

SUBJECT:	SALE OF LAND FOR GARDEN LAND USE AT LLANFAIR DISCOED
MEETING:	Individual Cabinet Member Decision – Cllr P Murphy
DATE:	11th September 2019
DIVISION/WARDS AFFECTED:	Caerwent

Exemption – The information contained within this report is not considered to be exempt from publication, however the information contained within one of the appendix is considered to exempt from publication

1. PURPOSE:

1.1 - To seek consent for the disposal of a section of land to the sitting tenant for use as garden land.

2. RECOMMENDATIONS:

2.1 - That the disposal proceed following the agreement of terms with the purchaser to purchase the land outlined red.

3. KEY ISSUES:

3.1 - The land outlined red has been leased to the owners of the adjoining property for a number of years for use as an orchard/informal garden.

3.2 - Following a review of the Council's land holdings in the area, it has been determined that the Council would offer the current tenants the opportunity to purchase the land for use as garden land.

3.3 - A valuation of the land has been undertaken by the Council and terms agreed on the basis of this. The purchasers will also cover the Council's Legal and Surveying costs relating to the transaction.

3.4 - The sale documentation will include an overage clause in the Council's standard form enable the Council to share any increase in value should the land ever be redeveloped.

3.5 - The transaction will be subject to the purchasers obtaining planning permission for change of use to garden land.

4. EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING):

Having undertaken the relevant impact assessment, the sale of this land is not deemed to have a negative impact in relation to the various subjects considered in the impact assessment.

5. OPTIONS APPRAISAL

Option	Positives	Negatives
Proceed with the sale	The Council will receive a capital receipt from the sale to contribute towards the Council's 21 st Century Schools Programme	The Council will see a reduction in rental income as a result of the sale
Withdraw from the sale and maintain status quo	The Council will continue to receive a rental income from leasing the land to potential purchaser	The Council will not benefit from capital receipt as a result of the sale

6. EVALUATION CRITERIA

- Has the transaction completed as expected? – 12 month review

7. REASONS:

The sale of the land will generate a receipt for the Council to support the capital program as well as enabling a tenant who has maintained the land to required standards during the tenancy agreement, to have the benefit of the land in perpetuity.

8. RESOURCE IMPLICATIONS:

The purchaser will pay the Council Legal and Surveying costs in relation to this transaction.

9. CONSULTEES:

Cllr P Murphy – Local Member
SLT

Joanne Chase – Legal Services

Debra Hill-Howells – Head of Commercial, Property, Facilities and Fleet.

10. BACKGROUND PAPERS:

Location Plan – Subject land outlined red
Exempt Appendix

11. AUTHOR:

Gareth King MRICS – Principal Estates Surveyor

12. CONTACT DETAILS:

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