



DISTRICT COUNCIL

Despatched: 25.11.14

EXTRAORDINARY MEETING OF FINANCE AND RESOURCES

ADVISORY COMMITTEE

03 December 2014 at 7.00 pm

Conference Room, Argyle Road, Sevenoaks

AGENDA

Membership:

Chairman: Cllr. Ramsay Vice-Chairman: Cllr. Firth
Cllrs. Mrs. Bayley, Bosley, Cooke, Edwards-Winsler, Maskell, McGarvey, Mrs. Morris,
Mrs. Purves, Mrs. Sargeant and Scholey

| | <u>Pages</u> | <u>Contact</u> |
|--|---------------------|---|
| Apologies for Absence | | |
| 1. Declarations of Interest Any interests not already registered | | |
| 2. Property Disposals | (Pages 1 - 12) | Adrian Rowbotham Tel: 01732 227153 and Lesley Bowles Tel: 01732 227430 |

EXEMPT ITEMS

Consideration of Exempt Information

Recommendation: That, under section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting when considering Appendix C of agenda item 2 above, on the grounds that likely disclosure of exempt information is involved as defined by Schedule 12A, paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)).

2a. **Property Disposals - Appendix C** (Pages 13 - 40)

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Contact Officer named on a report prior to the day of the meeting.

Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below.

For any other queries concerning this agenda or the meeting please contact:

The Democratic Services Team (01732 227241)

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ASSET MANAGEMENT PLAN UPDATE

Finance and Resource Advisory Committee - 3 December 2014

Report of Chief Finance Officer

Status: For recommendation to Cabinet

Also considered by: Cabinet 11 December 2014

Key Decision: Yes

Executive Summary: This paper is presented to Members to advise them of the outcome of the bids received in respect of the proposed sale of Timberden Farm, Shoreham. It also contains recommendations as to the proposed disposal method of three other sites previously approved for disposal.

This report supports the Key Aim Asset Management Plan

Portfolio Holder Cllr. Ramsey

Contact Officer(s) Adrian Rowbotham x7153
Lesley Bowles x7335

Recommendation to Finance & Resource Advisory Committee

That the recommendation to Cabinet be endorsed.

Recommendation to Cabinet

That Cabinet approve:

- (a) the recommendation as set out in Appendix C following receipt of the bids in respect of Timberden Farm.
 - (b) the disposal of the three other sites by way of auction on the terms set out in Appendix C.
-

Reason for recommendation: Land/Properties identified as surplus to requirements and/or underperforming financially.

Agenda Item 2

Introduction and Background

Timberden Farm, Shoreham

1. The farm comprises approximately 2.13 acres (86.2 hectares) and was acquired in 1990, it has been let to a local farmer on a Farm Business Tenancy since then.
2. Earlier this year the disposal of Timberden Farm was recommended by Finance & Resources Advisory Committee (FRAC) to Cabinet due to a fall in income and gross return, and approved.
3. In order to ensure the best consideration is obtained, three agents, each with considerable experience in disposing of agricultural holdings, were interviewed and invited to submit their fees for acting on behalf of the Council in respect of the sale.
4. Carter Jonas were appointed and their advice was to market the farm on the open market either as disposal as a whole, or as 4 lots, as shown in Appendix A.
5. A copy of their particulars are included in Appendix B.
6. Their recommendation was that bids should be invited for the whole in excess of the sum of £2.1 M
7. Marketing began at the beginning of October, and in order to ensure compliance with the Council's disposal policy, all neighbouring properties were notified of the proposed disposal as part of the proactive marketing campaign which included adverts in local and national papers, For Sale Boards etc.
8. Bids for either the farm as a whole, or for one of the lots, were invited to be submitted to the Democratic services Department of the Council by Noon, 18 November 2014. These were opened by Democratic Services in the presence of Councillor Ramsay, the Solicitor to the Council and Head of Communities & Business.
9. Following receipt of the bids, details of which are set out in Appendix C, a recommendation is set out for consideration.

Disposal of three sites by way of auction

10. The disposal of these three sites was previously recommended by FRAC to Cabinet and approved earlier this year.
11. Advice has now been sought from an auctioneer with considerable experience in disposing of small lots, the advice received and recommended reserves for each site is set out in Appendix C and approval is sought to these recommendations.

Key Implications

Financial

Net proceeds after costs (agents fee and disbursements for the Timberden Farm disposal, and entry fees and commission for the auction disposals) will be added to the Capital Receipts Reserve.

Legal Implications and Risk Assessment Statement

Further resource from the Legal Section will be required to support the disposal process through to completion.

There is still a small risk that officer time may still be expended and any sale not complete. However, due diligence will be undertaken as far as possible to assess the purchaser’s ability to complete the sale at the agreed sale price in an effort to minimise that risk.

The disposal by way of auction means that, if the agreed reserve is exceeded, then the Council will be legally committed to the disposal so there is minimal risk.

Equality Impacts

| Consideration of impacts under the Public Sector Equality Duty: | | |
|---|--------|--|
| Question | Answer | Explanation / Evidence |
| a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community? | No | The disposal processes are open to all members of the public |
| b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity? | No | |
| c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above? | | |

Value for Money and Asset Maintenance

The Councils land Disposal Policy will be followed, to ensure best value for money is achieved for the proposed disposals.

Asset maintenance liabilities will be reduced upon completion of disposals.

Conclusions

The receipt of the bids be noted and the disposal of Timberden Farm be progressed in accordance with the recommendation in Appendix C.

Agenda Item 2

The disposal by way of auction of the three sites identified be progressed as soon as possible with a view to completing before the end of the financial year.

Appendices

Appendix A – Timberden Farm Lot Plan

Appendix B – Timberden Farm particulars

Appendix C - Timberden Farm Bid Summary and disposal recommendations for three sites (**Exempt Information**)

Background Papers:

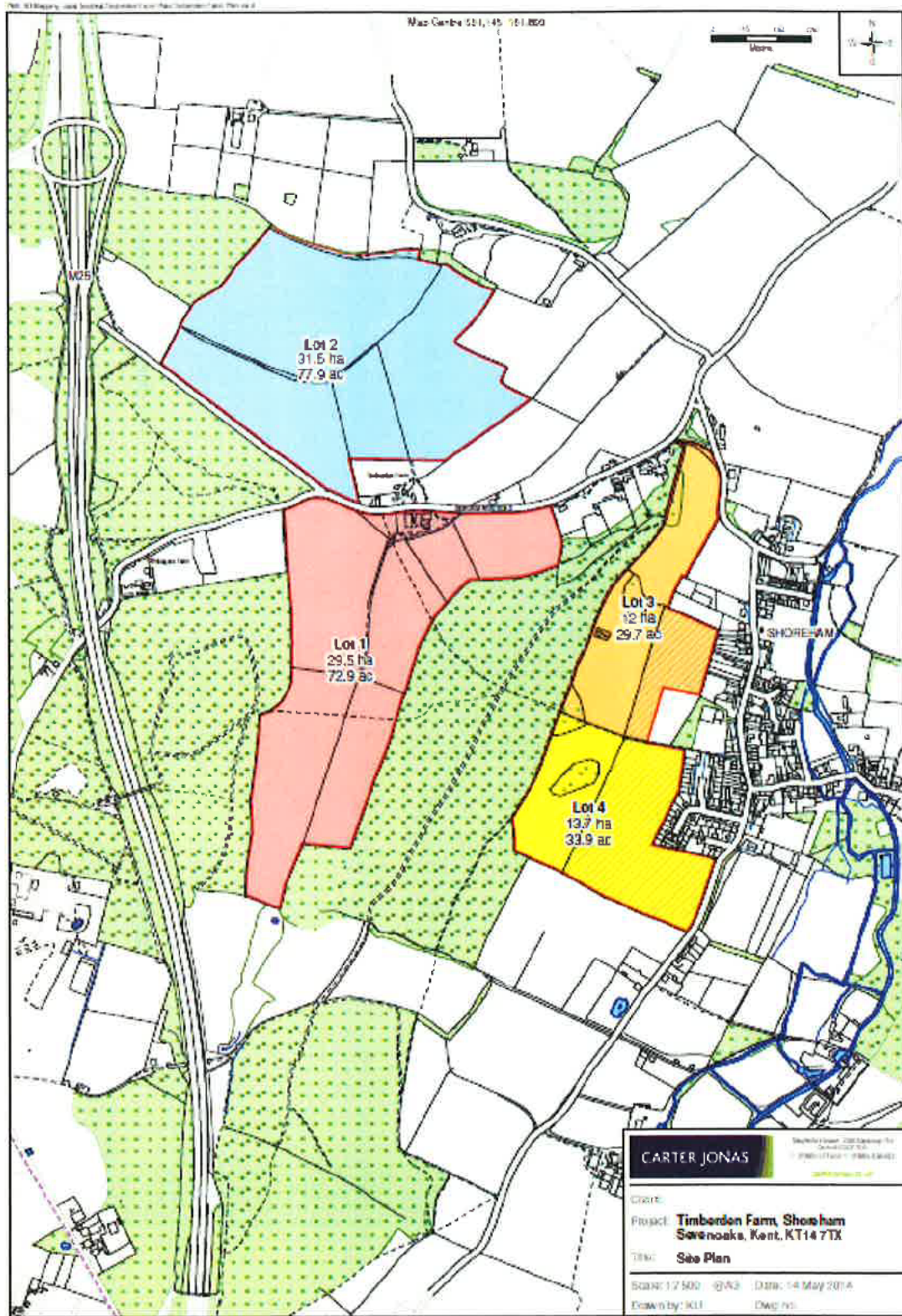
None

Adrian Rowbotham
Chief Finance Officer

Timberden Farm

CARTER JONAS

APPENDIX 2: Sale Plan





Carter Jonas

Timberden Farm, Shoreham, Sevenoaks, Kent

For sale as a whole or in four Lots. An attractive block of amenity/agricultural land in the Kent Downs AONB. A 213.1 acre (86.2 hectare) farm comprising arable and pasture land and a range of farm buildings at Timberden Farm. Two lots are on Shacklands Road and lie to the west of Shoreham and the other two lots adjoin the village on its western flank.

LOCATION

Timberden Farm offers an excellent opportunity to both agricultural and amenity purchasers to buy a property in an attractive setting. Two parcels lie in an undulating valley and the other two lots are on the escarpment lying to the west of Shoreham. Shoreham is a vibrant village with a shop, 4 public houses, shops and tea room. There is a strong community spirit in Shoreham village which has a primary school and cricket club and there are many country walks some of which pass through the property being sold.

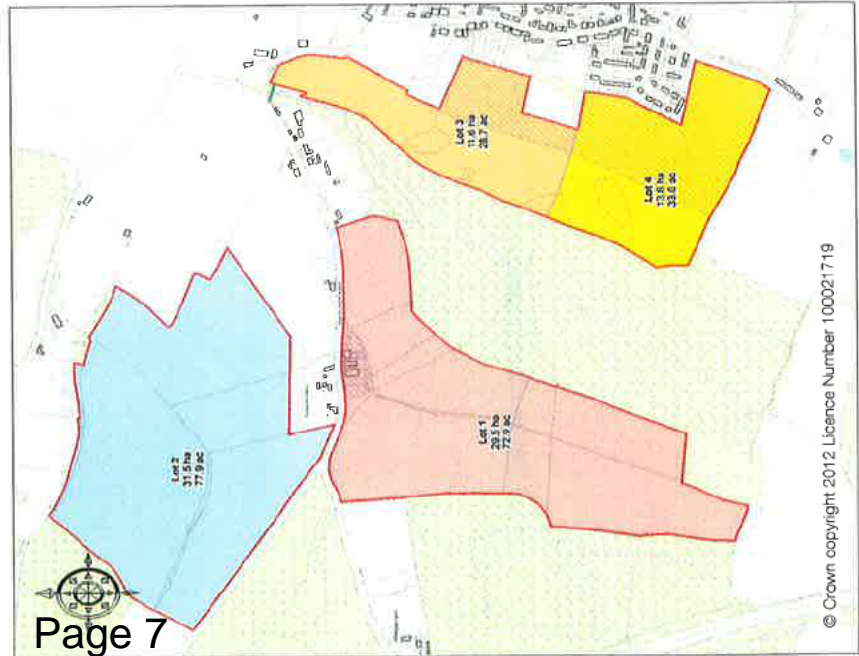
The farm is well located with access to the M25 at J4 within two miles and there are excellent rail links to London via Shoreham, Sevenoaks and Chelsfield. The main town Sevenoaks lies 5 miles to the south and the town has a full range of shops, restaurants and facilities.

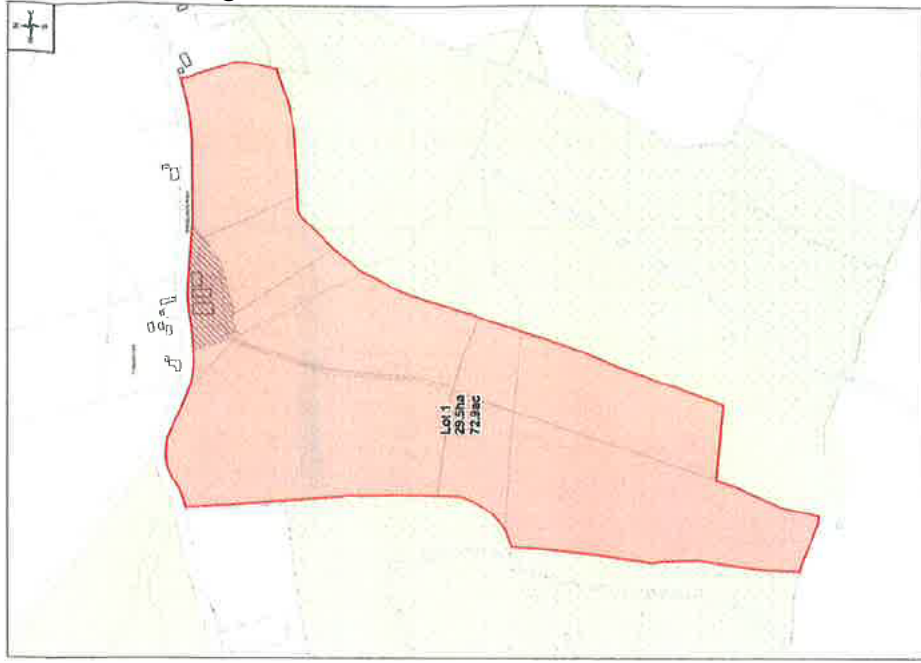
TIMBERDEN FARM

A predominantly livestock farm which was purchased by Sevenoaks District Council in 1990 and has since been let under a series of agricultural tenancy agreements.

The Council have now decided to dispose of its interest. The land has the benefit of being registered with the Rural Payments Agency for single farm payments and the entitlements are available by separate negotiation.

It should be noted that there are footpaths crossing the land and the parts of the land hatched on the individual lot plans are the subject of an overage/development covenant.



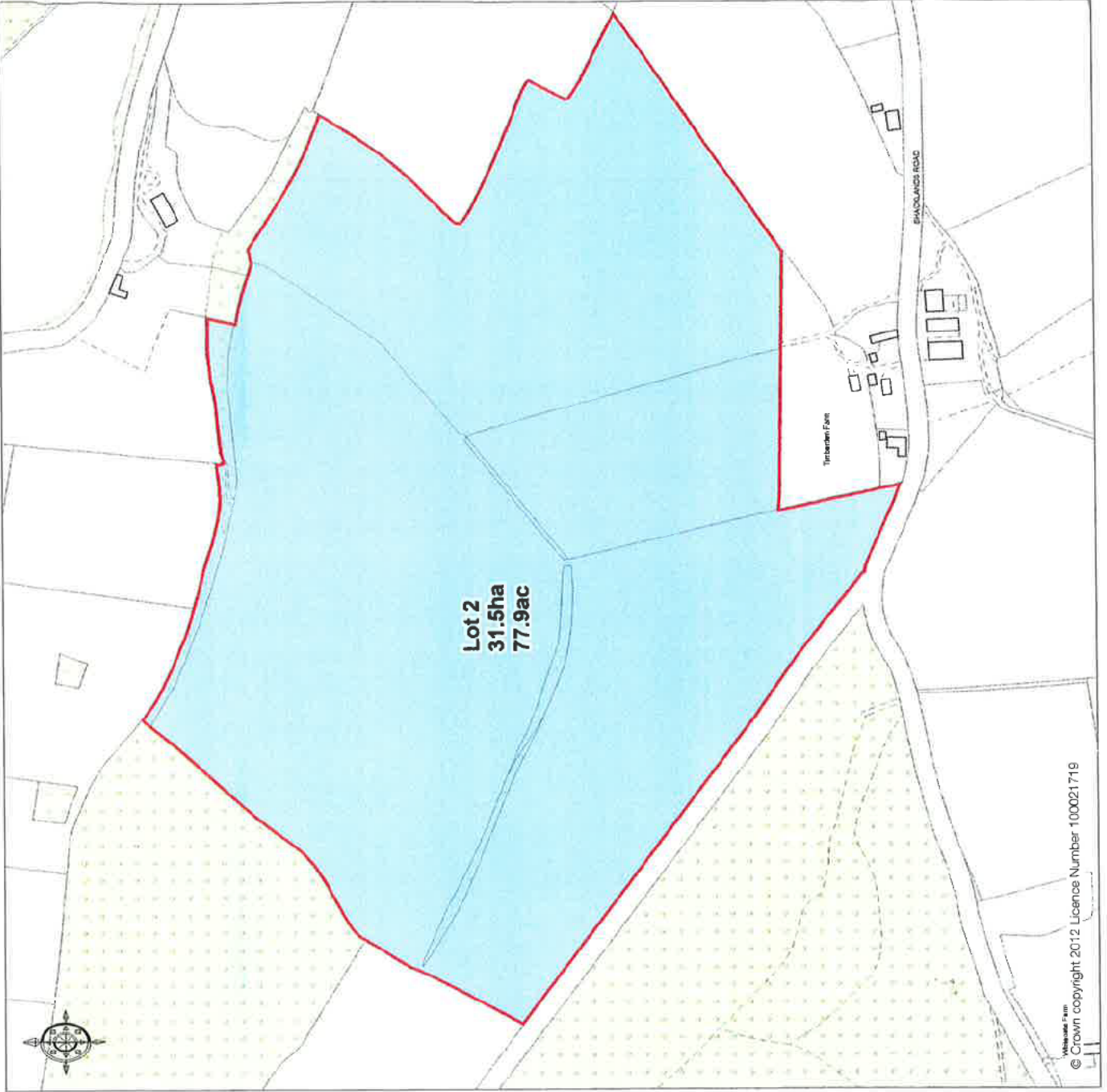


LOT 1: FARM BUILDINGS AND PASTURE LAND 72.9 ACRES (29.50 HECTARES)

Timberden Farm buildings and land front onto Shacklands Road on the northern boundary. The buildings are shown on the plan and comprise a Straw Barn of steel frame with asbestos roof and cladding, Cattle Yard of concrete frame with block walls under asbestos roof and cladding and the former Grain Store of steel frame with block walls under asbestos roof and cladding. The buildings are served by a concrete yard and have been the centre for the farming operation for the complete holding.

The land rises gently to the south in the main and is surrounded by woodland along most of the boundary.





**LOT 2: PASTURE LAND 77.90 ACRES
(31.52 HECTARES)**

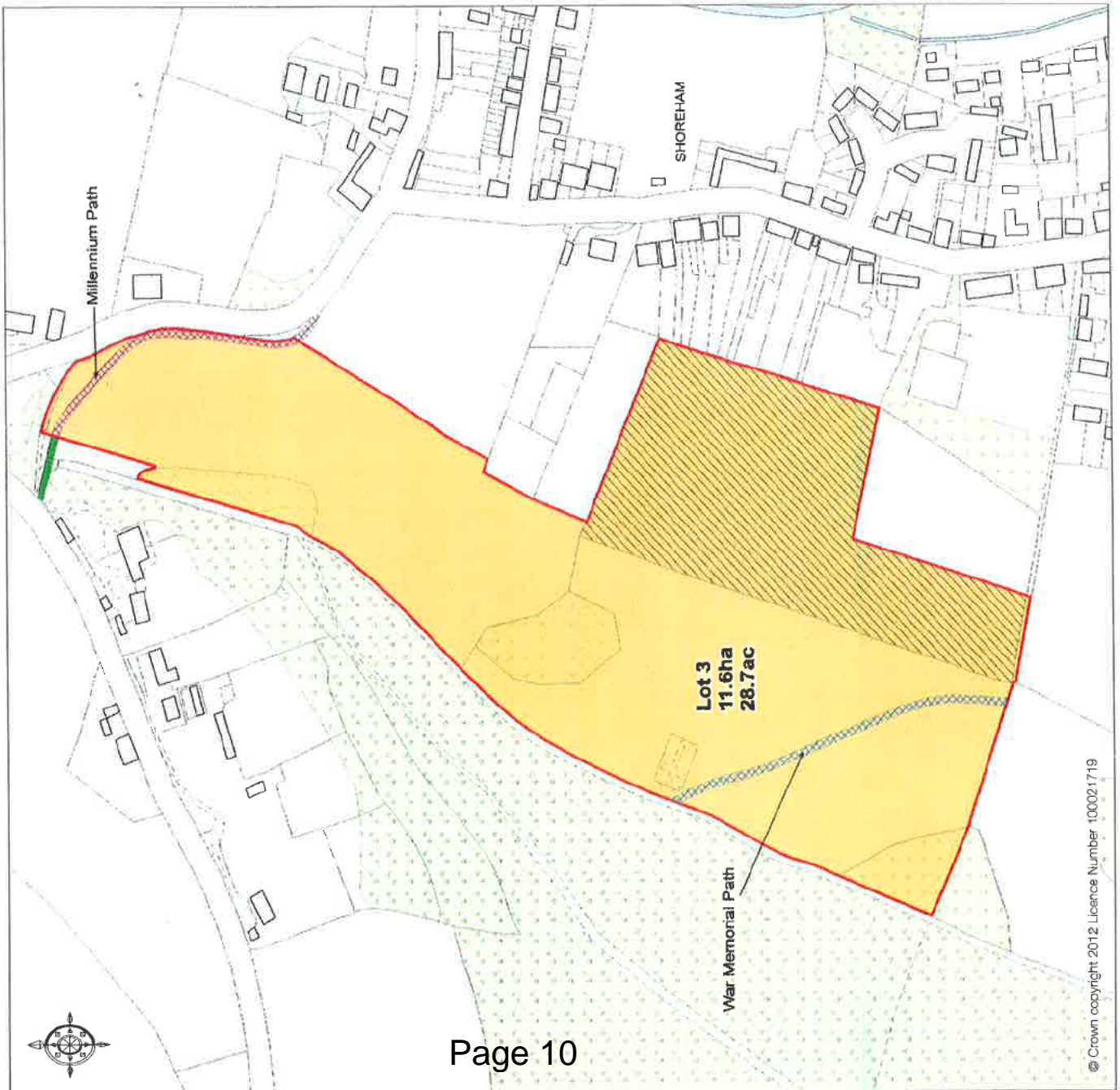
A south facing block of pasture land lying to the north of Shacklands Road. The parcel has a good length of road frontage with a woodland border and wood along the northern boundary. This parcel of land sits naturally with Lot 1 and the buildings situated thereon.

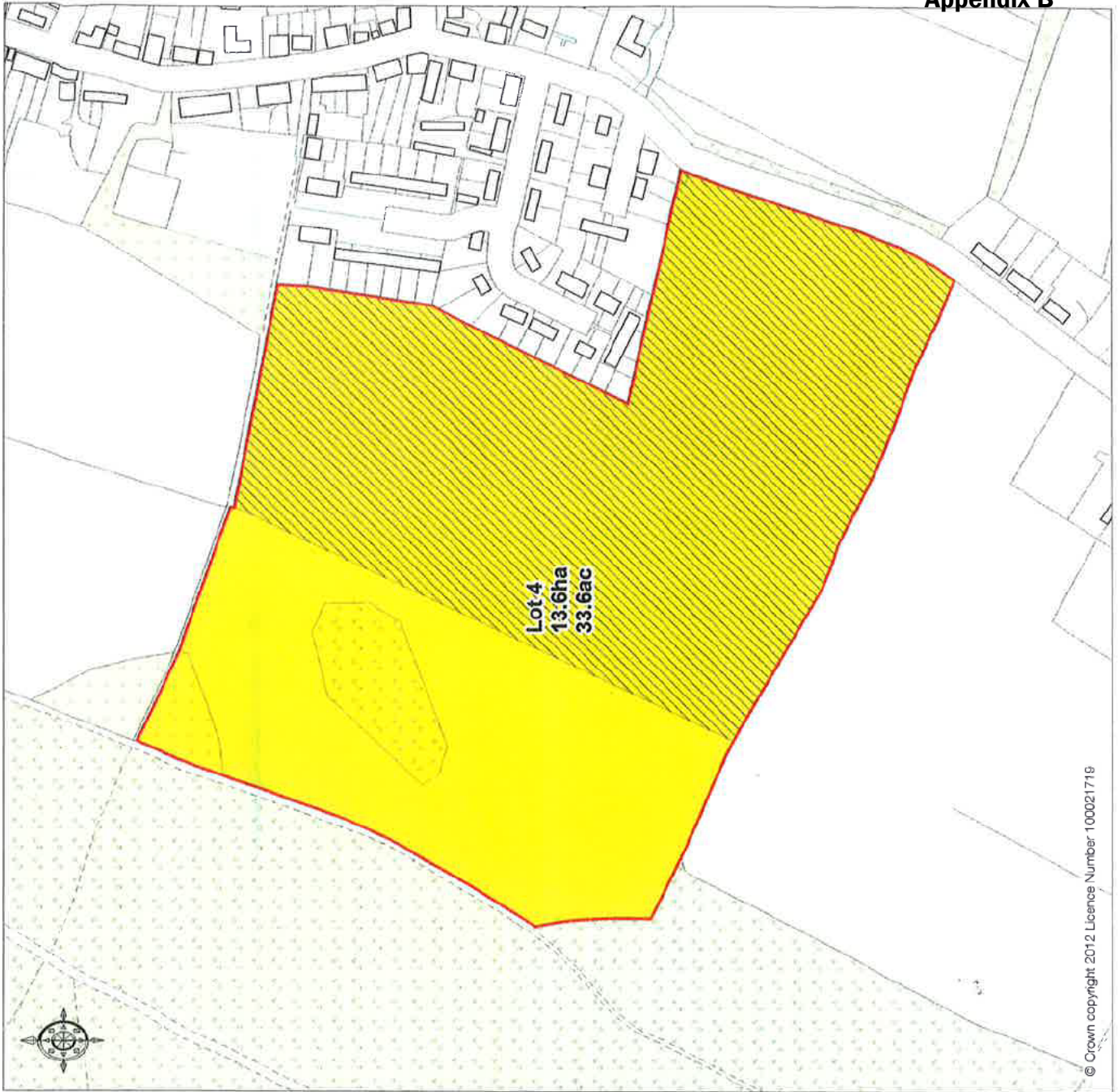


LOT 3: PASTURE ESCARPMENT AND ARABLE LAND ADJOINING SHOREHAM VILLAGE 28.7 ACRES (11.6 HECTARES)

Access to this land is via right of way, coloured in green, the ownership of which will be retained by Sevenoaks District Council. The vendor will also be granting a right of way on foot only over the Millennium Path hatched purple on the plan for use by the general public. The Council intend to reserve a timber storage site to facilitate their timber management obligations in the adjoining woodland areas.

The land is predominantly a steep escarpment which provides an attractive back drop to the west of Shoreham village and is a key natural feature and setting. There is a level area of arable land lying immediately behind the cottages along the High Street. Within this lot also lies the War Memorial Cross which is let under a 999 year lease from June 1921 to The Parish Council of Shoreham. There is a footpath from the village leading to the War Memorial Cross, hatched blue, on the plan.





LOT 4: ARABLE AND PASTURE LAND ADJOINING SHOREHAM VILLAGE 33.6 ACRES (13.6 HECTARES)

Access to this parcel of land is from Filston Lane and lies to the west of Shoreham. A majority of this parcel of land is suitable for maize/cereals with the continuation of the permanent pasture escarpment to the west.

Part of lot 4 had previously been proposed for inclusion in the Gypsy and Traveller Development Plan Document for the period to 2026. This site has now been excluded from the Plan.



TENURE

Timberden Farm will be offered for sale freehold with vacant possession upon completion. Depending upon the timing of the sale it may be necessary to holdover in some of the farm buildings and necessary adjoining land for the over wintering of cattle and the storage of fodder. This holdover provision will only apply to part of Lot 1 and further details can be provided by the selling agents.

SINGLE FARM PAYMENTS

The land is currently registered with the Rural Payments Agency and single farm payments have been received by the tenant. The land was also subject to a Countryside Stewardship Scheme and this agreement came to an end on the 30th September 2014.

All payments due in respect of the 2014 claim and the CSS will be retained by the tenant and/or Sevenoaks District Council. The entitlements are available to the purchaser by separate negotiation and details of what is available can be provided by the selling agents.

OVERAGE / DEVELOPMENT COVENANT

A development covenant was imposed when Sevenoaks District Council purchased the land in 1990 and is for a term of 80 years. The land affected by the covenant is hatched in black on the plan for each lot and it applies to land within Lot 1, 3 and 4.

Under the covenant 50% of the net development value is payable for the land sold. There are a number of provisions relating to the covenant and full details can be obtained from Sevenoaks District Council legal department.

SERVICES

The land has the benefit of a mains water supply to all parts of the farm. The selling agents have prepared a detailed plan of the water supplies showing the various meters and troughs on the land and within the buildings. Depending upon how the land is sold it may be necessary for further meters or sub meters to be installed.

There is a three phase electricity supply to the grain store and lights and sockets to the main barn all of which are within Lot 1.

EASEMENTS RESTRICTIONS AND RIGHTS OF WAY

There are two footpaths SR5 and SR6 crossing the land and these pass over Lot 1 and between Lots 3 and 4.

The property is subject to rights of way to adjoining land, easements for pipes with the right to maintain the same, rights of passage for various media for the retained land with rights to maintain and the right to enter after notice. The property itself also has the benefit for media under the retained land together with the right to repair and maintain. These matters are contained within the property register for title number K694814 and full details can be obtained from the selling agents.

The property is being sold subject to and with the benefit of all rights of way whether public or private, light, sporting, drainage, water and electricity supplies and other rights and obligations easements and quasi-easements, and all existing and prepared wayleaves for masts, pylons, stays cables drains water and gas and other pipes whether referred to in these particulars or not.

METHOD OF SALE

The property is offered for sale by private treaty as a whole or in 4 lots. The closing date for offers will be 12 noon on Tuesday 18th of November 2014.

VAT

The property is not elected for VAT

LOCAL AUTHORITY

Sevenoaks District Council, Argyle Road, Sevenoaks, Kent, TN13 1HG
01732 227000

VIEWING

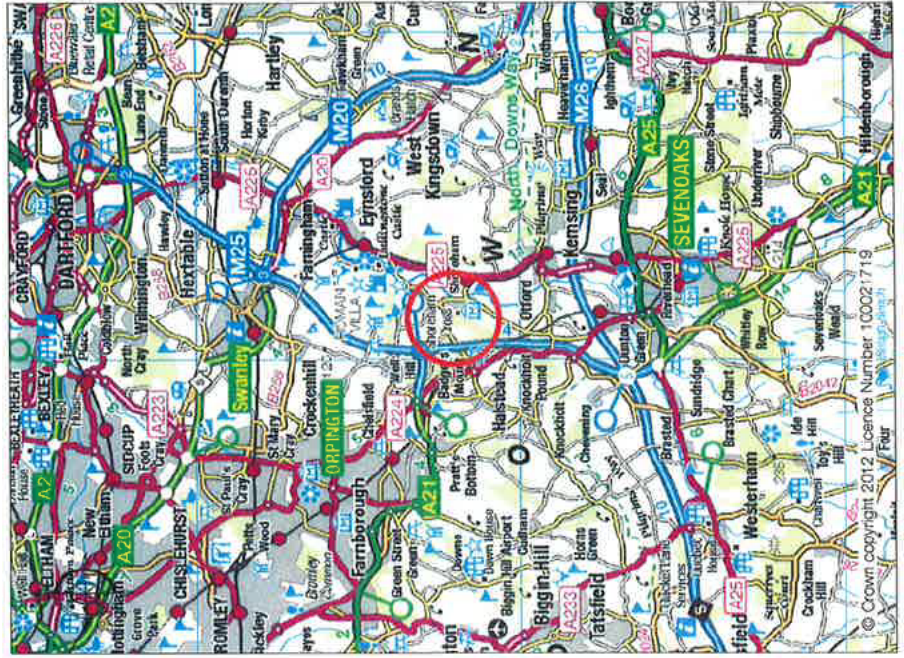
Viewing is strictly by appointment through the Carter Jonas Newbury office on 01635 263000. A number of viewing times will be set where the selling agent will be available at the Timberden Farm buildings to deal with specific enquiries.

DIRECTIONS

From junction 4 of the M25 take the A21 (A224) towards Orpington. At the first roundabout take the first left on A224 towards Dunston Green/Badgers Mount. After 1 mile at the roundabout take the first left into Shacklelands Road sign posted Shoreham Village. After 1 mile you come to Lots 1 and 2 at Timberden Farm buildings. Proceed up the hill and take the first right into Shoreham village where Lot 3 and 4 can be seen on your right hand side.

POSTCODE

The postcode at Timberden Farm buildings is TN14 7TX.



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item 2a

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