

**REPORT FROM: CHIEF EXECUTIVE**

**TO: WEST CRAVEN AREA COMMITTEE**

**DATE: 8<sup>th</sup> January 2019**

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**LAND OFF GREENBERFIELD LANE, BARNOLDSWICK**

**PURPOSE OF REPORT**

To request that Committee consider the request to purchase Council owned land and instruct which option is to proceed.

**RECOMMENDATIONS**

That Committee recommends to the Policy and Resources Committee that Option A below is implemented. That is to declare the site surplus and to dispose of the Council's interest, subject to advertising and planning permission, by means of negotiation with the business partnership referred to in the report.

**REASONS FOR RECOMMENDATION**

Depending on the Option chosen then a capital receipt may be achieved and reduce liabilities for the Council.

**BACKGROUND**

1. An email has been received from a member of a business partnership advising that they have exchanged contracts to buy the land shown hatched on the attached plan. That land gained planning permission for housing on appeal with the Inspector concluding that the site was suitable for residential development.
2. They are aware that the Council owns the adjoining site (shown edged black on the attached plan), part of which is currently occupied by 2 separate grazing Licences – termination of which would require one months' notice.  
To the North there is an access road to Victory Park and the Allotments and an access road to West Close Barn and Farm House which divides the Councils land (but this can be rerouted if necessary). There is also a Public Footpath which would need to be taken in to consideration for any development of the larger grazing site (B).
3. We have been asked to consider whether the land could be disposed of for development. It is not designated for any specific purpose in the adopted Local Plan but lies in open

countryside. It lies adjacent to a site that has planning permission for housing and there would appear to be potential for development within the prevailing current planning framework. The planning merits are not for consideration here but any decision to dispose of it would be likely to lead to a development proposal and a planning application.

- 4 The Council has been asked to consider disposal to the adjoining owner, the combination of the privately owned site and Council land may lead to a better overall development. There appears to be four options for the Council to consider:
  - (a) Agree to dispose of the whole of the Councils interest.
  - (b) Agree to dispose of only the smaller area (A) covered by a grazing tenancy.
  - (c) Agree to dispose of a larger area which may require alterations to the access road, but not the whole area (retain part of (B) for grazing).
  - (d) Decision that no disposal of the Councils site is to proceed.
5. If the Option decision is for part or total disposal then one or both of the existing tenancies would need to be determined. Any disposal would be subject to consideration by the Council of any objections to the notice under Section 123 of Local Government Miscellaneous Provisions Act 1972, Planning Permission and negotiation of value.

## **IMPLICATIONS**

**Policy:** The Council identifies surplus land and property for inclusion in its Disposal Programme to support its Capital Programme.

**Financial:** The disposal of the whole or part of the site will assist in a capital receipt or other budgets for the Council and remove liabilities.

**Legal:** No legal implications are considered to arise other than as stated in the report

**Risk Management:** On disposal of the land the risks and liabilities for the Council will cease.

**Health and Safety:** No implications are considered to arise directly from this report.

**Sustainability:** No implications are considered to arise directly from this report.

**Community Safety:** See risk management

**Equality and Diversity:** No implications are considered to arise directly from this report.

## **APPENDIX**

Location plan.

## **LIST OF BACKGROUND PAPERS**