

PLACE COMMITTEE

5th September 2018

REPORT OF THE DIRECTOR FOR GROWTH AND REGENERATION

APPROVAL OF APPLICATION FOR LAND PURCHASE

1.0 PURPOSE OF REPORT

- 1.1 To consider an application by the owners of 19 West Avenue to purchase an area of land in front of their property to gain access to their garage.

2.0 RECOMMENDATIONS

2.1 That the Committee:

- 2.2 (i) **authorises disposal of land in front on 19 West Avenue as shown on the attached plan in red for the sum of £789.00 plus VAT and with the applicant paying all party costs.**

3.0 BACKGROUND

- 3.1 The Council owns freehold land at West Avenue amounting to 156.72 sq ft as shown in red on the map attached at Appendix 1.
- 3.2 It is recommended the Council consider that the previous owners of the property had an easement granted in April 2015 for crossing the area concerned at a rent of £50.00 per annum ex vat .
- 3.3 In April 2015 the Council granted the owners of 19 West Avenue an easement to enable them access the land. The owners have approached the Council to ask whether it would consider disposal.
- 3.4 The annual payment for the easement amounted to £50.00 per annum (excluding VAT).
- 3.5 The Councils interim Building Surveyor has valued the land as £789.00 and noted that it will not offer any development opportunities and is not a ransom strip to other areas.
- 3.6 The valuation is based on R.I.C.S Valuations for low value agricultural land and comparatives with local agricultural land for sale. It is considered that the disposal represents best consideration.
- 3.7 Ordinarily this decision may have been taken by the Director for Legal and Democratic Services using delegated authority however as the request has come from an elected member it has been referred to Committee for transparency.

4.0 POLICY AND CORPORATE IMPLICATIONS

- 4.1 There are no direct or corporate implications arising from this report.

5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

5.1

Due to the level of the receipt this would be revenue income and would be a credit to the HRA/GF in light of where the ownership of the land lies.

6.0 LEGAL IMPLICATIONS/POWERS

6.1 Section 123 of the Local Government Act 1972 permits Local Authorities to dispose of land for best consideration.

6.2 The Director for Legal and Democratic Services has delegated authority to effect the purchase of minor land transactions subject to approval of the Director for Corporate Services where the sale price or the annual rent or the additional annual rent or other compensation is not in excess of £12,000.

6.3 There is a general consent to dispose of the land.

7.0 COMMUNITY SAFETY

7.1 There are no direct links to Community safety arising from this report

8.0 EQUALITIES

8.1 The sale of the land will not impede any access to other areas of public land by wheelchair users and people with other access issues. There are no major equalities issues contained within the report.

9.0 RISKS

9.1 *To consider and give any Risks related to this report and if there are risks to complete the tables below. If there are no risks identified, then delete the table*

Probability
↓

Very High A				
High B				
Significant C				
Low D				
Very Low E				
Almost Impossible F	*			
	IV Neg- ligible	III Marg- inal	II Critical	I Catast- rophic

→
Impact

9.2 The decision is not considered to present a risk to the Council.

10.0 **CLIMATE CHANGE**

10.1 There are no implications to climate change

11.0 **CONSULTATION**

11.1 None sought

12.0 **WARDS AFFECTED**

12.1 Egerton ward

Contact Officer Rodger Neal Senior Development Officer
Date: 28th August 2018

Appendices : Land Registry Title Deeds and Plan

Background Papers: Copy of the Eaememnt

Reference : X : Committees\?