

POLICY CONTENTS PAGE

PRO FORMA

1. Introduction	Land & Property Acquisition and Disposal Policy
2. Aim/Purpose	The purpose of this Policy is to document the Council's approach to acquisition and disposal of assets in compliance with legislation.
3. Scope	This Policy applies to all relevant Council employees
4. Policy Detail	The purpose this policy is to set out the principles and processes by which the Council will acquire and dispose of land and property interests to inform Officers, Members, and other interested parties.
5. Roles and Responsibilities	Identify the roles and responsibilities of Officers/Members etc in relation to the policy.
6. Related Policies	Scheme of Delegation
7. Equality Screening Form	Attached
8. Draft Equality Impact Assessment/Rural Needs Impact Assessment and other impact assessments where necessary	Attached

Acquisition and Disposal Policy for Land and Property

Estates & Assets Department

January 2022



**Armagh City
Banbridge
& Craigavon**
Borough Council

Contents

- 1.0 Introduction
- 2.0 Legislation
- 3.0 Acquisitions of Land and Property
 - 3.1 Purpose
 - 3.2 Definition
 - 3.3 Options for Acquisition
 - 3.4 Financial and other criteria for considerations
 - 3.5 The process
- 4.0 Disposal of Land and Property
 - 4.1 Purpose
 - 4.2 Definition
 - 4.3 Process for declaring an asset surplus
 - 4.4 Options for disposal
 - 4.5 Process
- 5.0 Licences and short tenancies
 - 5.1 Purpose
 - 5.2 Definition
 - 5.3 Options
 - 5.4 Financial and other considerations
 - 5.5 Process

1.0 Introduction

The Council owns a significant amount of land and property across the Borough. These assets need to be actively and effectively managed in order to ensure that the Council's objectives are realised and that value for money is achieved from their use.

The purpose of the Council's Disposals and Acquisitions policy is to set out the principles and processes by which the Council will acquire and dispose of land and property to inform Officers, Members, and other interested parties. For the purpose of this policy Property is deemed to be all freehold and leasehold land and buildings in the ownership or control of the Council.

This policy deals with the process for disposing of, and acquiring land and property, in line with the Council's scheme of delegation which sets out the financial levels for delegation in the decision-making process.

The Disposals and Acquisitions policy, together with the Scheme of Delegation are key documents in the overall management of the Council's land and property portfolio. These documents should be read in conjunction with the Financial Regulations, Anti money laundering policy, Procurement Strategy and the any relevant Corporate Asset Management Plans.

Service Managers considering or identifying the need to acquire or dispose of land or property for service delivery purposes must first consult the Estates Asset Team at the earliest opportunity and prior to any commitment being made on behalf of the Council.

2.0 Legislation

Section 96 of the Local Government Act 1972 sets out that Councils can provide and maintain accommodation to be used for the purposes of transacting the business of the Council or for public meetings, assemblies, or entertainments.

It also sets out that Council may acquire land by agreement or otherwise for the purposes of:

- 1) The benefit of the inhabitants of its district
- 2) The improvement, development, or future development of its district
- 3) Any other transferred provision deemed to be included among the purposes for which the Council is constituted

The Act also sets out the right for Council to dispose of lands shall be subject to the following restrictions:

- 1) Except with approval by the ministry, any disposal of land shall be at best price or for best rent otherwise on the best terms that can be reasonably obtained.
- 2) Any disposal of land which has been acquired otherwise than by agreement shall be subject to the right of pre-emption i.e. the right to offer the opportunity of former owner to buy back lands at market value if acquired under the treat of vesting

3.0 Acquisition of land and property

3.1 Purpose

A requirement may arise whereby the Council needs to consider the acquisition of land in terms of service delivery, 'site assembly' for a particular purpose i.e. to construct or provide new facilities or to enhance or develop existing facilities and services. For investment purposes and for strategic future development in line with Council's priorities and objectives

3.2 Definition

An acquisition is when the Council acquires controlling interest in an asset for the duration of the term.

3.3 Options for acquisition

An acquisition can take the form of:

3.3.1 freehold,

3.3.2 long leasehold or

3.3.3 Lease of a land or property interest.

3.4 Financial and other considerations

The Council will take a strategic approach to land and property acquisitions. The requirement to invest in land and property for any of the purposes identified in 3.1 will be identified as part of the Council's procedures for developing its Medium-Term Financial Plan, Capital Programme, Corporate Plan, Service Delivery Plans and any other relevant council sectorial strategies.

The principle that additional land and property should only be considered for acquisition for service delivery if there is no suitable existing Council owned property available.

Acquisitions for site assembly, investment or strategic developments will be subject to a business case if deemed required in line with Councils financial planning processes and undertake an options appraisal.

VAT and insurances implications will be considered as part of the appraisal process prior to any decisions being made.

The relevant Head of Service must ensure that there is sufficient approved budget in place prior to instructing to proceed with any acquisition.

Officers will be required to undertake relevant due diligence to de-risk in terms of legal, financial and physical factors, e.g. title appraisals, boundary checks for encroachments, ground reports, planning research etc.

3.5 Process

When a proposed acquisition of an interest in land and property is being considered by Council the acquisition will be managed and Estates and Assets team to ensure a consistent approach that aligns with relevant Corporate Asset Management plans and corporate landlord models.

The Estates and Asset team will undertake necessary land and property searches in conjunction with Councils appointed agent if required.

All negotiations and valuations will be carried out or verified by the Councils appointed valuer who will be a fully qualified member of Royal Institutions of Chartered Surveyors with sufficient current local knowledge of the particular market, and the skills and understanding necessary to undertake / verify the valuation competently.

Note the valuer will state the period for which their valuation is valid, thereafter it will need to be updated to ensure is reflective of the current market value.

Council to take legal advice, where applicable, in relation to the best means of acquiring and / or holding any such property having regard to the best interests of the Council and its objectives.

Prior to any acquisition of any interest a full options appraisal, including whole life costing, will be carried out which would involve appraisal of all the options for delivery of the final objective. Consideration will be given to all other Council owned property and its suitability prior to any acquisition. All option appraisals will take into account the on-going cost of the ownership of the property over its lifetime and ensure that any decision to acquire land is informed by both the capital and revenue implications of ownership and the risks associated.

All proposed acquisitions will be reported to the relevant Council committee for approval and ratification by full Council, if agreement is granted to proceed with allocated funding and the Councils appointed valuer can approve the valuation as fair value the Estates and Assets team will liaise with legal services to conclude the acquisition.

Appendix 1 sets out acquisition procedure.

4.0 Disposal of Land and Property

4.1 Purpose

As the requirements of the Council evolve, there will undoubtedly be significant opportunities to rationalise its land and property as improvements in service design and delivery are realised. A formal approach to disposals as part of its overall approach to asset management will assist the Council in making best use of its resources by rationalising or disposing of surplus or under-performing assets in accordance with the principles of the Local Government Act (NI) 1972.

4.2 Definitions

Definition of Surplus Property

Property could be regarded as being surplus if it meets one or more of the following criteria:

- It makes no contribution to delivery of the Council's services, or Council Planned objectives, either directly or indirectly, nor generates income and has no potential for future service delivery, community, or regeneration purposes.
- An alternative site has been identified which would achieve a more cost-effective delivery of service and the existing site has no potential for future alternative service delivery or regeneration purposes.
- Its disposal is important for the delivery of the objectives outlined in the Council Plan.
- Better public value can be obtained by transfer of an asset to another public body.

Definition of Under-Performing Property

Property should be deemed to be under-performing and with potential for being declared surplus to requirements if:

- Part of the property is vacant and likely to remain vacant for some time.
- The beneficial use or financial return (in terms of both revenue and capital growth) generated from the property is below that which could be achieved from an alternative use, or from a disposal and an alternative investment opportunity.
- If the property presents significant liability to Council.

Definition of a Disposal

The transfer of a freehold or a leasehold interest to a third party, surrender of a lease or assignment of a lease to a third party for the payment of a premium or a reverse premium.

In effect disposal is when the Council shall pass over its interest in an asset and no longer have control of same.

4.3 Process for declaring an asset surplus

Identification Process

The process for identifying surplus or underperforming property will arise in several ways below are some examples as follows: -

- Service Plans and Service Reviews
- Property review processes
- Condition Surveys / appraisals
- Area Plan reviews
- Place plans
- Regeneration schemes
- Property has potential for development or redevelopment and service can be relocated.
- Capital Accounting valuation processes which consider development/ alternative uses.
- Approaches from third parties e.g. developers, adjoining owners.
- Entering into development partnerships such developers brief with other public bodies or private developers.
- Where a statutory duty to transfer arises.
- Where Council is independently approached by third party seeking to acquire

Note the above is not intended to be an exhaustive list.

A site will be determined as surplus for disposal if it meets all the following criteria:

- That it meets the definition of surplus property
- It has no known potential for current or future strategic or regeneration/ redevelopment purposes based on current strategy and plans
- The net income generated from the site is below that which could be achieved from disposing of the site and investing the capital receipt / proceeds.
- The land or property is not adjacent to a larger area of land or property in the ownership of the Council.

For the avoidance of doubt where the Council no longer requires a property but does not want it placed on the open market for sale although would like it demolished and the cleared site retained by the Council, it will be classified as and held as an investment property on the basis of its potential to generate rental income and or a

capital receipt. A property should only be classified as being surplus if both building and site are no longer required and are available for disposal.

Disposal of non-surplus or under-performing assets for community use

It is acknowledged that there are occasions where the Council may wish to dispose of property that is not formally classified as surplus or considered to be under-performing. Examples include possible disposal of an interest to an existing tenant or established group that is providing a function to the Borough that would otherwise fall to the Council to provide. In this case there would have to be clear benefits to Council in terms of cost and resource savings to transfer an interest to 3rd party whether by way of leasehold or freehold with relevant safeguarding measures to ensure Council's intentions and interests are protected and sustained. Appropriate professional valuation and legal advice must be sought when considering appropriate measures.

Internal and external consultation may be required as considered appropriate for community uses.

4.4 Options for disposal

The disposal of the Councils land and property could therefore be progressed in a number of ways and does not necessarily have to result in a freehold sale. The following options are available:

- Freehold disposal - The sale of the property with or without future covenants to restrict or protect future use.
- Permanent grant of rights over land – i.e. easement in fee simple.
- Leasehold disposal – Leasehold interest can be agreed for any time. A leasehold interest of 21 or more years must be registered as an interest in land with the Land Registry. Note that once a leasehold is granted the tenant will gain protection under the Business Tenancies Order 1996. Or consideration given to contracting out of the provisions of the Business Tenancies (NI) Order 1996, depending upon circumstances.
- Non-permanent grant of rights over land – i.e. access licence, way leave etc.

Methods of disposal

Each asset disposal will be assessed on its own merits as to the most appropriate method of disposal to apply and the Councils appointed valuers advice will be sought where appropriate to provide specialist advice.

Although it is recognised that the Land and Property Service Guidance on 'Disposal of Surplus Public Sector Property in Northern Ireland' does not specifically apply to Local Councils and that some of the steps detailed in the guidance are not required, it may be beneficial to Council for some disposals to adhere to its guiding principles, in particular for oversight when disposing of an asset to another public body.

There are various methods of disposal that can be applied to assets depending on the individual circumstances to obtain the best rent, price or best terms for Council. Below is a summary of options available for consideration:

- Land & Property Services, Central Advisory Units Clearing House process:

This method facilitates another Government Department or Public Body an opportunity to acquire the asset at Market Value (Market value is defined in the RICS Valuation - Global Standards 2017 (The Red Book) as: 10.3 *“The estimated amount for which an asset or liability should exchange on the valuation date, between a willing buyer and a willing seller in an arm’s-length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently and without compulsion.”* Within a 6-month window prior to it being offered on the open market for sale. This method affords the benefit of providing time for the relevant body to undertake due diligence and business cases when they normally could not react within required time frame.

This method should be considered when Council are supportive of a proposed end use from a public sector body to work in partnership to achieve the disposal.

- Sale by Private Treaty

This is the most common sales process adopted for disposal of surplus assets. It is a widely adopted approach in Northern Ireland and UK to private treaty sales has been to require prospective purchasers to submit unconditional bids. This means that purchasers need to provide appropriate evidence of proof of funds in advance of making an offer and they must also have undertaken their technical and legal due diligence and confirm to the agent that they have no outstanding queries with the legal or technical documents before making an offer.

The benefits of this approach compared to conditional offers are that it ensures that the Council is only dealing with bona fide purchasers and increases the certainty of the timing of the transaction. The implication for Council is the need to have a full title pack prepared for an asset prior to commencement of marketing.

When closing a private treaty sale where several parties have expressed interest it may be appropriate to invite “best and final offers” to resolve matters. This can be very effective, although the procedure carries certain risks, and care is required. The Council will only to proceed with this option upon the advice of its appointed valuer.

The sale is however not binding until both parties enter contract.

- Sale by Public Auction

Sale by public auction provides strong evidence that the disposal was made in a transparently fair manner and that the best price was obtained. In a sale

by auction the auctioneer is authorised to act as an agent for the Council. This method is however relatively resource intensive as appropriate senior officer and a legal advisor need to be present to confirm the auctioneer's instructions at the point of sale.

Sale by Public Auction has reduced in recent years as it tended to be preferred options for distressed assets.

- Sale by Tender

In a sale by tender, sealed bids are invited by a certain date, and all are opened at the same time in a controlled environment. It should be made clear at the outset that the highest bid will not necessarily be accepted by Council.

Sale by tender requires much more in terms of administrative oversight than private treaty method. It also usually involves the prospective purchasers in carrying out detailed investigation of the property being sold without them knowing whether they have any real chance of acquiring it. For these reasons sale by tender is only likely to be chosen as the most suitable method of sale in particular market circumstances. For example - where it is known a potential purchaser has a particular interest in acquiring a property for whatever reason

- Sale to an Adjoining owner

There may be occasions when portions of surplus land have no marketing potential where, for instance, the cost of marketing the site may be higher than the expected purchase price. This includes small plots of publically owned land that may be of interest to adjoining homeowners to provide additional garden or on-site parking, or strips of agricultural land that will be subsumed into an adjoining site but without significantly increasing the value of the new enlarged site. Councils appointed valuer can provide professional advice in this regard as necessary.

Such a site will normally be contiguous with only one other land holding, may or may not have direct vehicle or pedestrian access and the approach to acquire it will often have been initiated by the prospective purchaser rather than the asset owner.

- Sale to adjoining owner based on Equitable Value

It is permissible, where there is only one potential purchaser, and the value of the land or property is low to open 'confined' negotiations with the adjacent owner in order to achieve the most advantageous financial result. In these specific circumstances the valuation will be based on the equitable value of the land. This is defined in the RICS Red Book 21 as: *"The estimated price for the transfer of an asset or liability between identified knowledgeable and willing parties that reflects the respective interests of those parties"* in an arm's length transaction.

It should always be noted that departure from open marketing should only be considered in the circumstances as outlined in this chapter and on

professional advice. Where resort to equitable value is recommended the price agreed will be one which reflects the specific advantages and disadvantages of ownership to the parties involved rather than the market at large.

In cases where there is more than one other contiguous land holding consideration should be given to alternative disposal strategies (e.g. private treaty / sealed tenders / auction) to obtain the best price.

- Disposal to a sitting tenant

Under the Business Tenancies (NI) Order 199629, qualifying tenants have rights to continue in occupation or to receive compensation in order to provide vacant possession. It may also be the case that a sitting tenant may in fact be able to out-bid the rest of the market in any event. Professional advice of a legal and valuation nature should be sought to ensure best value is achieved.

- Developers Briefs / Joint Ventures

These are complex transactions that can be considered as the appropriate method in certain circumstances for example but not exclusively:

- Council wishes to retain a degree of control and influence over the type and pace of development that could not otherwise be achieved through the exercising of its statutory powers (such as planning approval conditions)
- Where there is reasonable expectation of improved future profits that Council would wish to secure through overage, or equity share agreements as opposed to a capital receipt at the outset.
- To facilitate a third party to bring forward a site for development by allowing time to secure planning consent prior to finally committing.

These kinds of option can be highly complex and can require specialist expert advice to support Council.

- Community Asset Transfers

The purpose of community asset transfer is to enable the transfer of surplus or under-used land and buildings from the public sector to community ownership and management - helping organisations to develop those assets and deliver long-term social, economic, and environmental benefits which may not otherwise be achieved

NI Executive's Community Asset Transfer policy was developed to support its commitment in the Programme for Government (2011-2015) to "*invest in social enterprise growth to increase sustainability in the broad community sector*".

Advice and guidance on the management of this option will be co-ordinated through Land & Property Services Central Advisory Unit

- Other considerations:

In certain asset disposals Council may wish to include additional provisions based on appropriate professional advice such as:

- Restrictive covenants; dispose of land or property subject to a legal restriction such as permitted use.
- Retention of key land; retain a key section (ransom strip) of asset to retain physical restriction on the development of the asset.
- Option to purchase; option agreement to purchase in complex cases to afford the purchasers time to enhance value with for example planning approval.
- Clawback / Overage provisions; clauses for refunds or additional payments if conditions of sale are not met
- Buy back options; retain ability to re-acquire the asset in the future if for example use changed.

4.5 Process

In all cases any proposed disposal of an interest in land and property will be managed and Estates and Assets team to ensure a consistent approach that aligns with relevant Corporate Asset Management plans and corporate landlord models and the need to secure best price, rent or terms for Council.

The Council will seek, where applicable, valuation evidence to consider issues as to best price, rent or terms as applicable.

The Council will seek legal advice, where applicable, to consider the most appropriate means and mechanism of disposal, along with the terms thereof, to ensure best price, rent or terms for the disposal

The Estates and Asset team will undertake along with legal department the necessary due diligence.

All marketing, negotiations and valuations will be carried out or verified by the Councils appointed valuer who will be a fully qualified member of Royal Institutions of Chartered Surveyors with sufficient current local knowledge of the market, and the skills and understanding necessary to undertake / verify the valuation competently.

All proposed disposals will be reported to the relevant Council committee for approval and ratification by full Council, if agreement is granted to proceed the Councils appointed valuer will be instructed to provide required advice on preferred disposal method and any proposed planning applications, to secure best price or terms and proceed to market the asset appropriately.

Once the Council agent concludes the market process, they will advise Council with a formal recommendation in relation to the purchaser and price and the Estates and Assets team will liaise with legal services to conclude the disposal as per the agreed heads of terms.

Appendix 2 sets out disposal procedures.

5 Leases, Licences, and short tenancies

5.2 Purpose

There will be occasions when Council will enter into agreements with 3rd parties to either provide or take accommodation on a short-term nonexclusive use basis for the provision of services.

In these instances, a licence agreement or short tenancy is usually the most appropriate method as it confers limited rights and is more easily terminated. Licences do not provide protection under the Business Tenancies Order as a lease does.

5.3 Definition

A licence will grant permission to enter land or property for an agreed purpose for a limited period, usually not more than 9 months. A licence is normally terminable at a month's prior written notice so there is less security of tenure. Under a licence you will not have exclusive possession of the land or property.

A lease is a longer-term commitment that grants the tenant exclusive possession of the property, and they will gain protection under Business Tenancy Order. A lease will usually either be an internal or full repairing and insuring basis so there will be an obligation to maintain the premises.

5.4 Options

New Lease taken: Should there be no suitable Council owned property consideration can be given subject to a business case approval to leasing a suitable property

New Lease granted: There will be occasions when Council has surplus property that can be leased to generate revenue income as an investment asset.

Existing lease: Any pre-existing leases that Council has granted will in majority of cases have tenants that are protected under the Business Tenancies Order and thus they have a right to request a new lease when their existing agreement expires on similar terms at Market Rent, there are certain exclusions that Council can oppose a new tenancy, but they are limited, and professional legal advice should also be sought.

5.5 Financial and other considerations

The main element for Council to carefully consider is the term and form of agreement if a lease is entered into the Council options to regain control and possession of the premises are very limited. Consideration should also be given to the potential long term potential of property before entering into agreements.

If entering a short-term licence, the conditions of same must be carefully monitored as a rolling term can by virtue constitute a lease and fall under BTO Protection.

In terms of financial considerations in addition to rental payments the business case should also capture potential service charges, rates, and recurring maintenance expenditure as well as a provisional sum for dilapidations at lease end. There will also be additional costs to potentially factor in such as fit out, IT, furniture, parking etc,

5.6 Process

In all cases any proposed lease or licences taken, granted, renewed, or terminated will be managed and Estates and Assets team to ensure a consistent approach that aligns with relevant Corporate Asset Management plans and corporate landlord models.

The Estates and Asset team will undertake along with legal department the necessary due diligence.

Any required marketing, negotiations and valuations will be carried out or verified by the Councils appointed valuer who will be a fully qualified member of Royal Institutions of Chartered Surveyors with sufficient current local knowledge of the market, and the skills and understanding necessary to undertake / verify the valuation competently.

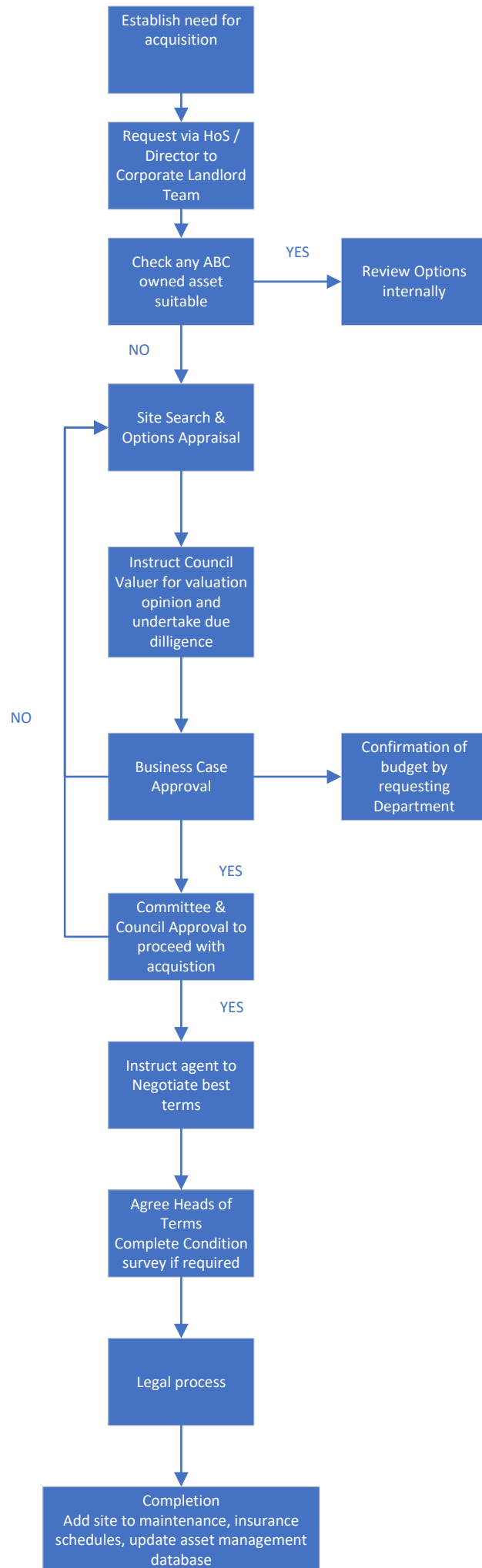
All proposed new leases and licence whether granted or taken will be reported to the relevant Council committee for approval and ratification by full Council, if agreement is granted to proceed the Councils appointed valuer will be instructed to provide relevant professional advice.

Once the Council agent concludes the negotiation process, they will advise Council with a formal recommendation and the Estates and Assets team will liaise with legal services to conclude the disposal as per the agreed heads of terms.

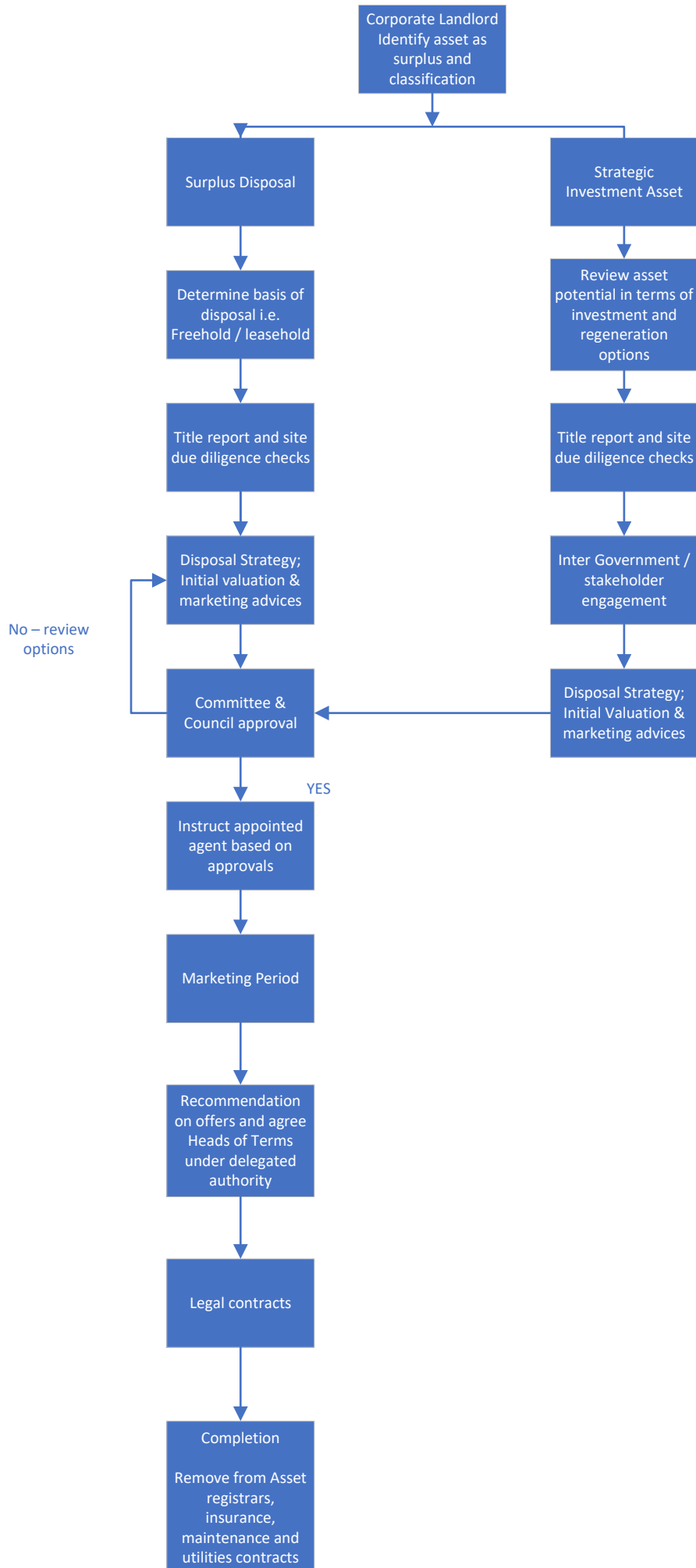
Appendix 3 sets out procedure for granting a licence or short tenancy

Appendix 4 sets out procedure for taking a licence or short tenancy.

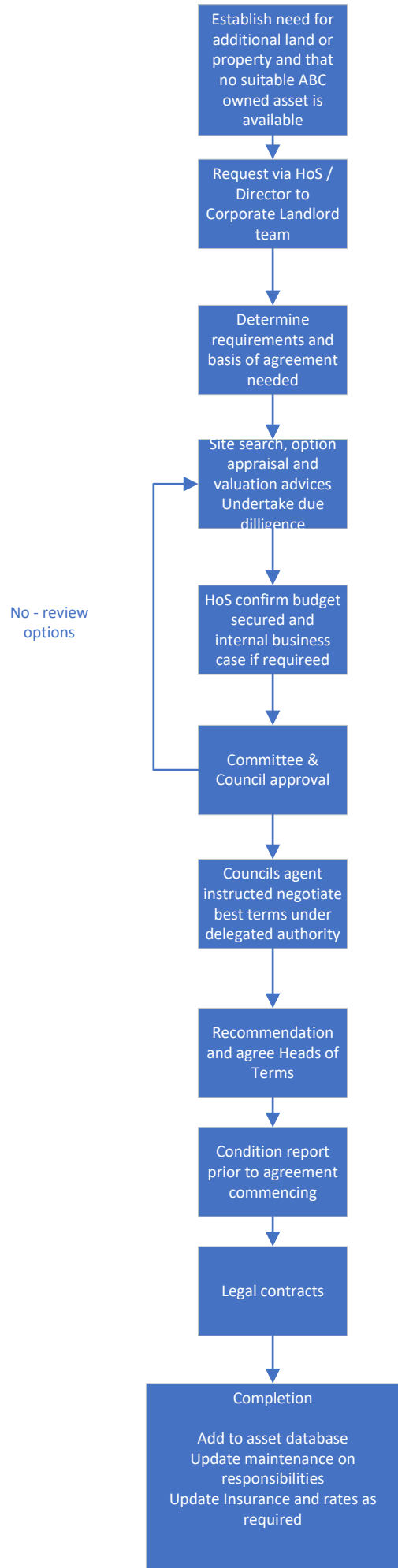
ACQUISITION PROCEDURE



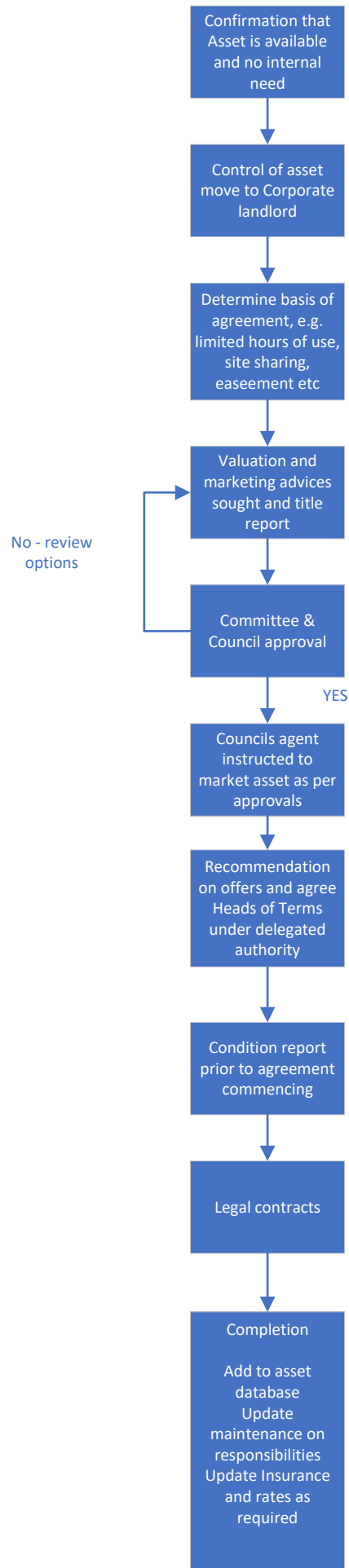
DISPOSAL PROCEDURE



Lease procedure - Taken



Lease procedure - Granting



Policy Screening Form

Policy Scoping

Policy Title: Acquisition and Disposal Policy for Land and Property

Brief Description of Policy (please attach copy if available). Please state if it is a new, existing or amended policy.

The Council owns a significant amount of land and property across the Borough. These assets need to be actively and effectively managed in order to ensure that the Council's objectives are realised and that value for money is achieved from their use.

Intended aims/outcomes. What is the policy trying to achieve?

The purpose of the Council's Acquisition and Disposal policy is to set out the principles and processes by which the Council will acquire and dispose of land and property to inform Officers, Members and other interested parties. For the purpose of this policy Property is deemed to be all freehold and leasehold land and buildings in the ownership or control of the Council.

This policy deals with the process for disposing of, and acquiring land and property, in line with the Council's scheme of delegation which sets out the financial levels for delegation in the decision making process.

Policy Framework

Has the policy been developed in response to statutory requirements, legal advice or on the basis of any other professional advice? Does this affect the discretion available to Council to amend the policy?

Section 96 of the Local Government Act 1972 sets out that Councils can provide and maintain accommodation to be used for the purposes of transacting the business of the Council or for public meetings, assemblies or entertainments.

It also sets out that Council may acquire land by agreement or otherwise for the purposes of:

- 1) The benefit of the inhabitants of its district
- 2) The improvement, development, or future development of its district
- 3) Any other transferred provision deemed to be included among the purposes for which the Council is constituted

The Act also sets out the right for Council to dispose of lands shall be subject to the following restrictions:

- 1) Except with approval by the ministry, any disposal of land shall be at best price or for best rent otherwise on the best terms that can be reasonably obtained.
- 2) Any disposal of land which has been acquired otherwise than by agreement shall be subject to the right of pre-emption i.e. the right to offer the opportunity of former owner to buy back lands at market value if acquired under the treat of vesting

Are there any Section 75 categories which might be expected to benefit from the policy? If so, please outline.

This policy will have a neutral impact on the equality categories

Who initiated or wrote the policy (if Council decision, please state). Who is responsible for implementing the policy?

Who initiated or wrote policy?

Mark Halliday
Strategic Asset & Investment Manager

Who is responsible for implementation?

All relevant service areas Chief Executive,
Directors, Managers and Officers

Are there any factors which might contribute to or detract from the implementation of the policy (e.g. financial, legislative, other)?

No

Main stakeholders in relation to the policy

Please list main stakeholders affected by the policy (e.g. staff, service users, other statutory bodies, community or voluntary sector, private sector)

Council staff

Are there any other policies with a bearing on this policy? If so, please identify them and how they impact on this policy.

Scheme of Delegation

Available Evidence

Council should ensure that its screening decisions are informed by relevant data. What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories.

Section 75 category	Evidence
Religious belief	N/A
Political opinion	N/A
Racial group	N/A
Age	N/A
Marital status	N/A
Sexual orientation	N/A
Men and women generally	N/A
Disability	N/A
Dependants	N/A

Needs, experiences and priorities

Taking into account the information gathered above, what are the different needs, experiences and priorities of each of the following categories in relation to this particular policy/decision?

Section 75 category	Needs, experiences and priorities
Religious belief	N/A
Political opinion	N/A
Racial group	N/A
Age	N/A
Marital status	N/A
Sexual orientation	N/A
Men and women generally	N/A
Disability	N/A
Dependants	N/A

Screening Questions

1. What is the likely impact on equality of opportunity for those affected by this policy for each of the Section 75 categories?

Category	Policy Impact	Level of impact (Major/minor/none)
Religious belief	None	None
Political opinion	None	None
Racial group	None	None
Age	None	None
Marital status	None	None
Sexual orientation	None	None
Men and women generally	None	None
Disability	None	None
Dependents	None	None

2. Are there opportunities to better promote equality of opportunity for people within the Section 75 categories?

Category	If yes, provide details	If no, provide reasons
Religious belief		No
Political opinion		No
Racial group		No
Age		No
Marital status		No
Sexual orientation		No
Men and women generally		No
Disability		No
Dependents		No

3. To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion, or racial group?

Category	Details of Policy Impact	Level of impact (major/minor/none)
Religious belief	None	None
Political opinion	None	None
Racial group	None	None

4. Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?

Category	If yes, provide details	If no, provide reasons
Religious belief		No
Political opinion		No
Racial group		No

Multiple Identity

Generally speaking, people fall into more than one Section 75 category (for example: disabled minority ethnic people; disabled women; young Protestant men; young lesbian, gay and bisexual people). Provide details of data on the impact of the policy on people with multiple identities. Specify relevant s75 categories concerned.

N/A

Disability Discrimination (NI) Order 2006

Is there an opportunity for the policy to promote positive attitudes towards disabled people?

N/A

Is there an opportunity for the policy to encourage participation by disabled people in public life?

N/A

Screening Decision

A: NO IMPACT IDENTIFIED ON ANY CATEGORY – EQIA UNNECESSARY

Please identify reasons for this below

The purpose of this policy is to set out the principles and processes by which the Council will acquire and dispose of land and property to inform Officers, Members and other interested parties.

It has no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories.

B: MINOR IMPACT IDENTIFIED – EQIA NOT CONSIDERED NECESSARY AS IMPACT CAN BE ELIMINATED OR MITIGATED

Where the impact is likely to be minor, you should consider if the policy can be mitigated or an alternative policy introduced. If so, an EQIA may not be considered necessary. You must indicate the reasons for this decision below, together with details of measures to mitigate the adverse impact or the alternative policy proposed.

C: MAJOR IMPACT IDENTIFIED – EQIA REQUIRED

If the decision is to conduct an equality impact assessment, please provide details of the reasons.

Timetabling and Prioritising

If the policy has been screened in for equality impact assessment, please answer the following questions to determine its priority for timetabling the equality impact assessment.

On a scale of 1-3 with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

Priority criterion	Rating (1-3)
Effect on equality of opportunity and good relations	
Social need	

Effect on people's daily lives	
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The total rating score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the council in timetabling its EQIAs.

Is the policy affected by timetables established by other relevant public authorities? If yes, please give details.

Monitoring

Effective monitoring will help the authority identify any future adverse impact arising from the policy. It is recommended that where a policy has been amended or an alternative policy introduced to mitigate adverse impact, monitoring be undertaken on a broader basis to identify any impact (positive or adverse).

Further information on monitoring is available in the Equality Commission's guidance on monitoring (www.equalityni.org).

Identify how the impact of the policy is to be monitored

?

Approval and Authorisation

A copy of the screening form for each policy screened should be signed off by the senior manager responsible for that policy. The screening recommendation should be reported to the relevant Committee/Council when the policy is submitted for approval.

Screened by	Position/Job title	Date
Mark Halliday	Strategic Asset and Investment Manager	24/01/2022
Approved by	Position/Job Title	Date
Jonathan Hayes	Transformation Director and Head of Estates & Assets	24/01/2022

Please forward a copy of the completed policy and form to:

mary.hanna@armaghbanbridgecraigavon.gov.uk

who will ensure these are made available on the Council's website.

The above officer is also responsible for issuing reports on a quarterly basis on those policies “screened out for EQIA”. This allows stakeholders who disagree with this recommendation to submit their views. In the event of any stakeholder disagreeing with the decision to screen out any policy, the screening exercise will be reviewed.

SECTION 1

Defining the activity subject to Section 1(1) of the Rural Needs Act (NI) 2016

1A. Name of Public Authority

Armagh City, Banbridge and Craigavon Borough Council

1B. Please provide a short title which describes the activity being undertaken by the Public Authority that is subject to Section 1(1) of the Rural Needs Act (NI) 2016

Acquisition and Disposal Policy for Land and Property

1C. Please indicate which category the activity specified in Section 1B above relates to

Developing a	Policy	x	Strategy		Plan	
Adopting a	Policy		Strategy		Plan	
Implementing a	Policy		Strategy		Plan	
Revising a	Policy		Strategy		Plan	
Designing a Public Service						
Delivering a Public Service						

1D. Please provide the official title (if any) of the Policy, Strategy, Plan or Public Service document or initiative relating to the category indicated in Section 1C above

Acquisition and Disposal Policy for Land and Property

1E. Please provide details of the aims and/or objectives of the Policy, Strategy, Plan or Public Service

The Council owns a significant amount of land and property across the Borough. These assets need to be actively and effectively managed in order to ensure that the Council's objectives are realised and that value for money is achieved from their use.

The purpose of the Council's Acquisition and Disposal policy is to set out the principles and processes by which the Council will acquire and dispose of land and property to inform Officers, Members and other interested parties. For the purpose of this policy Property is deemed to be all freehold and leasehold land and buildings in the ownership or control of the Council.

This policy deals with the process for disposing of, and acquiring land and property, in line with the Council's scheme of delegation which sets out the financial levels for delegation in the decision making process.

1F. What definition of 'rural' is the Public Authority using in respect of the Policy, Strategy, Plan or Public Service?

Population Settlements of less than 5,000 (Default definition).	
Other Definition (Provide details and the rationale below).	
A definition of 'rural' is not applicable.	x

Details of alternative definition of 'rural' used.

Rationale for using alternative definition of 'rural'.

Reasons why a definition of 'rural' is not applicable.

This is a technical policy that deals with the process for disposing of, and acquiring land and property. It will not have an impact on the social and economic needs of people living in rural areas.

SECTION 2

Understanding the impact of the Policy, Strategy, Plan or Public Service

2A. Is the Policy, Strategy, Plan or Public Service likely to impact on people in rural areas?

Yes		No	x	If the response is NO GO TO Section 2E .
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2B. Please explain how the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas.

2C. If the Policy, Strategy, Plan or Public Service is likely to impact on people in rural areas differently from people in urban areas, please explain how it is likely to impact on people in rural areas differently.

2D. Please indicate which of the following rural policy areas the Policy, Strategy, Plan or Public Service is likely to primarily impact on.

Rural Businesses	
Rural Tourism	
Rural Housing	
Jobs or Employment in Rural Areas	
Education or Training in Rural Areas	
Broadband or Mobile Communications in Rural Areas	
Transport Services or Infrastructure in Rural Areas	
Health or Social Care Services in Rural Areas	
Poverty in Rural Areas	
Deprivation in Rural Areas	
Rural Crime or Community Safety	
Rural Development	
Agri-Environment	
Other (Please state)	

If the response to Section 2A was YES GO TO Section 3A.

2E. Please explain why the Policy, Strategy, Plan or Public Service is NOT likely to impact on people in rural areas.

This is a technical policy that deals with the process for disposing of, and acquiring land and property. It will not have an impact on the social and economic needs of people living in rural areas.

SECTION 3

Identifying the Social and Economic Needs of Persons in Rural Areas

3A. Has the Public Authority taken steps to identify the social and economic needs of people in rural areas that are relevant to the Policy, Strategy, Plan or Public Service?				
Yes		No	X	If the Response is NO GO TO Section 3E .

3B. Please indicate which of the following methods or information sources were used by the Public Authority to identify the social and economic needs of people in rural areas.			
Consultation with Rural Stakeholders		Published Statistics	
Consultation with Other Organisations		Research Papers	
Surveys or Questionnaires		Other Publications	
Other Methods or Information Sources (include details in Question 3C below).			

3C. Please provide details of the methods and information sources used to identify the social and economic needs of people in rural areas including relevant dates, names of organisations, titles of publications, website references, details of surveys or consultations undertaken etc.			

3D. Please provide details of the social and economic needs of people in rural areas which have been identified by the Public Authority?

If the response to Section 3A was YES GO TO Section 4A.

3E. Please explain why no steps were taken by the Public Authority to identify the social and economic needs of people in rural areas?

This is a technical policy that deals with the process for disposing of, and acquiring land and property. It will not have an impact on the social and economic needs of people living in rural areas.

SECTION 4

Considering the Social and Economic Needs of Persons in Rural Areas

4A. Please provide details of the issues considered in relation to the social and economic needs of people in rural areas.

SECTION 5

Influencing the Policy, Strategy, Plan or Public Service

5A. Has the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, been influenced by the rural needs identified?

Yes		No	<input checked="" type="checkbox"/>	If the response is NO GO TO Section 5C .
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5B. Please explain how the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or delivery of the Public Service, has been influenced by the rural needs identified.

If the response to Section 5A was YES GO TO Section 6A.

5C. Please explain why the development, adoption, implementation or revising of the Policy, Strategy or Plan, or the design or the delivery of the Public Service, has NOT been influenced by the rural needs identified.

This is a technical policy that deals with the process for disposing of, and acquiring land and property. It will not have an impact on the social and economic needs of people living in rural areas.

SECTION 6

Documenting and Recording

6A. Please tick below to confirm that the RNIA Template will be retained by the Public Authority and relevant information on the Section 1 activity compiled in accordance with paragraph 6.7 of the guidance

I confirm that the RNIA Template will be retained and relevant information compiled.

X

Rural Needs Impact Assessment undertaken by:	Mark Halliday
Position/Grade:	Strategic Asset and Investment Manager
Department/Directorate	
Signature:	
Date:	
Rural Needs Impact Assessment approved by:	
Position/Grade:	
Department/Directorate	
Signature:	
Date:	