

The Vale of Glamorgan Council

Cabinet Meeting: 9 January, 2017

Report of the Leader

Bryn-Glas, Littlehill, Barry - Disposal of Council Land

Purpose of the Report

1. To seek approval to dispose of a small parcel of land located next to Brook Street open space subject to agreeing a suitable sale value together with terms and conditions.

Recommendations

1. That the land identified at [Appendix 'A'](#) be declared surplus to the Council's requirements and sold to adjacent property owners, at market rate, subject to covenants restricting future development on the land being included in the terms of sale.
2. That the Head of Finance be authorised to appoint an external valuer to provide a market valuation report for the land referred to in [Appendix A](#) and agree Heads of Terms for the sale in consultation with the Director.
3. That the Head of Legal Services be authorised to complete all necessary legal documentation required to dispose of the land.

Reasons for the Recommendations

1. To allow a parcel of land to be formerly transferred to the occupier of the neighbouring property.
2. To ensure the Council's fiduciary and statutory obligations are met within the transaction.
3. To ensure legal procedures are followed.

Background

2. The Council owns a parcel of land adjacent to the residential property, Bryn Glas, Little Hill, Cadoxton as shown at [Appendix A](#). This small parcel of land is steeply sloping and has been inaccessible to the public for a significant period of time. The owners of the neighbouring property to the land, Bryn Glas, have written to the Council to formerly request that they be allowed to purchase the piece of land as shown at [Appendix A](#). The applicants advise that the land has been maintained by

them for a period of more than 12 years and the applicants now would like to purchase the piece of land before carrying out any improvements. The applicants would like to incorporate the land into their garden. They have stated that they have no present or future intention of building on the land and would be agreeable to a clause / covenant being included in any transfer agreement restricting the future use of the land to garden use. Planning permission may be required for a change of use to allow garden land, however this would be a matter for the applicants to seek and obtain as necessary.

3. The area of land is extremely difficult for the Council to maintain given access difficulties and topography of the land.

Relevant Issues and Options

4. The disposal of this land will not reduce the amount of public space available as this site has been inaccessible to the public for a significant period of time.
5. In order to progress the sale of this piece of land an external valuation will be required to determine the market value of the land to satisfy the Council's obligations.

Resource Implications (Financial and Employment)

6. During discussions with the prospective purchasers it has been made clear that the Council would not be willing to incur any costs in respect of the proposed sale. The prospective purchasers have indicated that they would be willing to meet the Council's costs up to a maximum of £1500. The cost of the valuation of the land would need to be recharged to the prospective buyer and any abortive costs would be the responsibility of the applicants.

Sustainability and Climate Change Implications

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

Legal Implications (to Include Human Rights Implications)

8. 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 this particularly case.
9. The Legal Section will be required to draft, complete and execute all documents required to complete the disposal of land.

Crime and Disorder Implications

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

Equal Opportunities Implications (to include Welsh Language issues)

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

Corporate/Service Objectives

12. Well-being Outcome 4: An Active and Healthy Vale:
Objective 7: Encouraging and promoting active and healthy lifestyles.

Work in partnership to deliver a range of activities through our leisure and community facilities and parks to increase levels of participation and physical activity.

Policy Framework and Budget

13. This is a matter for Executive decision.

Consultation (including Ward Member Consultation)

14. Local Ward Members have been consulted on this report and have raised no concerns with the proposal.

Relevant Scrutiny Committee

15. Corporate Performance and Resources.

Background Papers

Letter from the occupier of Bryn Glas dated 25 May, 2016

Contact Officer

David Knevett, Operational Manager, Leisure and Tourism.

Officers Consulted

Operational Manager; Property
Financial Accountant - Visible Services
Committee Reports
Parks and Open Spaces Officer
Operational Management - Development

Responsible Officer:

Miles Punter, Director of Environment and Housing Services