

Decision Maker: RESOURCES PORTFOLIO HOLDER

Date: For pre-decision scrutiny by the Executive and Resources PDS Committee on 21st November 2012

Decision Type: Non-Urgent Executive Non-Key

Title: LAND AT THE REAR OF 161 - 165 RAVENSBOURNE AVENUE, BROMLEY

Contact Officer: Antony Cooper, Technical Valuation Assistant, Strategic Property Services
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Chief Officer: Director of Renewal & Recreation

Ward: Bromley Town;

1. Reason for report

Authority is sought for the disposal of this small unmanaged woodland as two separate plots.

2. **RECOMMENDATION(S)**

The Executive and Resources PDS Committee is requested to consider the proposed decision by the Resources Portfolio Holder and:

The Resources Portfolio Holder is recommended to declare land at the rear of 161 – 165 Ravensbourne Avenue, Bromley, surplus to Council requirements, and to authorise its sale as two separate parcels of land to two adjoining residential owners.

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Excellent Council:
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Financial

1. Cost of proposal: A capital receipt will be generated by the sale of this piece of land.
 2. Ongoing costs: N/A
 3. Budget head/performance centre: N/A
 4. Total current budget for this head: N/A
 5. Source of funding: N/A
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Staff

1. Number of staff (current and additional):
 2. If from existing staff resources, number of staff hours: 20 hours
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Legal

1. Legal Requirement: Statutory Requirement: S123 Local Government Act
 2. Call-in: Applicable:
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The land is not easily assessable by the public, so no loss of amenity use will result.
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: To be advised at the meeting.

3. COMMENTARY

- 3.1. The parcel of land shown both hatched and cross-hatched on the enclosed plan is owned by the London Borough of Bromley, measures 0.066Ha (0.16 acre), and is currently held as an unmanaged woodland.
- 3.2. The land is not easily accessible by the public, but residents living in the properties fronting the land have reported problems with youths gathering on the land and creating issues associated with anti-social behaviour.
- 3.3. Affinity Sutton was approached to determine whether it wished to acquire the land from the Council, and consider combining with its adjacent derelict garage block to create a site for residential redevelopment. Affinity Sutton declined the offer, and has recently obtained planning permission to redevelop their adjacent garage block (ref: 12/02175/FULL1), with the construction of a pair of two storey semi-detached dwellings.
- 3.4. The owners of Nos. 161, 163 and 165 Ravensbourne Avenue were subsequently approached, resulting in preliminary terms being agreed in respect of the division of the land, and the sale of the land shown cross-hatched to the owner of 161 Ravensbourne Avenue, and the land shown hatched to the owner of 165 Ravensbourne Avenue, for use only as extensions to their respective existing rear gardens.
- 3.5. A blanket Tree Preservation Order in respect of this land is in the process of being made by the Council's Heritage and Urban Design department, which will prevent certain tree work from being undertaken without formal consent.
- 3.6. One of the prospective purchasers has commissioned a tree report, which recommends works in the sum of £8,000 before the land can be considered suitable for inclusion as garden land. A small element of this is understood to be essential health and safety work, the remaining thought to be desirable work. The proposed Tree Preservation Order will need to be complied with should any tree work be undertaken. All of these works will be funded by the purchasers.
- 3.7. Any sale would be subject to the prospective purchasers first obtaining planning permission, and will also be subject to a clawback provision, whereby the Council would be entitled to 60% of the increase in any value realised by these parcels of land in the event that any development is carried out involving the land.
- 3.8. Additionally, a covenant will be agreed in the sale to No.165 Ravensbourne Avenue, whereby, in the event that the property is extended to the north within the current curtilage, the Council would be entitled to a share of the increase in value of the land should it be determined that without it, the extension would not have been possible.

4. POLICY IMPLICATIONS

- 4.1. The Resources Best Value Portfolio Plan Aims include being a Council which manages its assets well.

5. FINANCIAL IMPLICATIONS

- 5.1. A capital receipt will be generated by the sale of this land. The value will be within the limits of the Director of Renewal and Recreation's delegated authority.
- 5.2. The Council will no longer be liable for the cost of any future tree and general site maintenance work which is estimated to be less than £150 per annum.

5.3. A further capital receipt may be due in the future through a clawback provision, whereby the Council would also be entitled to 60% of the increase in any value realised by this piece of land in the event that any development is carried out involving the land.

6. LEGAL IMPLICATIONS

6.1 Section 123 of the Local Government Act 1972 requires a local authority to secure the best consideration reasonably obtainable when it disposes of land (other than on a lease of 7 years or less) unless it has the benefit of an express or general consent of the secretary of state.

Non-Applicable Sections:	7. PERSONNEL IMPLICATIONS
Background Documents: (Access via Contact Officer)	Email correspondence with Affinity Sutton, dated 31 st August 2011 Planning application submitted by Affinity Sutton, ref. 12/02175/FULL1 and dated 20 th July 2012 Heads of Terms, dated 10 th October 2012

Land at the rear of 161 – 165 Ravensbourne Avenue, Bromley

