

Changes to Disposing of Land 1 April 2015

In line with the publication of the General Consent 2015 and the new Disposal Consent forms, Disposing of Land has been updated. Most of the underlying policy in respect of disposals remains unchanged or has been expanded, but there are significant structural and drafting alterations. Providers will need to familiarise themselves with the new version of the document; there are too many changes to summarise individually. However, following list captures some of the main ones:

Structure of the document

- Interpretations of the principle legal terms have been moved to an annex at the back of the document, along with the sections on the legislative framework.

Content changes

- Transitional information relating to previous legislative changes has been removed, where it is no longer deemed necessary.
- Section 2 - Updated guidance on our general approach concerning the consideration of disposal applications has been separated into a standalone section. It focuses on the general principles around business cases and how these should feature in consent applications. It also contain new and updated guidance on a number of topics including, “best consideration”, independent valuations and sales by auction.
- Section 3 - This section sets out specific information about how we assess consent applications in various scenarios for example, tenanted transfers outside the regulated sector and consent applications concerning solar panels.
- Section 4 - This section has been updated to reflect the changes as a result of the new General Consent 2015 and specific consent applications relating to security interests.
- Section 5 brings together the different pieces of legislation you can apply for consent under, in recognition of the streamlining of the application process and gives an overview of the legislative framework.

Please note that the above list is not exhaustive in scope and is not a substitute for reading the new Disposing of Land. Staff at providers that deal with disposal consent applications on a regular basis are advised to familiarise themselves with the General Consent 2015 and sections 2, 3 and 4 of the updated Disposing of land, in particular.