

CONFIDENTIALPRIME MINISTERDISPOSAL OF SURPLUS LAND IN THE PUBLIC SECTOR

Mr. Jenkin

(i) reports on progress in the issue of directions that surplus land should be sold from the Land Register;

(ii) reports his intention to encourage private individuals to identify public sector sites which should be placed on the Register and which could subsequently be the subject of direction.

The action at (ii) represents a formalisation of the arrangements that exist at present. Any developer can write to the Secretary of State to urge that a particular site should be placed on the Register but this action will make it clear that such representations will be welcome. Mr. Jenkins also suggests that this process could be given a statutory framework, perhaps in a Private Member's Bill though he could always add a clause to his proposed Bill on Planning. If this process is to bear fruit, however, it is important that the Secretary of State is active in using his powers of direction. It is no good just getting land on to the Register.

Agree

Yes  
(i) you commend the increase in the number of directions being issued and the plans to computerise and publicise the Register.

Yes  
(ii) you endorse the proposals to encourage developers to nominate surplus sites.

Yes  
(iii) you comment that this process needs to be followed up by active use of the power of direction.

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23 May, 1985CONFIDENTIAL



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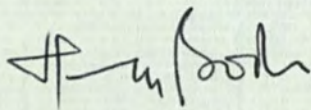
PRIME MINISTER

21 May 1985

SURPLUS LAND IN PUBLIC OWNERSHIP

The Department of the Environment are launching the computerisation of the land register on Thursday of this week.

Patrick Jenkin also proposes to legislate for individuals to apply directly to have land put on the register through a Private Members' Bill. Why bother? Let's use the existing legal powers with force and determination.



HARTLEY BOOTH

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DSG



File  
bc : Hartley Booth

10 DOWNING STREET

From the Private Secretary

24 May 1985

Dear Tom

DISPOSAL OF SURPLUS LAND IN PUBLIC OWNERSHIP

The Prime Minister has seen your Secretary of State's minute of 20 May. She welcomes the increased use by the Secretary of State of his power of direction and welcomes the proposal to invite potential purchasers to identify publicly owned sites which should be placed on the register. She has commented that for this initiative to bear fruit, it is essential that your Secretary of State should be energetic in using his power of direction so that sites which come on to the register in this way are eventually sold.

I am copying this letter to the Private Secretaries to members of Cabinet.

Yours ever

Andrew Turnbull

pp Andrew Turnbull

John Ballard, Esq.,  
Department of the Environment.

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23 May 1985

DISPOSAL OF WASTE LAND LOCAL GOVERNMENT PLANNING  
AND LAND ACT, 1980 (FOLLOW-UP TO MINUTE OF 21 MAY 1985)

This Act grants the discretion to the Secretary of State to compile a register of land of a Schedule 16 body, where the land holding is not sufficiently used.

1. Individuals can't apply to have land put on the register, but they can suggest it in writing to the Secretary of State.

The Act gives power to the Secretary of State to require information to be supplied and gives also discretion to "take steps for the disposal of land" on the register by specifying actions. The Secretary of state has a duty to give notice of 42 days of his intention and, if there is no objection, he can then dispose of the land. If there is an objection from the body concerned, then the Secretary of State can only dispose of the land if he feels the bodies can function without serious detriment to their performance (Sections 93-100, Part X LGPL Act, 1980).

2. No individual is given a right to require the Secretary of State to dispose of any land on the register.



3. There is no time limit under which the Secretary of State must act to dispose of the land once he has registered it.
  
4. No timetable for the Secretary of State is specified at all once he has begun to act under Part X with the exception of the 42-day time period.

Giving individual rights to citizens under items 1 and 2, and by imposing time limits, items 3 and 4 might strengthen DoE's hand and would be popular in some quarters. However, DoE are actively publicising the land register, (computer base at Marsham Street and details through the Estates Gazette). More legislation by private members should not become an excuse for delay in using existing law. The Prime Minister's latest remarks to Patrick Jenkin seem to have sparked more action. Let's encourage full use of existing powers!

*Hartley Booth*

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