

CORPORATE COMMITTEE

9 JULY 2018

REPORT OF THE DIRECTOR OF LEGAL AND DEMOCRATIC

EXERCISE OF DELEGATED AUTHORITY

1.0 PURPOSE OF REPORT

- 1.1 To notify members of the exercise of delegated authority by an officer in respect of the transfer of land to rectify a discrepancy in the title plan for 6 Harby Lane, Stathern ("the Property").

2.0 RECOMMENDATIONS

- 2.1 **That the Committee note that the Solicitor to the Council exercised her delegated authority under Part 3b (Scheme of Delegation to Officers) of the Constitution to transfer a piece of land to rectify an error on the title Plan registered with the Land Registry with respect to the Property.**

3.0 KEY ISSUES

- 3.1 In March 2018 the Council was notified by the solicitors acting for the owners of the Property of a discrepancy in the registered title of the property. The owners were in the process of selling the Property when it became apparent that the title plan registered at the Land Registry did not accord with the actual boundary on the site. The Property was originally acquired under the Right to Buy Scheme.
- 3.2 The discrepancy had to be remedied before the Property could be sold. This required a "land swap" between the Council and the owners of the Property (for nil consideration) to show the position of the boundary of the Property as it appeared on the ground and allow the sale of the Property to proceed.
- 3.3 On 12 April 2018 the Solicitor to the Council exercised her delegation to approve the transfer, in consultation with the Leader of the Council, the Chief Executive and the Corporate Director (now the Director of Corporate Services)

4.0 POLICY AND CORPORATE IMPLICATIONS

- 4.1 None as far as this report is concerned.

5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

- 5.1 The transfer was for nil consideration.

6.0 LEGAL IMPLICATIONS/POWERS

- 6.1 As set out in the body of this report

7.0 COMMUNITY SAFETY

- 7.1 There are no implications as far as this report is concerned.

8.0 **EQUALITIES**

8.1 None as far as this report is concerned.

9.0 **RISKS**

9.1 There are no risks arising from the report.

10.0 **CLIMATE CHANGE**

10.1 There are no implications as far as this report is concerned.

11.0 **CONSULTATION**

11.1 The Leader, Chief Executive and the Corporate Director were consulted prior to the delegated decision being taken. The decision is reported to Committee for information.

12.0 **WARDS AFFECTED**

12.1 Give the wards affected by the report

Contact Officer Adele Wylie Director for Legal and Democratic
Date: 29 June 2018

Appendices :

Background Papers: Delegated Decision dated 12 April 2018 (exempt)

Reference : X : Committees\?