

Policy & Resources Committee

Date:	3 August 2021
Title:	Disposal of Amenity Land – 28 Youens Drive
Contact Officer:	Andrea Oughton, Asset Manager

Purpose of the Report

1. To consider a request to sell land at Youens Drive.

Background

2. The Council's Land Acquisition and Disposal policy aims to establish a transparent and consistent approach to the acquisition and disposal of Council owned land. A copy of the Policy can be found with the Committee Papers, Agenda Item 7c. A separate "Disposal of Public Open Space Land" procedure also exists (Appendix 1).
3. In 2014 the Council agreed in principle to dispose of land to the rear of 28 Youens Drive. A map showing the parcel of land (boundary highlighted in blue) is included with the report (Appendix 2).
4. Since receiving the Council's 'in principle' decision the owners have not pursued the purchase.

Youens Drive

5. The residents of 28 Youens Drive have written to the Council with a request to purchase an area of amenity land to the side and rear of their property. A map showing 28 Youens Drive and the wider area of land owned and maintained by the Town Council is included with the report (Appendix 3).
6. The owners state in their email that the objective is to use the area to extend the garden and will dramatically improve access to the rear and security. It will also assist with maintenance to the gable end of the property. A map showing the parcel of land the owner wishes to purchase is included with the report (Appendix 4).
7. The Maintenance Team undertake pruning and hedge cutting work as required to the area.

Council Consideration

8. Councillors are asked to consider this request against the adopted policy and determine whether it meets the criteria in a sufficient way for a recommendation for disposal in principle, before the owner starts incurring planning, valuation, publicity and legal transfer costs.

9. Consideration should include public benefit, financial impact, community impact and whether sufficient information has been provided.

Risk Assessment

10. Financially all costs would be met by the owner.
11. How a decision is reached in response to this request needs to be clear and consistent with regard to previous decisions and any future requests for amenity land to be disposed of. Earlier in the year, a request at 6 Youens Drive and 28 Pickenfield were agreed in principle and in recent years requests at Chalgrove Road and Pickenfield have been granted, while Cromwell Avenue was refused.
12. Any planning permissions would be the responsibility of the owners to obtain for the change of use from public amenity land to private garden. Restriction on development would be listed as a covenant within any transfer deeds.

Resource Appraisal

13. All costs such as valuation, publicity and legal transfer matters would be recharged as part of any agreed financial receipt from the owner.

Legal Powers: Local Government Act 1972 S.127

Recommendation:

That the Council:

- i) Considers whether the identified piece of land meets the criteria for disposal with the Land Acquisition and Disposal Policy.***
- ii) To decide whether the Council should consider disposing of the land, in principle.***