

RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

PART 1 – PUBLIC DOCUMENT

Any interest to declare/ or conflict and any dispensation granted [*if applicable*]

SERVICE DIRECTORATE: Commercial

1. DECISION TAKEN

To approve disposal of North Hertfordshire District Council's (NHDC's) freehold interest in land adjacent to 10 Hill View, Rushden, Herts.

2. DECISION TAKER

Ian Couper, Service Director – Resources for NHDC

3. DATE DECISION TAKEN: 6th April 2020

4. REASON FOR DECISION

4.1 To provide a financial receipt to help fund the Council's Capital Programme.

4.2 The land had been declared as surplus to the Council's requirements at Cabinet of 29th March 2019.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 Retain the District Council's land and incur continued grounds maintenance costs

5.2 Market the land for sale in the open market

5.3 Let the land for grazing use.

6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)

6.1 Contact was made with Cllr Cunningham the Portfolio Holder for Finance and IT at the time of the submission to Cabinet for approval (29th March 2019) and Cllr Jarvis, the Ward Councillor for Weston and Sandon. No objections to the proposed disposal were raised during the consultation process.

7. FORWARD PLAN

7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

8. BACKGROUND/ RELEVANT CONSIDERATIONS

8.1 The District Council owns 0.32 acres of land adjoining 10 Hill View, Rushden, SG9 0SL, which is a three bedroom semi detached house in private ownership.

- 8.2 At the meeting of Cabinet of 16 November 2016 it was resolved (Minute 89): “That the sites identified in Table 5 [which includes the land at Hill View subject of this report] of the report be declared as surplus to the Council's requirements; that disposal options for these sites be investigated in more detail; and that Cabinet be advised about them as appropriate.

At the meeting of Cabinet of 29th March 2019 it was resolved for both the Part 1 and Part 2 reports that the contents of the report entitled Land Adjoining 10 Hill View, Rushden, Hertfordshire, SG9 0SL be noted.

- 8.3 The land is designated as Rural Area beyond Green Belt in the current and emerging Local Plan.
- 8.4 The District Council's land has a steep gravel path to the front providing access directly off Hill View. There are no structures on the District Council's land and the land is mainly grassed with some shrubs.
- 8.5 The land was previously let under a garden licence granted in 1982 at a licence fee of £15 per annum. The licence came to an end in 2018 on the death of the licensee although the Council had served notice in April 2017 to bring the licence to an end in August 2019.
- 8.6 Whilst 10 Hill View, Rushden was being marketed for sale the Council received a number of approaches for the land from prospective purchasers looking to acquire 10 Hill View, Rushden.
- 8.7 The Estates Department has agreed terms (Subject to Contract) to sell the land

9. LEGAL IMPLICATIONS

At the meeting of Cabinet of 16 November 2016 it was resolved (Minute 89):

‘That the sites identified in Table 5 [which includes the land at Hill View subject of this report] of the report be declared as surplus to the Council's requirements; that disposal options for these sites be investigated in more detail; and that Cabinet be advised about them as appropriate’.

At the meeting of Cabinet of 29th March 2019 it was resolved for both the Part 1 (minute 116) and Part 2 (minute 119) reports:

‘that the contents of the report entitled Land Adjoining 10 Hill View, Rushden, Hertfordshire, SG9 0SL be noted’.

The recommendation of this report was:

‘That authority be delegated to the Service Director: Resources in consultation with the Executive Member for Finance and IT to finalise the disposal and agree any variations to the terms provided that the disposal remains at the best consideration reasonably obtainable’

10. FINANCIAL IMPLICATIONS

- 10.1. The sale of this land will mean that the District Council will forego any future revenue income, however the previous letting as garden land had produced only £15pa.

11. RISK IMPLICATIONS

- 11.1 The sale of the District Council's land will reduce the risks to the Council arising from the Occupiers Liability Act 1957 and 1984.

12. EQUALITIES IMPLICATIONS

11.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

11.2 There are no equalities implications.

12. SOCIAL VALUE IMPLICATIONS

12.1 The Social Value Act and “go local” policy do not apply to this decision.

13. HUMAN RESOURCE IMPLICATIONS

13.1 There are no human resource implications arising from this report.

14. BACKGROUND PAPERS

None

15. APPENDICES

Appendix A Site Plan of land to be sold

Appendix B Report to Cabinet 29th March 2019

NOTIFICATION DATE

Date sent to all Members, put on website and appears in MIS – 9th April 2020

Signature of Executive Member Consulted ...Agreed by e-mail 6th April 2020.....

Date6/4/2020.....

Signature of Decision Taker  **.....**

Please Note: that *unless urgency provisions apply* EXECUTIVE decisions cannot be implemented until 5 clear working days have elapsed after the decision has been taken to allow for scrutiny call-in.

Call-in does not apply to NON-EXECUTIVE DECISIONS