

## **The Vale of Glamorgan Council**

### **Cabinet Meeting: 26 March, 2018**

## **Report of the Cabinet Member for Neighbourhood Services and Transport**

### **Disposal of Surplus Land**

#### **Purpose of the Report**

1. To seek approval to dispose of 5 plots of land deemed surplus to Council requirements.

#### **Recommendations**

1. That the five areas of land identified as Appendices A - E be disposed of at a value and on terms to be agreed by the Director of Environment and Housing Services in consultation with the Cabinet Member for Neighbourhood Services and Transport and Head of Finance
2. That the Head of Legal Services be authorised to draft and execute all legal documentation associated with the disposals.

#### **Reasons for the Recommendations**

1. To dispose of land that has little amenity value to the Council but is currently costing the Council to maintain.
2. To ensure that all the necessary legal arrangements for land disposal are followed.

#### **Background**

2. The Council has been approached by several residents interested in purchasing various parcels of land that are owned and maintained by the Council but have no real value in terms of either recreation or public amenity.
3. This report seeks the necessary authority to dispose of these parcels of land.

#### **Relevant Issues and Options**

4. The five pieces of land that have been drawn to the Council's attention by residents are a land locked piece of land located at Glenbrook Drive in Barry ([Appendix A](#)), a strip of land at Pencoedtre Road ([Appendix B](#)), a piece of land at Churchfields in Barry that has access issues ([Appendix C](#)), a land locked area at Kenson Close in Rhoose that is being encroached upon ([Appendix D](#)) and a plot at Trebeferad,

Trebeferad close to Boverton that does not form part of the playing field ([Appendix E](#)).

5. The piece of land located at Glenbrook Drive is shown at appendix A. Although the land was adopted by the Council it has no recreational or amenity value. It is not easily accessible and therefore is unlikely to have significant interest in terms of a sale. Approaches have however been made to purchase the land from properties surrounding it and it is recommended that it is marketed for sale with a minimum price to the three adjoining properties with all expenses associated with any sale being paid for by the purchasers. There will be an efficiency saving for the Council if the land is sold as it will no longer need to be maintained.
6. At Pencoedtre Road interest has been received from a householder who has made an enquiry about purchasing a small strip of Council land shown at appendix 'B'. It is proposed to sell the piece of land directly to the householder at market price which will be determined by an external valuer. The Householder will be required to meet all costs associated with the sale.
7. At Churchfields in Barry enquiries have been received in relation to the piece of land shown at appendix 'C'. It is proposed to market the land with a minimum price and invite offers. There are potential access issues with this piece of land and therefore interest may be limited. Again all costs will need to be met by the purchaser or purchasers.
8. The Council has also received various enquiries over a period of time regarding a piece of land at Kenson Close in Rhoose. The area is fully enclosed and not accessible by the public. There has been some encroachment onto the area but the land owned by the Council is clearly shown at appendix 'D'. There is a covenant on the land restricting its use to public open space. Taylor Wimpey who have the benefit of the covenant have indicated that they are prepared to agree to its removal subject to being paid an agreed remuneration to be negotiated. It is therefore proposed to market this area for general sale that subject to planning permission could represent a valuable housing plot. There will also be an efficiency saving for the Council if the land is sold as it will no longer need to be maintained.
9. At Tre-Beferad near Boverton the Council has received enquiries about selling a parcel of land shown at (appendix 'E'). The land again has no recreational or amenity value and has access issues. It is proposed to market the land with a minimum price and invite offers. There will again be an efficiency saving for the Council if the land is sold as it will no longer need to be maintained.

### **Resource Implications (Financial and Employment)**

10. Assistance from both the Council's Property and Legal teams will be required to progress the recommendations. Any income generated will be classed as a capital receipt or a revenue receipt dependant on its level.
11. A proportion of the receipt attributable to the land at Kenson Close will have to be paid to Taylor Wimpey as outlined in above.
12. Marketing costs will be incurred should agents be appointed to market the parcels of land identified.

### **Sustainability and Climate Change Implications**

13. There are no significant sustainability or climate Change implications associated with this report.

## **Legal Implications (to Include Human Rights Implications)**

14. The Council has a statutory and fiduciary duty to obtain best consideration for disposal of land and buildings in its ownership. There are exemptions to this obligations, however the Council are not relying on any such exemptions in these particularly cases.
15. Where applicable, restrictive covenants and overage clauses will be used in order to protect the Council's long term interests should planning permission be forthcoming for more valuable uses in the future.
16. The Legal Section will be required to draft, complete and execute all documents required to complete the disposal of land.

## **Crime and Disorder Implications**

17. There are no significant crime and disorder implications associated with this report..

## **Equal Opportunities Implications (to include Welsh Language issues)**

18. There are no significant equal opportunity implications associated with this report.

## **Corporate/Service Objectives**

19. The proposal to dispose of these pieces of land is aligned to well-being outcome 2: An environmental responsible and prosperous Vale objectives 3 and 4 promoting regeneration, economic growth, and promoting sustainable development and protecting our environment.

## **Policy Framework and Budget**

20. This is a matter for Executive decision by Cabinet.

## **Consultation (including Ward Member Consultation)**

21. Relevant Ward Members have been consulted and no objections have been raised in relation to proposed sale of these pieces of land.

## **Relevant Scrutiny Committee**

22. Environment and Regeneration

## **Background Papers**

None.

## **Contact Officer**

David Knevett - Operational Manager, Leisure Services

## **Officers Consulted**

Operational Manager: Property  
Legal Services - Committee Reports  
Environment and Housing - Accountant

**Responsible Officer:**

Miles Punter - Director of Environment and Housing Services.