

Full Council

Date:	20 June 2017
Title:	Disposal of Amenity Land at Pickenfield
Contact Officer:	Janine Howells, Asset Manager

Purpose of this Report

1. To provide an update and authorise Officers to proceed with the arrangements for signing and sealing of the legal documents relating to the land sale to Mr Smith.

Background

2. At the meeting of the Council on 26 April 2016 it was agreed in principle that the amenity land adjacent to 20 Pickenfield could be disposed of, subject to a covenant in the deed to restrict any development on this specific piece of land.
3. Mr Smith obtained planning permission from South Oxfordshire District Council on 12 September 2016 for change of use of public open space to private garden (application P16/S2182/FUL).
4. A quotation from the Valuation Office Agency to undertake the valuation of the land was provided to the Council and Mr Smith has been informed of the estimated costs. Mr Smith requested the opportunity to obtain a further quotation as a comparison to the Valuation Office Agency's quotation, which seemed excessive. Officers agreed that this was acceptable and that the same criteria for the valuation must be observed.
5. Mr Smith subsequently appointed Andrews Eades to undertake the valuation and this information was provided to the Policy and Resources Committee meeting held on 11 April 2017 along with a suggested sale price of £2,230 from Mr Smith. This sale value was agreed as a fair price by the Committee for the land and Mr Smith was subsequently informed of the decision.
6. In line with the Land Acquisition and Disposal Policy any request to purchase public open space is subject to legal requirements that the intention to dispose of the land be advertised for two consecutive weeks in the local newspaper and the Council's website, and any objections taken into consideration by the Council. The land disposal advert was placed in the Thame Gazette and Bucks Advertiser on 28 April and 5 May 2017 and also on the Council's website. No objections to the land disposal were received.
7. The Council's legal advisors have been instructed to proceed with the sale of the land to Mr Smith at a cost of £2,230 and to include the cost of the Public Notice advert of £370.24 + VAT. All legal costs associated with the transfer will also be met by Mr Smith.
8. Restriction on development will be listed as a covenant within the transfer deeds, only permitting the land to be used as garden land and no further development be permitted. As part of the planning permission conditions for the land, Mr Smith is to erect a timber fence

following completion of the sale. The Maintenance, repair and replacement of the fence will also be listed within the covenant as being the responsibility of the property owner.

9. The legal advisors will shortly be issuing the transfer documents for signing and sealing by the Council and concluding the sale and transfer of the land to Mr Smith.

Legal Powers: Local Government Act 1972 S.127

Action Required:

- i) To note the report.*
- ii) Authorise Officers to proceed with the arrangements for signing and sealing of the legal documents relating to the land sale to Mr Smith.*