

Key Decision Required:	No	In the Forward Plan:	Yes
-------------------------------	-----------	-----------------------------	------------

CABINET

19 APRIL 2013

REPORT OF THE FINANCE AND ASSET MANAGEMENT PORTFOLIO HOLDER

A.4 DISPOSAL OF LAND ADJOINING 21 SAVILLE STREET, WALTON ON THE NAZE

(Report prepared by Andy White)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To consider the principle of disposing of land adjoining 21 Saville Street, Walton-on-the-Naze, as shown on the attached plan (Appendix A).

EXECUTIVE SUMMARY

The Council is the owner of land at the rear and side of 21 Saville Street Walton on the Naze. It comprises a poor quality verge and a vehicular drive, it has no operational significance for the Council. The owner of the adjoining land has requested regularisation of access rights.

Terms for the disposal of the land have been negotiated. Further detail on the nature of the terms is included in the report in Part B of this agenda.

RECOMMENDATION

That Cabinet determines in principle whether, subject to its decision in Part B of this agenda, it wishes to dispose of the land.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The land forms part of the street scene and its management has potential to contribute to the Council's priority to protect and enhance our environment, countryside and coast.

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

The proposed disposal is in accordance with the framework set out in the Asset Management Plan and Capital Strategy and supports the Council's Medium Term Financial Strategy.

The detailed financial implications are considered in the report in Part B of this agenda.

Risk

Following acquisition the adjoining owner may propose development that uses the land and changes the boundaries and street scene. However, development is subject to planning legislation so most potential changes would be subject to planning and highway consideration.

LEGAL

This action proposed is within the Council's discretionary powers.

The land has clearly been used for some years to provide vehicular access to adjoining land. There are no documented legal rights. The new owner has requested regularisation of these rights. Although the new owner would find it difficult to assert any legal claim it would be reasonable of the Council to regularise the position.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of Crime and Disorder, Equality and Diversity, Health Inequalities, Consultation/Public Engagement and Wards; and any significant issues are set out below.

Ward

Walton

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The Council acquired a significant area of land off North Street Walton on the Naze in the 1970s in order to facilitate the construction of Mead House, a sheltered housing scheme. Part of the land acquired includes an L shaped section of verge that adjoins private land. The area was potentially intended to enhance the width of the street or improve visibility at the junction.

The land has clearly been used for some years as a verge and to provide vehicular access to the adjoining land. There are no documented legal rights. The new owner has requested regularisation of these rights.

CURRENT POSITION

The Council's agents have negotiated with the adjoining owner. Terms for the disposal of the land have been proposed.

Further detail on the nature of bids and terms is included in the report in part B of this agenda.

FURTHER HEADINGS RELEVANT TO THE REPORT

None

BACKGROUND PAPERS FOR THE DECISION

None

APPENDICES

Appendix A – Plan indicating the location of the site.