

## PROPERTY DISPOSALS UPDATE

### Cabinet – 3 December 2015

Report of	Chief Officer Communities & Business
Also considered by:	Policy & Performance Advisory Committee – 26 November 2015
Status:	For Recommendation to Cabinet
Key Decision:	Yes

---

#### **Executive Summary:**

This report seeks approval to the disposal of surplus property assets at Shacklands Road, Badgers Mount

---

**This report supports the Key Aim of** Value for money

**Portfolio Holder** Cllr Fleming

**Contact Officer(s)** Mark Bradbury Ext. 7099

---

#### **Recommendation to Policy & Performance Advisory Committee:**

That the Committee recommends to Cabinet the disposal of surplus land at Shacklands Road, Badgers Mount and authorises the Head of Economic Development and Property to agree detailed Heads of Terms

#### **Recommendation to Cabinet:**

To agree the disposal of surplus land at Shacklands Road, Badgers Mount and authorise the Head of Economic Development and Property to agree detailed Heads of Terms

---

**Reason for recommendation:** Disposal of surplus and underperforming assets will generate capital receipts that can be reinvested in higher performing assets in accordance with the Council's approved Property Investment Strategy.

---

#### **Introduction and Background**

- 1 The Council owns an area of woodland in Badgers Mount adjacent to the M25 motorway. This land lies outside of the areas of woodland managed as an amenity for the public. The land is shown edged red on the attached plan.
- 2 Part of the woodland, edged green on the attached plan has been sold on a long lease to one adjoining owner. That owner is now interested in acquiring further

land and 2 other neighbouring residential owners are also interested. Between them they are interested in acquiring all of the land.

- 3 One other neighbouring property has also been approached and they have indicated that they are not interested.
- 4 The land is wooded and does provide a visual and aural screen between the adjoining properties and the M25 motorway. The woodland has not previously been protected by a Tree Preservation Order although it is Ancient Woodland. When the Council sold the land edged green (on a long lease) a number of trees were felled by the lessee to allow horses to be grazed.

### **Disposal**

- 4 The land does not form part of the Council's operational needs nor is it managed as a community facility. It does not generate an income or have potential to generate an income in line with the Council's Property Investment Strategy criteria. Therefore in accordance with the principles of Asset Management discussed at the Planning and Performance Advisory Committee on with members the property is surplus to requirements.
- 4 It is therefore proposed that the land is sold in agreed parcels to the three interested parties. Agreement has been reach in principle and subject to Cabinet approval based on a guide price of £20,000 per hectare.
- 5 A Tree Preservation Order has been made covering the entirety of the land and it is proposed that sales would not be completed until the Order is confirmed.
- 6 It is also proposed that the sale will be subject to conditions that the property is owned and managed as private woodland in perpetuity.

### **Badgers Mount Parish Council**

- 7 Badgers Mount Parish Council have been consulted on the proposals and have met with the Property Team and with the Leader of the Council.
- 8 The Parish Council advise that they would prefer the District Council to retain ownership on the basis that 'the only way to ensure that the protection of the woodland is maintained is that it remains in Public Ownership'. They have advised that if the District Council does not wish to retain ownership the Parish Council would be prepared to enter into discussions regarding a transfer to them. We understand that they would not be prepared to pay market value. A copy of a letter from the Parish Council is attached as Appendix B.

### **Conclusions**

- 9 The land is surplus to requirements and the making of a Tree Preservation Order and sale of the land to neighbouring residents with suitable restriction on the use of the land is likely to be the most appropriate route to ensuring the maintenance of the land for the amenity of those residents. It also offers Value for Money to taxpayers.

- 10 It is therefore recommended that the offer be accepted and the Head of Economic Development be authorised to agree detailed terms.

## **Key Implications**

### Financial

Disposal of surplus and underperforming assets will generate capital receipts that can be reinvested in higher performing assets in accordance with the Council's approved Property Investment Strategy

### Legal Implications and Risk Assessment Statement.

Resources from the Council's legal team are and will continue to be needed to complete the disposal process.

No significant risks have been identified for the Council in progressing the sale. The land is not required for operational purposes.

### Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

### **Appendices:**

Appendix A : Site Plan

Appendix B : Letter from Parish Council

### **Background Papers:**

None

**Lesley Bowles**  
**Chief Officer Communities & Business**