ALCESTER TOWN COUNCIL

ACQUISITION AND DISPOSAL OF LAND AND PROPERTY POLICY

Introduction

Land and property owned by Alcester Town Council normally has a use or function within the Council's remit and the Council's presumption is that land and property is not for sale.

The Finance and General Purposes Committee should however regularly review the Council's asset list to ensure that any land and property held is appropriate taking into account:

- the Council's service delivery requirements,
- the social and economic benefits of amenity land and open/recreational space
- future opportunities for development

Land owned by Alcester Town Council as at 31 March 2026 is shown in the Appendix to this policy.

Law relating to acquisition

The Local Government Act 1972 section 124 gives the Town Council the power to acquire land and property.

Law relating to disposal

The Local Government Act 1972 section 127 gives the Town Council the power to dispose of land and property.

Acquisition of Land and Property

Local Government Reorganisation may provide opportunities for the acquisition of land and property from principal authorities.

Stratford on Avon District Council published its Community Asset Transfer Guidance Note in August 2026 which provides a mechanism for the Town Council to acquire assets from the District Council.

1. The Town Clerk will report to the Finance and General Purposes Committee by completing the appropriate Expression of Interest form.
2. With the Committee's approval, the Expression of Interest form will be submitted to Stratford on Avon District Council.

3. If terms are agreed for the acquisition of the land or property, the Council will appoint a Solicitor and external surveyors and valuers where necessary to advise on the type and method of acquisition.
4. Full Council will authorise the signing of any legal documents in accordance with the Standing Orders.

Options for Disposal of Land and Property

1. Disposal under the Local Government Act 1972 deals with all types of disposal – freehold, leasehold and short term tenancy agreements.
2. The disposal of Council land could therefore be progressed in several ways and does not necessarily have to result in a freehold sale. The options are:
    - Freehold disposal – the sale of the property with or without future covenants to restrict or protect future use.
    - Permanent grant of rights over land – an easement such as a right of way.
    - Leasehold disposal – a leasehold interest can be agreed for any time period and should be determined on a case by case basis. A leasehold interest of more than 7 years must be registered at HM Land Registry. All leasehold disposals will be agreed outside the Landlord and Tenant Act 1954 to exclude business protection.
    - Non-permanent grant of rights over land – temporary licence etc
    - Short tenancy – a tenancy of a term of not exceeding 7 years. Any such tenancy shall also be outside the Landlord and Tenant Act 1954.

Method of disposal

1. Except where certain criteria apply, open market disposal will be the preferred method of disposal. Disposals by private treaty (an agreement for sale of a property at a price negotiated between the vendor and the purchase or their agents) should not normally be undertaken in the interests of openness and accountability, however it may be appropriate for small plots valued independently at under £20,000.
2. The method for the disposal of land will be determined on a case by case basis by the Finance and General Purposes Committee by reviewing all the options.
3. All issues relating the land or property including social, environmental and economic benefit and legal issues will need to be considered when determining the method of disposal.
4. The Council will appoint a Solicitor and external surveyors and valuers where necessary to advise on the type and method of disposal.
5. In principle, the Council will choose the method of disposal which provides best consideration. This may be more than just financial consideration and can include social, environmental and

economic considerations and will be the method which best secures the desired objectives/outcomes for the land.

6. Full Council will authorise the signing of any legal documents in accordance with the Standing Orders.

Obtaining Best Consideration and Disposal at an Undervalue

1. The Council should seek, for all disposals, to achieve the best financial consideration for the type of property and the agreed terms.
2. However, where appropriate, the Council can consider non-financial benefits as part of the consideration for a disposal.
3. Land should not be disposed of at an undervalue unless in accordance with the guidelines set out in Circular 06/03 Local Government Act 1972: General Disposal Consent (England) 2003.
4. The guidelines provide that a council can dispose of properties at an undervalue where:
    - The local authority considers that the purpose for which the land is to be disposed is likely to contribute to the promotion or improvement of any one of more the economic well-being; social well-being or environmental well-being; of the whole or any part of its area, or of all of any persons resident or present in its area; and
    - The difference between the market value of the land and the price obtained is no more than £2m.
5. To dispose of land, otherwise than in accordance with the above guidelines, would require consent from the Secretary of State.
6. Valuations for the land should be carried out by an independent valuer appointed by the Council and the valuation must be carried out in accordance with the Local Government Act 1972: General Disposal Consent (England) 2003. This requires valuations of the restricted sale value (allowing for all the conditions which the Council has placed on the sale and including non- financial benefits) and an unrestricted sale value.

Approved by Finance and General Purposes Committee – 27th October 2026
Adopted by Full Council – 3rd November 2026
Due for review October 2029

Appendix

ALCESTER TOWN COUNCIL
LAND AND BUILDINGS OWNED AND OCCUPIED AS AT 31/3/2026

ADDRESS	HM LAND REGISTRY TITLE NUMBER	FREEHOLD/LEASEHOLD	LAND or BUILDINGS
Globe House, Priory Road, Alcester B49 5DZ First floor offices	n/a	Leasehold	Buildings
Eric Payne Community Centre, off St Faiths Road, Alcester B49 6AG	WK363232	Freehold	Buildings
The Greig Hall, Kinwarton Road, Alcester B49 6AD	WK519889	Leasehold	Buildings and adjacent land
Jubilee Fields and Weir Fields off St Faiths Road, Alcester, B49 6AG	WK386388	Freehold	Land
Moorfields Play area	n/a	Leasehold	Land
Collins Way Play area	WK209562	Freehold	Land
Bleachfield Street North allotments, Bleachfield Street, Alcester	n/a	Leasehold	Land
Bleachfield Street South allotments, Bleachfield Street, Alcester	n/a	Leasehold	Land
Bleachfield Street play area, Bleachfield Street, Alcester	n/a	Leasehold	Land
Cemetery, Birmingham Road, Alcester	WK407773 WK335374	Freehold	Land
Priory Meadow, at rear of Cemetery,	WK471717	Freehold	Land

Birmingham Road, Alcester			
School Road allotments, School Road, Alcester	WK450495	Freehold	Land
Disused railway land	WK382315 WK409908	Freehold	Land
Centenary Field and adjoining open land, Stratford Road, Alcester	WK407774 WK410505	Freehold	Land
Land at Fairwater Crescent	WK246376	Freehold	Land
Alcester Town Football ground, Stratford Road, Alcester	Awaiting registration	Leasehold	Land
Westbury Park	WK335337	Freehold	Land