

TITLE OF REPORT : LAND DISPOSALS - 1.8 ACRE SITE, YEOMANRY DRIVE, BALDOCK

REPORT OF THE HEAD OF FINANCE, PERFORMANCE & ASSET MANAGEMENT

1. SUMMARY

- 1.1 To seek the Committee's views on proposals to sell 1.8 acres of land at Yeomanry Drive, Baldock following its consideration by Cabinet at the meeting of 25 September 2012 (minute 53).

2. FORWARD PLAN

- 2.1 This report contains a recommendation on a key decision that was first notified to the public on the forward plan July 2012.

3. BACKGROUND

- 3.1 The District Council owns the 1.8 acre site at Yeomanry Drive, Baldock, as identified on the attached plan.
- 3.2 In 2004 the site was under offer for sale to Twigden Homes who proposed to construct 24 houses on the land. The sale did not proceed due to an application being made to register the site as a Village Green. Following this unsuccessful application for a Village Green, an appeal was made that was also unsuccessful.
- 3.3 At a meeting of Cabinet on 22 March 2011 an 'in principle' decision was made to declare the site surplus to the Council's requirements subject to a further report back to Cabinet. This decision was ratified by Cabinet on 25 September 2012, subject to consultation with the Baldock and District Committee.
- 3.4 At the meeting of 25 September 2012, Cabinet resolved:
- That, subject to the Baldock & District Committee raising no substantive objections to the proposal, the 1.8 acre site at Yeomanry Drive, Baldock, be offered for sale on the open market; and
 - That, following receipt of the offers for the site, the decision on which one to accept be delegated to the Strategic Director of Finance, Policy and Governance, in consultation with the Portfolio Holder for Finance and IT.

4. ISSUES

- 4.1 Subject to consultation with the Baldock and District Committee it is proposed that the freehold of the 1.8 acre site is marketed for sale shortly, possibly in early 2013. Subject to planning it seems likely that it will be of interest to residential developers for new homes.
- 4.2 Prior to disposal of the land, it is necessary to advertise the intended sale in a local newspaper inviting comments or objections from the public. Advertisements were placed in The Comet on 30 September and 7 October 2010.
- 4.3 Responses were received from 15 Baldock residents. Comments included concerns about increased traffic, loss of a meeting point for the local school and retention of the open space for its amenity. Some suggested the need for a car park on some of the land and others wanted the land "restored to a more attractive appearance". It appears that all of the responders were located within 100m of the site and that no comments were made in writing to the Council by other residents in the Baldock area.

5. LEGAL IMPLICATIONS

- 5.1 The Area Committee has within its terms of reference to consider the policies and actions of Cabinet as to their appropriateness to the needs and aspirations of the local community.
- 5.2 The Contract Procurement Rules, Part I Land Transactions apply and any marketing would be carried out within the remit of Contract Procurement Rules.
- 5.3 Section 123 Local Government Act 1972 allows the Council to dispose of land in any manner it wishes, provided that the consideration is the best that can be reasonably obtained, unless the Secretary of State consents.
- 5.4 There may be specific legal implications relevant to the sale of the property e.g. covenants on title, easements, third party rights.
- 5.5 The New Homes Bonus is paid through S.31 of the Local Government Act 2003 as an unring-fenced grant.

6. FINANCIAL AND RISK IMPLICATIONS

- 6.1 The sale of assets reduces the risk to the Council arising from the duties under the Occupiers Liability Act 1957 and 1984. The sale will also generate a capital receipt to assist in funding the Council's capital investment programme.
- 6.2 Central Government will provide New Homes Bonus funding for six years on the basis of the national Band D average (£1,439 for 2011). Currently this is split 80% to the District Council and 20% to the County Council, with an additional £350 per year to the District for each affordable home.

- 6.3 Assuming 24 homes were to be built, this development would represent a New Homes Bonus sum in the region of £28,000 per year for six years.

7. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

- 7.1 The Council's Asset Disposal Strategy, approved in July 2004, sets out that consultation should follow the following process; *"the relevant Ward Member(s) will be consulted on any proposals and consideration be given to wider community consultation. Following consultation, a report on the officers' recommendations will be presented to the appropriate Area Committee for their views before seeking approval from the relevant delegated Member or Committee"*.
- 7.2 The views of the Baldock and District Committee are being sought at this meeting.

8. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS

- 8.1 There are no human resource or equality implications arising from this report.

9. RECOMMENDATIONS

- 9.1 That, as part of the consultation process, the Committee gives its views on the proposal to sell the 1.8 acre site at Yeomanry Drive, Baldock.

10. REASONS FOR RECOMMENDATIONS

- 10.1 To provide a financial receipt to help fund the 2012 to 2016 capital programme.

11. LOCATION PLAN

- 11.1 Plan attached at Appendix 1 for identification purposes only.

12. REPORT AUTHOR

- 12.1 David Charlton, Senior Estates Surveyor
Tel: 01462 474320 Email: david.charlton@north-herts.gov

13. CONTRIBUTORS

- 13.1 Michelle Thrale, Property Solicitor
Tel: 01462 474218 Email: michelle.thrale@north-herts.gov.uk
- 13.2 Andrew Cavanagh, Head of Finance, Performance & Asset Management,
Tel: 01462 474243 Email: andrew.cavanagh@north-herts.gov.uk

14. BACKGROUND PAPERS

- 14.1 Land Registry title No. HD103588.
- 14.2 Adverts in The Comet 30 September and 7 October 2010.
- 14.3 Responses from 15 residents of Baldock .
- 14.4 Min 53, Cabinet 25 September 2012.