

## **The Vale of Glamorgan Council**

### **Cabinet Meeting: 5 June, 2017**

#### **Report of the Cabinet Member for Learning and Culture**

#### **Sale of Land Surplus to Requirements at St Illtyd Primary School, Llantwit Major**

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

1. To request that Cabinet declare a small parcel of land within the St Illtyd Primary school site to the rear of Court Close and High Street surplus to requirements and approve the sale of this land to the adjacent occupiers.

##### **Recommendations**

1. That the small parcel of land within the St Illtyd Primary school site to the rear of Court Close and High Street, Llantwit Major is declared surplus to requirements.
2. That the Head of Finance/Section 151 Officer be authorised to negotiate terms and conditions for the disposal of the surplus land.
3. That the Head of Legal be authorised to prepare, complete and execute any documentation required to complete the sale of the land.

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

1. To allow the disposal of the land.
2. To allow the sale of the land to be completed.
3. As above.

##### **Background**

2. A small parcel of land measuring approximately 370 sqm to the edge of the school site has been unused and fenced off for at least 15 years. The school has confirmed that there are no plans to develop this area in the future. The remaining school site meets the area requirements stated in Building Bulletin 99 and as a result this unused land will not be required if future development proposals are considered for the school.
3. The location of the land is shown in [Appendix A](#).
4. The occupants of 6 Court Close and Penmaes, High Street have contacted the Council to enquire if they can purchase the unused land to extend their gardens.

## **Relevant Issues and Options**

5. If the land is retained by the Council the land would be maintained by the school. Funding would be delegated from the Learning and Skills Directorate to fund the maintenance of this land but due to the location of the land it would serve no educational benefit to the school.
6. The adjoining owners will be required to erect and maintain secure fencing to the new boundary between their and the neighbouring properties within an agreed timescale. However, the school will retain responsibility for the existing fence which will form the new rear boundary of the sold land.

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

7. The land will be sold at market value for garden land in the area and a suitable restrictive covenant imposed on the sale in order that the land may not be used or developed for any other purpose in the future without Council consent.
8. The receipt achieved through the sale of this land would be retained within the School Investment Programme.
9. The adjoining owners will be responsible for the payment of all fees associated with the sale of the land.

## **Sustainability and Climate Change Implications**

10. There are no sustainability and climate change implications arising from this matter.

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

11. The Council has a statutory duty pursuant to S123 of the Local Government Act 1972 to secure the best consideration that can reasonably be expected to be obtained. Albeit that there are exceptions to the statutory duty, such exceptions are not being relied upon in the given case. An external valuation report will be obtained to certify the Market Value of the land for sale purposes.

## **Crime and Disorder Implications**

12. There are no crime and disorder implications arising from this matter.

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

13. There are no equal opportunities implications arising from this matter.

## **Corporate/Service Objectives**

14. To dispose of redundant or underutilised Council assets in accordance with the objectives of the Corporate Asset Management Plan.
15. This proposal would also contribute towards the Corporate Plan 2016-20, Well-being outcome 3: An aspirational and culturally vibrant Vale, Objective 5: Raising overall standards of achievement through additional funding for the School Investment Programme.

## **Policy Framework and Budget**

16. This is a matter for Executive decision by Cabinet

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

17. Ward Member consultation has been undertaken.

### **Relevant Scrutiny Committee**

18. Learning and Culture.

### **Background Papers**

None

### **Contact Officer**

Mark Haynes                      Project Manager, Consultancy

### **Officers Consulted**

Trevor Baker	Operational Manager, Strategy & Resources
Victoria Davidson	Operational Manager, Legal Services
Lorna Cross	Operational Manager, Property Section

### **Responsible Officer:**

Paula Ham                      Director of Learning and Skills