

Policy & Resources Committee

Title:	Disposal of Amenity Land – 22 Pickenfield
Date:	12 April 2022
Contact Officer:	Andrea Oughton, Asset Manager

Purpose of the Report

1. To consider a request to dispose of amenity land adjacent to 22 Pickenfield.

Background

2. The owner of 22 Pickenfield wrote to the Council in November 2021 requesting to purchase an area of amenity land to the side of his property, in his words *'to provide useable space for us as private garden (for our two young boys to play in) and to increase parking space near our driveway. Currently we find it very difficult to park two cars next to each other on the driveway and open doors to get children out. The chimney of the house juts out onto the driveway which adds to the problem and means we have to stagger our cars rather than park them side by side'*.
3. The owner submitted two Options for consideration and attended the Policy & Resources meeting on 15 February 2022 to explain the Options and answer questions.
4. Having considered the information presented, the Committee felt unable to reach a recommendation without exact measurements of the land. It was resolved that the applicant resubmit the drawings to include measurements of the land they wish to purchase for consideration at a future meeting.

Proposal

5. The resident has resubmitted two Options (Appendix 1 and 2). Option 1 is the resident's preferred choice. An extract from the resident's email outlining his key points and general comments made to the Committee in February is attached (Appendix 3).

Council Consideration

6. 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 accompanies this report (Appendix 4). A separate "Disposal of Public Open Space Land" procedure also exists (Appendix 5).
7. A map of the wider area showing current land owned and maintained by the Town Council is included with the report papers (Appendix 6).
8. The parcel of land to which the resident refers was grassed and planted with a mixture of shrubs and trees by the developers. These have matured over the years. The Maintenance Team undertake grass and hedge cutting / pruning work as required to the area.

9. 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 resident starts incurring planning, valuation, publicity and legal transfer costs.
10. Consideration should include public benefit, financial impact, community impact and whether sufficient information has been provided.
11. Disposal of amenity land in this area may set a precedent and lead to resident(s) in Cheshire Road submitting a request to purchase land to extend their garden(s). Such a request was received in 2017, at that time the request was judged not to have met the criteria for land disposal by the Council on the basis that the land provides good amenity space and there was no public benefit from the sale of the land.

Risk Assessment

12. Financially all costs would be met by the resident of 22 Pickenfield.
13. 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. In recent years, requests at Youens Drive, Chalgrove Road and Pickenfield have been granted, while Cheshire Road and Cromwell Avenue was refused.
14. Any Planning permissions for change of use from public amenity land to private garden would be the responsibility of the resident to obtain. Restriction on development would be listed as a covenant within any transfer deeds.

Resource Appraisal

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

Legal Powers:

Local Government Act 1972 S.127

Recommendation:

That the Committee:

- i) Consider 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, in principle, disposing of the land.***