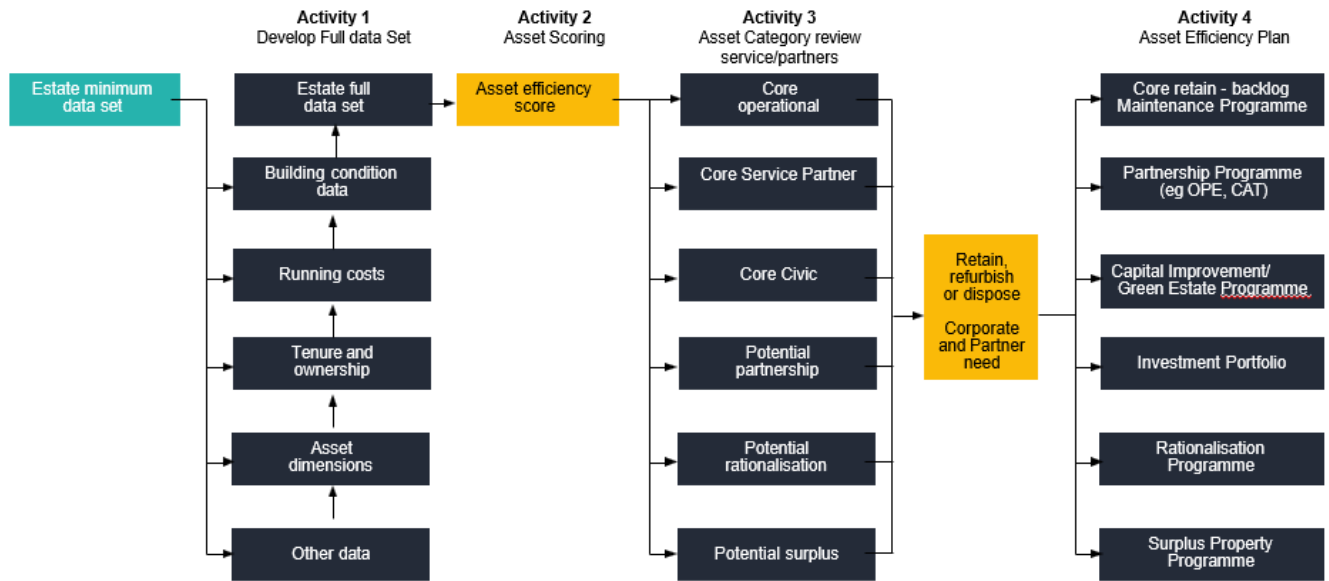
# APPENDIX 1

## Identify Surplus Assets through the Asset Challenge Framework

### 1.0 Background

- 1.1 The process of estate optimisation aims to identify and prioritise those sub-portfolios that have the greatest potential to release savings. Core data for each building within the NFDC's portfolio including running costs, value, condition and backlog maintenance, suitability assessments and future need ratings will be reviewed.
- 1.2 Using this process, those portfolios with high revenue spend and/or those portfolios subject to significant business change can be identified and subjected to a more detailed analysis and opportunity assessment.
- 1.3 The process to undertake the estate optimisation as outlined in the diagram below. The outcome of this review will include:
  - Financial analysis of the estate
  - Potential revenue impact and capital generation opportunities
  - Ranked by the potential impact (low/medium/high) and ease of implementation (quick/medium/long term)
  - Quick wins which would help release existing liabilities
  - Longer term initiatives which may substantially change the way the estate is managed
  - Recommendations and next steps for how the opportunities could be delivered
- 1.4 Following identification of assets that are suitable for potential disposal the Corporate Asset Disposal Policy process will then be followed.

Strategic Purpose	Opportunities and Risks	Performance Appraisal	Options Appraisal	Pre-Implementation Consultation	Outcome
<ul style="list-style-type: none"> <li>Why do we have the asset?</li> <li>What is its strategic purpose?</li> <li>Who is accountable for performance of it?</li> <li>What do we expect of it?</li> <li>Is this financial, non-financial or both?</li> <li>How do we measure its performance against purpose?</li> </ul>	<ul style="list-style-type: none"> <li>Are there any opportunities that could be developed?</li> <li>Are there any blockages to exploiting these opportunities?</li> <li>Any there any risks to overcome?</li> </ul>	<ul style="list-style-type: none"> <li>What is the financial performance being delivered?</li> <li>Can non-financial benefits be quantified?</li> <li>What are the management costs?</li> <li>Are there any invisible costs?</li> </ul>	<ul style="list-style-type: none"> <li>Balance of performance opportunities and risks?</li> <li>What options are available?</li> <li>What are the relative costs and benefits of these options?</li> <li>Do any options present increased risks?</li> </ul>	<ul style="list-style-type: none"> <li>Internal stakeholders</li> <li>External stakeholders and partners</li> </ul>	<ul style="list-style-type: none"> <li>Retained</li> <li>Repurposed/Recycled</li> <li>Disposed (Asset Transfer or Open Market)</li> </ul>



# APPENDIX 2

## ENQUIRIES FOR MINOR LAND DISPOSALS

### 1.0 Background

- 1.1 The Estates team receives a number of requests to purchase land for use either as gardens or for parking purposes. The challenges facing the council are to respond to enquiries in a timely way and to achieve a balanced and consistent approach to applications so as to ensure that disposals if they do occur do not have unintended consequences for adjacent occupiers and landowners.
- 1.2 This sets out how disposals of small parcels of land, which typically may be council-owned amenity land, can be agreed/progressed.
- 1.3 The attached procedure for disposing of parcels of council-owned land strikes a balance by setting out a transparent process for assessing applications and a fee and charges process so that the costs of considering an application are met.

### 2.0 Procedure

- 2.1 In cases where an enquiry is made to the council for the sale of a piece of land by a neighbouring owner and the land is surplus to requirements, 9 Asset Challenge Framework) is unlikely to have any developable or open market opportunity for sale and has a market value of less than £10,000, it is permissible in these instances with the agreement of the Strategic Director Corporate Resources & Transformation to adopt 'confined negotiations' with the adjacent or neighbouring owner to achieve the most advantageous financial result or for reasons of good estate management (e.g. if the land is 'landlocked' or is difficult or expensive to maintain).
- 2.2 Furthermore, it is likely that the sale of such parcels of land will be considered where:
  - There is a broader community benefit to the disposal e.g. rationalisation of small parcels of 'backland' open space, either rarely used or often misused.
  - There are management/financial issues for the council e.g. that the land is costly to maintain.
  - The enquiring party has extenuating circumstances e.g. there are health grounds in relation to the application and/or progressing the sale of the land would improve the quality of life and would not adversely affect the quality of life of others in the neighbourhood.
- 2.3 These owners are considered 'special purchasers' as these particular assets have special value to those owners only – the advantages arising from the ownership of a particular piece of land would unlikely be available to other buyers in a market. It may also be in the council's interest to initiate and/or



pursue these minor disposals in order to reduce the ongoing maintenance liabilities and obligations associated with holding these (sometimes isolated) pockets of land.

2.4 Each request should be dealt with on a case-by-case basis, but the following should be considered in every request:

- A requirement to get obtain the 'best price' for the parcel of land
- Whether any pre-emption rights exist
- Whether market testing has or should take place
- How the land is accessed (can the enquiring party gain access without going over other council-owned property)?
- What the land is required for
- Environmental impact following any disposal
- Whether the land is a ransom-strip
- Whether a disposal of the land would have a negative or positive impact on council operations or services, including maintenance
- Would the disposal have a detrimental impact on the remaining land, where only a proportion has been requested
- Is there any relevant historical background to the land?
- Should any restrictive covenants or special conditions be attached to the disposal?
- Is the land to be disposed of a revenue generating asset?

# APPENDIX 3

## PUBLIC OPEN SPACE DISPOSALS

### 1.0 Background

- 1.1 Section 10 of the Open Spaces Act 1906 states: "A local authority who have acquired any estate or interest or control over any open space or burial ground under this Act shall, subject to any conditions under which the estate, interest or control was acquired:
  - (a) hold and administer the open space or burial ground in trust to allow, and with a view to, the enjoyment thereof by the public as an open space within the meaning of this Act and under proper control and regulation and for no other purpose; and
  - (b) maintain and keep the open space or burial ground in a good and decent state..."
- 1.2 The case of *Muir v Wandsworth Borough Council* [2017] EWHC 1947 (Admin) (28 July 2017) provided guidance to local authorities on the scope of the restrictions that apply to disposals of open spaces.
- 1.3 Further, open space is defined in the Town and Country Planning Act 1990 as any land 'laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground'. It is generally considered to be a valuable community resource, to be enjoyed by the wider community and there will be a general presumption against the disposal of these assets.
- 1.4 The council will not normally dispose of any core recreational open spaces by way of freehold transfers, but may consider applications for the disposal of 'incidental' open space and areas of landscaping, particularly where it will improve the management of land benefitting the wider public or where a disposal would remedy the anomalies of past land sales, acquisitions and transfers.
- 1.5 It is anticipated that potential disposals of this 'incidental' land to enquiring parties will generally follow the principles outlined in Appendix 2 (Enquiries for Minor Land Disposals) with the requirement that any proposed disposal of public open space be adequately advertised.

### 2.0 Procedure

- 2.1 In the event that a disposal of 'incidental' public space is proposed (typically where the area in question does not provide a valued opportunity for sport, recreation or leisure), there is a legal requirement for the council to give notice of the intention to dispose by placing a notice in a local newspaper for two consecutive weeks and consider any objections that are received as a result.
- 2.2 All costs of advertising the proposed sale must be met by the (if applicable) by the enquiring party.

- 2.3 Any objections that are received must be adequately considered.
- 2.4 In agreeing to the disposal of such land, the council should consider whether the personal safety for users of any remaining nearby open space will be detrimentally affected (e.g., where a narrow alleyway is created). Furthermore, sales which lead to a loss or destruction of the visual quality of the surrounding area should not be contemplated unless there are covenants imposed on the sale to retain the open nature of the landscaped area and/or to require certain standards of new boundary fencing, walling or delineation are met.

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# APPENDIX 4

## CRICHEL DOWN RULES

### 1.0 Background

- 1.1 In 2015 the Department for Communities and Local Government updated a circular entitled “Compulsory Purchase and the Crichel Down Rules” which prescribed the way in which all Government departments and executive agencies that are subject to a power of direction from a Minister must manage the disposal of land previously acquired by the use of compulsory powers. Local authorities, which are not subject to a ministerial power of direction, are not subject to such a prescription but are still recommended to also follow the rules.
- 1.2 In particular the General Rule of these guidelines states that “where a department wishes to dispose of land to which the Rules apply, former owners will, as a general rule, be given the first opportunity to repurchase the land previously in their ownership, provided that its character has not materially changed since acquisition.” Disposals to former owners under these arrangements will be at current market value.
- 1.3 This principle was established in the 1954 Crichel Down case and has been used as a guideline ever since.
- 1.4 It is recommended that the council has regard to these rules when disposing of land that was formerly acquired by compulsory means subject to the following guidance.

### 2.0 Stage 1 Identification of land

- 2.1 Crichel Down rules relate to land that has been compulsorily acquired by the council and is no longer required, subject to the following exceptions:
  - Agricultural land acquired before the 1st April 1935.
  - Agricultural land acquired on or after the 30 October 1992 that becomes surplus to requirements more than 25 years after its acquisition.
  - Non-agricultural land that becomes surplus and available for disposal more than 25 years after its acquisition.
  - Land which has materially changed since acquisition.
  - Land where boundaries of agricultural land have been obliterated.
- 2.2 The date of acquisition is the date of the conveyance, transfer, or vesting declaration.

- 2.3 There is also an exception in relation to the disposal of small areas of land where the attempted identification of an absent former owner who has now disposed of his/her interest in land adjacent to the subject property would be out of proportion to the value of the land. Only where the current market value of the subject is likely to exceed the value of £25,000 will the council be obliged to take steps as specified within the Rules to identify a previous owner.
- 2.4 Despite these exceptions it is acknowledged it may still be appropriate to first offer to the adjacent landowner unless there are overriding local circumstances or best value may not be achieved.
- 2.5 Recent guidance indicates that the Rules will not apply where land is to be transferred to another body which is to take over some or all of the functions or obligations of the authority that currently owns the land. In this case the transfer itself does not constitute a “disposal” for the purpose of the Rules.
- 2.6 Disposals for the purposes of Private Finance Initiative/Private Public Partnership projects also do not fall within the Rules and the position of any land surplus once the project has been completed would be subject to the Private Finance Initiative/Private Public Partnership contract.

## 3.0 Stage 2 Consultation

- 3.1 Consultation shall take place with the Transformation Board.
- 3.2 Local Authorities as previously stated are not under a statutory obligation to comply with the Criche Down rules. Therefore, any compliance with these rules will be at the discretion of Head of Development and Regeneration in consultation with the Head of Legal and Democratic.
- 3.3 For instance where it is concluded that there is an overriding local or community interest such as a disposal to a parish council, registered charity or other properly constituted body where best value may not be achieved, then upon the direction of the Strategic Director Corporate Resources & Transformation disposal may proceed to such a body even when it was not the former owner of the property.

# APPENDIX 5

## KEY DECISION SCORECARD

A copy of this completed scorecard should be included in any disposal business case. If the answer to any of these questions is YES, then a key decision requires to be made.

If the answer to statement 3 is YES. The asset maybe suitable for a Community Asset Transfer

Statement		Yes / No
<b>1</b>	Is the valuation of the asset greater than £150,00?	
<b>2</b>	Does the asset cover 2 or more wards?	
<b>3</b>	Is the asset predominantly used on a regular basis by the community or booked for community use and benefit?	
<b>4</b>	Is there potential for reduced community benefit post transfer?	

## APPENDIX 6

### BID BALANCED SCORECARD

Bidder	Price	Score (60)	Due Diligence	Score (15)	Community Value	Score (25)	Total

# Community Asset Transfer Policy

## Estates, Valuation and Facilities

27<sup>th</sup> May 2025

Version number Version 3.0

Version	Author	Date	Changes made
Version 1	John Cooper	10/03/25	Initial document
Version 2	John Cooper	14/05/25	Changes to format and order of the document
Version 3	John Cooper	27/05/25	Removal of Roles and Responsibilities Section CAT Scorecard decision card (Appendix 2) Various minor section updates



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# 1 Introduction

- 1.1 New Forest District Council (the Council) has a variety of assets and facilities under different tenure including public, voluntary and private ownership many of which are hosted and used by different groups often for community led activities such as community centres, public conveniences and other recreational assets.
- 1.2 The aims of this policy are:
  - a) To identify the process and tools for the Council to follow when it considers the transfer of its buildings or land to different forms of community ownership. It will ensure the Council can work in a consistent manner when embarking on a community asset transfer.
  - b) To establish the nature of the organisations to which the Council will consider an asset transfer, the basis of the transfer and how requests will be processed.
  - c) To establish a thorough and transparent process that is to be completed prior to any transfer being undertaken.
  - d) To define the legal form a transfer agreement would take.
- 1.3 This policy outlines key information on Community Asset Transfers and is supported by annexes giving further information including a guide to the application process. These annexes will be updated as the application process is refined.
- 1.4 This policy and any associated annexes are not intended to provide advice to individual organisations about their rights or capabilities for stewardship of Council property. Each organisation should seek their own professional advice when considering whether to make an application.

## 2 Legislative and regulatory context

- 2.1 The Quirk Review in 2007 'Making Assets Work – Community Management and Ownership of Public Assets', recommended that community asset transfer can work if both its risks and benefits are made clear. It also highlighted the transfer process itself can offer greater access to funding and greater use of community facilities.
- 2.2 The Localism Act 2011 and the Governments subsequent policy agendas to create stronger links with voluntary and third or not for profit sector organisations enables local authorities to establish processes to formalise these arrangements. In doing so one way of achieving this is for the Council to transfer the ownership of and/or management of land or buildings to a Voluntary or Community Organisation VCO through the mechanism of a Community Asset Transfer (CAT).
- 2.3 Section 123 of the Local Government Act 1972 requires the Council to obtain best consideration when disposing of land and property. Whilst each CAT proposal will be assessed on its merits, due to the requirement to comply with Section 123 and to ensure that transferred assets continue to be used for community benefit, disposals for CAT will mostly take the form of a lease agreement transfer.
- 2.4 Under the same section of the Local Government Act, the Council is also required to publicly advertise any proposed disposal of public open space and to consider any responses prior to determining whether to proceed with the transfer. This will, therefore, be an additional step that must be undertaken where requests are received to transfer any public open space. Any objections received will be reported to the relevant Lead Cabinet Member for consideration.
- 2.5 Before entering into any CAT, the Council may need to satisfy itself that the transfer does not contravene State Aid legislation.
- 2.6 Whilst a Community Asset Transfer is not a legal requirement and its use is at the discretion of the Council, it is however a legitimate process which the Council may employ when it recognises that the voluntary sector is best placed to host community facilities as their management is often aligned and more responsive to the day to day needs of local communities businesses and the general public, it is important to note that each individual case will be assessed on its own merits and nothing in this document binds the Council into any particular course of action when dealing with the portfolio.
- 2.7 A Community Asset Transfer is a transfer of an interest in council owned property and/or land to a community organisation, including Town & Parish Councils, in exchange for securing community benefits. The Council already has many partnerships and agreements with community organisations but will consider new applications where these will bring benefits to our communities and contribute towards the Council's aims and objectives.

- 2.8 TUPE: The Transfer of Undertakings (Protection of Employment) Regulations, were introduced in 2006 to protect the rights of employees when the organisation they are employed by is acquired by a new organisation or when there is a change in service provider. Commonly known as TUPE, their purpose is to automatically transfer employees and any associated liabilities, such as pension contributions from one employer to another following an acquisition or transfer of services.

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### 3 Definitions

1. Community Assets: Land and Buildings determined by the Council as being held primarily for Community Use.
2. Community Asset Transfer (CAT): The transfer of an interest in property and or land from the council to a community group or Town or Parish Council to secure community benefits.
3. Community Voluntary Sector (CVS): CVSes are a type of local infrastructure organisation, which were established across the country after the First World War. At the time, a shortage of housing, jobs and food, economic difficulties and a general mood of disillusionment led to an increase in charitable activity, and a call to improve cooperation between voluntary and statutory bodies. The role of a CVS is to ensure that local voluntary, community and social enterprise organisations are well supported.
4. Strategic Asset Management Plan (SAMP): is a documented statement of intent and planning tool. It specifies how the Council's objectives are to be converted into asset management objectives and describes the approach for achieving those objectives.
5. Transparency Report (Property and Land): The councils published list of property holdings.
6. Community organisation/Third Sector Organisations (TSO): A formally constituted not for profit group.
7. TUPE: The Transfer of Undertakings (Protection of Employment)
8. Voluntary or Community Organisation (VCO): are organisations whose primary purpose is to create social impact rather than profit. For the purposes of community grants schemes, a voluntary or community organisation is defined as a formal organisation that has a formally constituted character. This excludes informal groups, households, families, and friends Interest in land and or property: A licence, lease and or freehold interest in land and or property.

## 4 Main body

### 4.1 Overview

- 4.1.1 The Council's portfolio of assets is varied in tenure and use and the pace of change in how the Council meets new and challenging service needs means the asset base must constantly evolve to respond to help improve and develop new delivery solutions. The Council sees this challenge as an opportunity. There will be instances when Council owned community assets often used by VCOs (Voluntary or Community Organisation) are returned to the Council, become surplus to requirements, are functionally or economically obsolete or may have the opportunity of being more effectively run by the communities themselves.
- 4.1.2 The Council's Corporate Plan 2024 - 2028 confirms a key commitment to Caring for our facilities, neighbourhoods and open spaces in a modern and responsive way. The transfer of assets to local community focused organisations, including Town and Parish Councils, can support delivery of this commitment, bringing about wider benefits to the community, Council and organisation taking ownership.
- 4.1.3 The principal aim of the Council's CAT is to ensure the efficient use of assets through community empowerment and minimise costs through retention or transformation. The Council intends that suitable assets will be made available through the CAT process in a way that:
- Encourages community empowerment and pride
  - Helps develop strong, cohesive and sustainable communities
  - Demonstrates a fair and transparent process
  - Ensures sustainable CATs do not conflict with other community projects
  - Reduces holding costs, risks and related liabilities
- 4.14 This Policy principally focuses on one type of property transfer, the category of Council owned community assets. Assets not held for community purposes will only be considered under this policy if determined appropriate by the Strategic Director.
- 4.15 This Policy contributes to the Council's objectives by providing direction to interested organisations to support them in what is a complex subject and to signpost them to other information which may assist in their decision on whether to apply.
- 4.16 Third sector organisations or groups based and operating within the New Forest District will be considered (for suitable assets) by the Council. Such organisations may take the form of town or parish councils, local community groups, charitable or not-for-profit organisations, co-operatives or community benefit industrial and provident societies.

4.17 The establishment of this policy provides the Council and its community partners with an approach to the future use and management of such assets operated for public benefit through community asset ownership and management. This will help:

- Define when Community Asset Transfer is appropriate.
- Ensure the process is transparent.
- Ensure consistency in approach to assessments.
- Focus on securing social, economic, and environmental benefits.

## 5.1 Assets Considered Suitable for a CAT

5.1.1 The Council holds land and property assets for a variety of purposes and not all of these can be considered for Community Asset Transfer.

5.1.2 The Council must also balance the needs of the community and its commitment to CAT against its need to generate capital receipts in order to invest in essential council projects. Therefore, certain assets which have the potential to generate capital receipts for the Council may not be considered suitable for transfer.

5.1.3 The Councils SAMP provides further information as to how these decisions are reached.

5.1.4 Some assets will remain under Council ownership to support the delivery of essential services, continue to provide an income to the Council or support economic activity in an area.

5.1.5 Assets no longer required by the Council for direct service delivery, together with assets already let to community groups may be considered for CAT.

5.1.6 Whilst not exhaustive these assets may include public halls, community centres, play areas and some areas of open space.

5.1.7 Other assets identified by Council Officers (through the Asset Management Challenge Framework) as being surplus to requirement or underperforming may also be considered.

5.1.8 Not all assets will be capable of transfer to third party organisations and circumstances of where Community Asset Transfers may not be possible are given as examples below:

- The asset is surplus but proceeds of sale are required as a capital receipt to fund the council's capital programme.
- The asset is held by the council to earn revenue in the form of rental/receipts income which in turn is used to fund service delivery.
- Land and property which forms part of the investment estate is held by the Council for income generation or capital growth.
- The asset is held for regeneration projects.
- The asset is held to support housing requirements.
- The asset is required for operational purposes for use by the council.



- The legal title to the land is encumbered by restrictive covenants.
- The asset was gifted to the Council for educational, leisure or other charitable purposes.

5.1.9 Each application for eligible transfer will be considered on a case-by-case basis against criteria outlined in the policy. A CAT application will be prioritised in line with service/business needs and priorities of the Council; therefore, some will progress more quickly than others.

## 5.2 Governance Process

5.2.1 The Council recognises that good governance is a key component of this strategy. The below table details the various stages, actions required and responsible person(s). Note these can also run concurrently.

Stage	Action	Responsible Person(s)	Informed	Decision Point
Stage 1	Asset Identification	<ul style="list-style-type: none"> <li>• Potential CAT identified as part of the Disposal process</li> <li>• Preferred transfer route agreed. This could be an Open Marketed CAT or if better served by a singular organisation ie. Town / Parish Council</li> </ul>	Estates	
Stage 2	Preparation for Disposal	<ul style="list-style-type: none"> <li>• Professional valuation (x 2 if &gt;£100k)</li> <li>• Consult with Ward Members</li> <li>• If Asset is an 'Asset of Community Value' then the community has 6 weeks to express an interest in the transfer</li> <li>• Write Disposal Business Case Decision paper for CAT</li> </ul>	Estates Strategic Director Corporate Resources & Transformation	Strategic Director Corporate Resources & Transformation Finance Portfolio holder
Stage 3	Approval to proceed with CAT	<ul style="list-style-type: none"> <li>• Key decision if value &gt; £150k or the asset covers multi-wards. Or if a high score is returned on the CAT scorecard</li> <li>• Review Decision paper</li> <li>• Agree any terms of transfer and route</li> </ul>	Estates Strategic Director Corporate Resources & Transformation	Ward Member Transformation Board / Council
Stage 4	Expression of Interest	<ul style="list-style-type: none"> <li>• Create Information pack</li> <li>• Advertise the opportunity (4 weeks) if applicable – eg . not for direct route freehold</li> <li>• Receive informal enquiries</li> <li>• Review and score informal expressions of interest</li> <li>• Selected organisations to submit business case</li> </ul>	Estates	Portfolio holder Ward Member
Stage 5	Formal Submissions of Interest/Bids	<ul style="list-style-type: none"> <li>• Inform organisation</li> <li>• Receive formal enquiries</li> <li>• Consult with Organisations</li> <li>• Evaluation and scoring of bids</li> <li>• Completion of Disposal Business Case Decision Paper with recommendations</li> </ul>	Estates	Strategic Director Corporate Resources & Transformation Portfolio holder Transformation Board

		• Council consultation of submission/decision			
Stage 6	Evaluation and Council Consultation	<ul style="list-style-type: none"> <li>• Presentation of business case and feasibility assessment by bidding organisation(s)</li> <li>• Evaluation and scoring of bids</li> <li>• Completion of Disposal Business Case Decision Paper with recommendations</li> <li>• Council consultation of submission/decision</li> </ul>	Estates	Strategic Director Corporate Resources & Transformation Portfolio holder	
Stage 7	Practical Completion	• Instructions to Legal preparing/completion of agreements	Legal		
Stage 8	Monitoring	• Monitoring arrangements post transfer.	Estates		

## 5.3 Council Initial Review of an Asset

5.3.1 When a community asset is no longer viable, is returned to the Council or it has been assessed that there is an opportunity for the community to run and manage a facility more effectively, then the Council will conduct an initial review of future options for the asset including whether it is appropriate for transfer.

5.3.2 Following an option appraisal (Asset Challenge Framework – See Strategic Asset Management Plan (SAMP)) the community asset transfer will be assessed in balance against other possible outcomes, that include: -

- Disposal
- Retention/reinvestment within the council
- Change of use

5.3.3 Reasons for the disposal of an asset via Community Asset Transfer may include:

- Supporting the third-party organisation to continue delivery of a key activity for residents/ community when the transfer will allow the organisation to bid for and secure funds and/or to support a more sustainable business model.
- Supporting the third-party organisation to deliver a specific service in line with the council's objectives where the service can best be provided through a council-owned asset.
- The asset is regularly used by the community / community groups and delivery by a third party will be deemed beneficial to the community.
- Protecting a heritage or otherwise important council asset that may fall into disrepair if stewardship is not provided by a third sector organisation.

- When a Town Parish/Council or third-party organisation is considered to be best placed to provide an alternative delivery model for an existing council service from an existing council-owned asset.

5.3.4 The table below summaries the benefits of a Community Asset Transfer:

Benefits to the Community	Benefits to the Council	Benefits to a Third-Party Organisation
<ul style="list-style-type: none"> <li>• Increased/improved local based service provision</li> </ul>	<ul style="list-style-type: none"> <li>• More efficient use of a public sector asset.</li> <li>• The use of volunteers and their local knowledge and hands-on management can result in lower overheads and value to the community.</li> </ul>	<ul style="list-style-type: none"> <li>• Increased sustainability for organisations and increased leverage with other public and private sector organisations.</li> <li>• A well-managed asset can provide a third sector organisation with greater financial viability and reduce dependency on grants</li> </ul>
<ul style="list-style-type: none"> <li>• Improved sense of community identity / pride and potential for greater community cohesion</li> </ul>	<ul style="list-style-type: none"> <li>• Enable external organisations to complement public service provision in ways that are more responsive and better related to local need</li> </ul>	<ul style="list-style-type: none"> <li>• Enables an external organisation to apply for funding that is not available to the council and/or even to secure loan finance on the value of the asset</li> </ul>
<ul style="list-style-type: none"> <li>• Potential to provide additional jobs , training and business opportunities locally</li> </ul>	<ul style="list-style-type: none"> <li>• Enables effective partnerships between public sector and third sector organisations to enhance local services</li> </ul>	<ul style="list-style-type: none"> <li>• Facilities collaboration and resource sharing amongst organisations</li> </ul>
<ul style="list-style-type: none"> <li>• Contribute to physical regeneration</li> </ul>		
<ul style="list-style-type: none"> <li>• Potential to increase skills, confidence and aspirations locally</li> </ul>		

5.3.5 The Council is under no obligation to release any assets under this policy with the full and final decision being taken in accordance with the governance process as outlined within this policy.

## 5.4 Approval To Proceed with Disposal

5.4.1 Dependant on set criteria the delegated authority to approve the business case and disposal will be assessed on a case-by-case basis

5.4.2 A copy of the CAT Key Decision Scorecard (**Appendix 2**) should completed and be included in any CAT disposal business case. This will determine the delegated authority route for the approval of disposal.

## General CAT Disposal

5.4.3 This covers asset value up to £149,999 and covers 1 ward.

5.4.4 A General CAT can be authorised by

## Key Decision CAT Disposal

5.4.5 A key decision will be required if the following criteria is met

- The value of the asset is greater than £150k  
or
- The asset covers more than one ward

5.4.6 A key decision scorecard will be completed prior to proceeding with any disposal. This will provide guidance on the correct governance route.

5.4.7 A key decision will be authorised by

## 5.5 Consultation

5.5.1 The following consultation will be required during the CAT process

Consult With	Comment	Length of Time
<b>Ward Members</b>	<ul style="list-style-type: none"> <li>• During the disposal preparation stages. This is to gauge feedback for the CAT</li> <li>• Before a report goes to Cabinet or Cabinet Committee / Transformation Board – Assets on land and property within their Ward</li> </ul>	20 days
<b>Portfolio Holder</b>	<ul style="list-style-type: none"> <li>• During the preparation and disposal stages. This is to gauge feedback for the disposal. This feedback will be included in the disposal business case</li> </ul>	
<b>Community</b>	If the asset is registered as an asset of community value	6 weeks
<b>General Public</b>	If the asset is available for open market CAT. This needs advertising	4 weeks

## 5.6 What Criteria will the council use to consider a Directly Awarded Community Asset Transfer?

- 5.6.1 It may be decided at the initial stage following the Asset Challenge Framework that a Town/Parish or similar organisation has been identified as better suited for the delivery of services for the benefit of the community through a Community Asset Transfer. In this instance direct discussions between parties will be instigated.
- 5.6.2 Following discussions the outcome will be:
- Directly award the CAT
  - Market the Asset to all third-party organisations
  - Do not proceed with the CAT and the Council retains the asset

## 5.7 What Criteria will the council use to consider a Community Asset Transfer?

- 5.7.1 Interested third party organisations will be invited to provide a business case, demonstrating their capacity and experience to manage the facility and show how they can contribute to the council's corporate objectives.
- 5.7.2 Organisations which strive to improve the wellbeing of the whole community or those which include the co-location of several organisations will be encouraged in this respect.
- 5.7.3 When applying for a CAT, the applicant should provide a thorough business case that demonstrate how it will:
- Generate social, economic or environmental benefits which directly benefit the people of the New Forest District as a whole.
  - Generate a clear community or social demand which will benefit as wide and diverse a range of local people as possible.
  - Implement robust systems, governance and policies, as evidenced by a recognised quality mark or business standard.
  - Be managed and have directors or committee members who have the necessary experience and skills. Including details of contingency arrangements should the transfer prove unsustainable.
  - Have viable proposals in place to access capital and create future revenue streams to support the ongoing management and maintenance of the asset as well as the running of the project itself.
  - Contribute towards the Council's corporate objectives, community priorities and those of the Council's strategic partners, including a statement of benefits and outcomes and how performance of these will be measured.
  - Not duplicate or negatively impact on other services or facilities already provided in the local community.

## 5.8 Information Packs

5.8.1 As part of the marketing of the asset an information pack will be developed. This will include (where applicable)

- Asset description, construction date and construction type
- Photograph(s) of the asset
- Plan Drawings
- Red line plans
- Condition survey (ideally current and forward planning)
- Asbestos report
- Running costs, planned and reactive maintenance

## 5.9 TUPE

5.9.1 Due to the nature of some transfers there maybe TUPE implications. It will be the Councils responsibility to determine any employees that will be affected by TUPE during any transfer.

5.9.2 Establishing whether the test is satisfied can be difficult in a case where employees are not assigned to a particular property. The rule of thumb that an employee who spends more than 50% of their working time on duties relating to a particular property will transfer.

5.9.3 The table below provides guidelines on responsibilities of both organisations:

Responsibility of the Council	Responsibility of the TSO
<ul style="list-style-type: none"> <li>• Identify whether any employees are employed at the property, and establish by whom they are employed</li> </ul>	<ul style="list-style-type: none"> <li>• Obtain sufficient information to understand whether employees will transfer under TUPE and, if so, what their terms and conditions of employment are</li> </ul>
<ul style="list-style-type: none"> <li>• Understand the terms of any lease contract with TSO and who is responsible if an employee is made redundant</li> </ul>	<ul style="list-style-type: none"> <li>• Analyse whether any changes to terms and conditions will be necessary</li> </ul>
<ul style="list-style-type: none"> <li>• Provide employee liability information as required under TUPE</li> </ul>	<ul style="list-style-type: none"> <li>• Inform the council about any "measures" that will affect the employees post-transfer</li> </ul>
<ul style="list-style-type: none"> <li>• Carry out an information and consultation process with affected employees or their representatives</li> </ul>	<ul style="list-style-type: none"> <li>• Obtain contractual indemnities and warranties from the Council</li> </ul>
<ul style="list-style-type: none"> <li>• Obtain contractual indemnities from the transferring organisation</li> </ul>	

5.9.4 Human Resources will be engaged to determine if TUPE applies.

## 5.10 Tenure Arrangements

5.10.1 The mechanism for transferring the council's community assets is not limited but recommended on a case-by-case basis. Generally, estates will provide a recommendation on the appropriate transfer tenure in line with the governance process. It is likely to take place through either a:

- Long lease
- Short lease
- Freehold transfer
- Licence to occupy
- Management Agreement

5.10.2 If an official transfer is not deemed appropriate the CAT application will be refused but the Council may recommend one of the following types of agreements if they would like to support the proposal.

- Community Use Agreement – protects community use of an asset.
- Management Agreement – leasing asset along with contract and service specification
- Licence to Occupy

5.10.3 All parties will be responsible for their own costs in relation to the transfer unless the Council decides otherwise.

## 5.11 Duration of Lease Agreements Granted

5.11.1 The council will review the needs of the transferee organisation, the condition of the asset to be transferred, and the requirements of any funding arrangements. The duration of any agreement will be determined with consideration to:

- Any future requirements by the council
- The organisations business plan (where applicable)
- Financial standing and capacity of the organisation
- Experience and capacity of organisation to manage the asset
- The condition and status of the asset

5.11.2 The Council will normally only grant leases to organisations that have governance in place to prevent distribution of assets to members (asset lock) and will contain clauses that prevent the asset being used for other than community benefit.

5.11.3 Consideration will also be given in relation to the lease length to enable the transferee organisation access to grants and funding. For example and not exclusive to:

- Sports England
- Third Party Grants / Funding

- 5.11.4 Community Asset Transfer agreements or leases will include a service agreement that will explain the expected benefits of the community asset including any requirement for use of the asset by local neighbourhood groups or residents for other local events or lawful activities
- 5.11.5 Agreements will be drafted to prevent the asset being assigned or sold for unintended financial gain and at expense of community agreed benefits.
- 5.11.6 Additionally, agreements will include clauses to ensure return of the asset to the council if service agreements and other covenants, are breached or for instance cases of the organisation becoming insolvent or facing dissolution.
- 5.11.7 Whilst casual hirings and lettings will be permitted, any longer-term arrangements with third parties will require the Council's express approval to ensure that the property remains available for the purpose it was released.

## 5.12 Asset Condition

- 5.12.1 Assets will be transferred in their current condition.
- 5.12.2 The transfer agreement will include responsibility for maintaining the asset, any repairs required conditional upon completing the agreement, insurance obligations and other outgoings for the building.
- 5.12.3 Periodic site inspections will take place to ensure the terms of the agreement are being met (property condition and compliance/safety standards are satisfactory) if not the agreement may be terminated.
- 5.12.4 The Council would encourage and welcome investment in assets made available to community groups and, in some cases, may require applicants to raise or bid for external funding to enable investment in the asset as a condition of the transfer. However, any proposed major works (except on a Freehold transfer) would require the Council's prior approval, the purpose again being to ensure that the property remains suitable for the use for which it was released (or any subsequently agreed variation).

## 5.14 What should the Application for CAT contain?

- 5.14.1 For guidance for bidding organisations the below highlights areas to be covered within their respective applications and presentations and should be considered in conjunction with the Expression of Interest documentation contained in Appendix 1.
  - Full details of the identified needs that will be met by the CAT.
  - Clear evidence of the capacity and experience of the TSO to manage and develop the asset, using the Expression of Interest toolkit as a guide (example in Appendix 1).



- Detailed evidence that the CAT is financially sustainable over the life of the business plan and will not incur future financial liabilities for the council, eg cash flow forecasts, projected utilisation rates, and details of any financial support secured from or pledged by funders and lenders.
- Details of the anticipated benefits that the CAT will produce and how these will be measured.
- Details of the type of CAT and lease terms sought.
- Evidence of support from council officers or departments, council members, other local stakeholders and potential funders.
- A robust risk assessment of the CAT and details of alternative arrangements in the event that the CAT proves unrealistic or not sustainable.

## 5.15 Application/Decision process

- 5.15.1 If there are several parties interested in pursuing an asset that is available for transfer, then the Council will first encourage collaboration between the different organisations. Where this may not be possible the outcome will be determined by a competitive process with the successful organisation becoming the Council's partner in the transfer.
- 5.15.2 Depending on business needs/priorities, some applications may progress faster than others, but it is still important that the applicant follows the process and provides the necessary evidence, and any additional information as and when required, to support the application at the different stages.
- 5.15.3 The Assessment of the application will be carried out using various council resources including the most appropriate method for the process e.g. balanced scorecard, a panel of relevant Council leads may be convened to discuss the application and reach consensus before making recommendations in accordance with the governance process.
- 5.15.4 Council Officers will need to consult with local ward members on any proposals within their ward area.

# Appendices

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# Appendix 1

## Expression of Interest – Application Form

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**New Forest**  
DISTRICT COUNCIL

## Community Asset Transfer Proposal

<Insert Building Name>

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# Invitation to Submit Proposals

## Introduction

New Forest District Council is prepared to receive proposals from community organisations based in the New Forest District, on the future running of <insert building name and address here>.

The successful organisation will be invited to enter into a full repair and insure lease with New Forest District Council in respect of the above property. The specific terms of the lease will be dependent upon the nature of the successful bid and will be negotiated with the successful applicant on completion of this process.

Organisations may be invited to work together to deliver services from the premises and we encourage partnership or consortium proposals.

Organisations wishing to submit a proposal will be required to detail their plans for the asset by completing the <attached form> / <using the form available at web address>.

Each organisation's response should be detailed enough to allow the Council to evaluate whether the bid represents good value for money and meets the criteria set out in this document.

If you wish to arrange a viewing of the building, please contact <named officer> on <insert email and phone number>.

A detailed information pack in relation to this asset can be found on the New Forest District Community Asset Transfer web page < web address>.

## Who can apply?

To be eligible your organisation must:

1. Have a governing document such as a constitution or articles of association.
2. Be based in the New Forest District, preferably with a track-record of working in the <insert town/parish> area.
3. Have a board of trustees or directors comprising people that live and work in New Forest District (not relevant to a Town or Parish Council).
4. Be a not-for-profit organisation – this includes voluntary and community organisations, co-operatives and mutual societies, non-governmental organisations which are value driven and which principally invest their surpluses to further social, environmental or cultural objectives.
5. Be an incorporated organisation or be willing to incorporate in order to sign a lease. Community leases must be in the name of your organisation, rather than a named individual. If you are unsure what this means for your organisation, please contact XXXCVS for additional advice.

## Your proposal

Your proposal should demonstrate:

- That your proposals are focused on the needs of the community.
- You should demonstrate that there is a gap in existing services and/or proven demand for existing services / activities.
- Support from the local community for your proposals. You must demonstrate that your proposals are supported by local people - this could be through a petition, responses to a questionnaire exercise you have completed locally, a needs assessment you have carried out etc.
- Your organisation's history and experience of developing and delivering a range of services to a diverse community.
- Your organisation's track record of managing a similar asset. This should include your estimates of the cost of managing this asset sustainably and how you will secure sufficient funding to meet them.

Your organisation should produce a business plan that details some or all of these requirements. You are required to provide a copy of your business plan in support of your application, but you may also wish to cut and paste information from your business plan into the following form to demonstrate how you will meet these requirements.

## Timetable

The deadline for submitting your proposal is <insert deadline>. Following this a panel of senior officers from the council will score each application and liaise with local councillors to select the organisation that will provide the best selection of services to the local community.

You maybe requested during this process to provide a presentation in relation to your organisation and proposal.

You will be notified of the outcome of your proposal <insert date>.

## Queries relating to this document.

If you have any queries regarding this document or process, please contact <named officer> on <insert email and phone number>.

Please note however, we cannot offer advice on how to write your proposal or the strength of your proposal. If you need support to complete your proposal, help is available from XXXCVS, who can be contacted on XXXXXXXX or at email address

## Section 1 - Organisation Details

Contact details and status of organisation

1.1	Full name of organisation:
1.2	Date organisation was formed:
1.3	Contact details
	Address:
	Contact name:
	Position in organisation:
	Phone Number:
	Fax Number:
	E-Mail Address:
1.4	Please state what the key aims and objectives of your organisation are:
1.5	Please outline how your organisation is governed (i.e., are you a registered charity, a charitable incorporated organisation, a community interest company etc).

<p>1.6</p> <p>a</p> <p>b</p> <p>c</p> <p>d</p> <p>e</p>	<p>Please provide examples of the following documents in support of your application:</p> <p>Your governing document</p> <p>Your most recent accounts</p> <p>Evidence of a bank account in the name of the organisation</p> <p>Evidence that your trustees or directors meet regularly</p> <p>Your current business plan – if your organisation does not currently have a business plan, a template is attached for you to use. We will not accept an EOI without a business plan.</p>
<p>1.7</p>	<p>If any person involved with your group, either in its governance or in the delivery of services, in a paid or voluntary capacity has a relationship with an officer or member of New Forest District Council please provide the details here:</p>



# Section 2 – Service Delivery

2.1. What services are you proposing to deliver from the centre that will be run on a **weekly** basis? Include a brief description of each service and who it is aimed at, how often you will run the service, how many people you believe will use each service and what outcome you believe the service will deliver. Continue on additional sheets if necessary.

Service name	Times/Dates	Target Community	Outcomes

2.2 What services will you run on a **monthly, annual or irregular** basis? Please include a brief description of each service and who it is aimed at, how often you will run the service and how many people you believe will use each service. Please continue on additional sheets if necessary.

Service name	Times/Dates	Target Community	Outcomes

2.3 Do you plan to work with other organisations in New Forest District to deliver services? If so, detail which organisations you already have plans to work in partnership with, what services they will provide and what outcomes you believe the service will deliver for local people. Only include those services you have already agreed upon with other organisations.

Service Provider	Service name	Times / Dates	Target community	Are you already working with this organisation?	Outcomes

## Section 3 – Evidence of support and need

3.1. How do you know that the services you are proposing to deliver are needed by the local community? Please provide what evidence you have gathered in support of your application – this could be from questionnaires you have sent to local people or the results of consultation events you have put on locally.



3.2. What parts of the community are you targeting with your services?

Describe which communities you are intending to work with and how you will appeal to different parts of the local community.



3.3 How will you monitor the impact of the services that you are proposing?

3.4 How will you review your service plans to ensure that they continue to meet the changing needs of the local community?

## Section 4 – Proposed Costs.

- 4.1 Please provide a detailed breakdown of your estimates for running the facility and provide information on how you will meet these costs. You should try and demonstrate that your organisation has a good understanding of the requirements of running a building and has the resources to meet those requirements.

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12
<b>Income (you may change the headings)</b>												
Grant income												
Sales income												
Other income												
<b>Total income</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Expenditure (insert your own sub-headings)</b>												
<b>Fixed costs</b>												
Core staff salaries												
Telephone												
Marketing												
Professional fees												
Insurance												
<b>Total fixed costs</b>	0	0	0	0	0	0	0	0	0	0	0	0

<b>Variable costs (insert your own sub-headings)</b>												
eg Contract staff												
eg Travel												
eg Cost of products etc												
eg Venue hire												
<b>Total variable costs</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total expenditure</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Income minus expenditure</b>	0	0	0	0	0	0	0	0	0	0	0	0
Balance brought forward	0	0	0	0	0	0	0	0	0	0	0	0
<b>Closing balance</b>	0	0	0	0	0	0	0	0	0	0	0	0



4.2 Is there anything else you would like to say in support of your application? (no more than 1000 words)

# APPENDIX 2

## CAT KEY DECISION SCORECARD

A copy of this completed scorecard should be included in any CAT business case. If the answer to any of these questions is YES, then a key decision requires to be made.

Statement		Yes / No
<b>1</b>	Is the valuation of the asset greater than £150,00?	
<b>2</b>	Does the asset cover 2 or more wards?	
<b>3</b>	Is the asset predominantly used on a regular basis by the community or booked for community use and benefit?	
<b>4</b>	Is there potential for reduced community benefit post transfer?	