

Key Decision Required:	No	In the Forward Plan:	No
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PORTFOLIO HOLDER FOR RESOURCES AND CORPORATE SERVICES

21 April 2017

A FREEHOLD DISPOSAL OF A SMALL PARCEL OF LAND ON THE BOUNDARY AT GAINSBOROUGH DRIVE, LAWFORD.

(Report prepared by Aileen Middleton)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek approval for the freehold disposal of a small parcel of land on the boundary at Gainsborough Drive, Lawford.

EXECUTIVE SUMMARY

The site as shown edged red on the plan at Appendix A forms part of a verge area belonging to the Council. The bulk of the estate has been developed into private housing but some areas of green verge have remained in between plots and estate roads.

The owner of the adjacent house would like to purchase a small strip of land for an extension and side access into his garden.

Terms have been provisionally agreed and are set out in the concurrent confidential report

RECOMMENDATION(S)

That the Portfolio Holder authorises the freehold disposal, in principle.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The Council has corporate priorities that support a quality living environment and local regeneration.

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

The freehold disposal will result in a small capital receipt for the Council. Details of this are contained in the concurrent confidential report

Risk

There is little risk with this transaction, the verge is not valuable land and only a very small strip of it is being sold off. A valuation has been carried out.

LEGAL

Section 123(1) Local Government Act 1972 (1972 Act) indicates that, a local authority may dispose of land held by it in any way it wishes so long as (section 123 (2)) the land is disposed for a consideration not less than the best that can reasonably be obtained.

In coming to decisions in relation to management of assets, the Council must act in accordance with its statutory duties and responsibilities. Under case law following Section 120 of Local Government Act 1972, the Council is obliged to ensure that the management of its assets are for the benefit of the district.

The land is not public open space and in this case it would be appropriate to agree to the sale of the land for the capital sum stated in the valuation report. Officers have concluded that there is no benefit in marketing the land and that the amount determined by the external valuer represents Best Consideration Reasonably Obtainable.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder/Equality and Diversity/Health Inequalities/Consultation/Public Engagement

None

Ward

Lawford

PART 3 – SUPPORTING INFORMATION

BACKGROUND

Planning permission has been sought and granted for a side extension to an adjacent property and the owner of this property has constructed the extension but later concluded that it is partly on land owned by the Council. He has approached the Council with a view to purchasing some verge where the extension has been constructed and to facilitate a side access.

CURRENT POSITION

A valuation and negotiations have taken place and the full financial details are contained in the concurrent confidential report.

FURTHER HEADINGS RELEVANT TO THE REPORT

None

APPENDICES

- Appendix A – Location Plan