

**Decision Maker:** RESOURCES PORTFOLIO HOLDER

**Date:** For Pre-Decision Scrutiny by the Executive and Resources Policy  
Development and Scrutiny Committee on Wednesday 7th January 2015

**Decision Type:** Non-Urgent Executive Non-Key

**Title:** LAND ADJACENT TO 24 CHESTERFIELD CLOSE, ORPINGTON

**Contact Officer:** Antony Cooper, Estates Surveyor, Strategic Property  
E-mail: Antony.Cooper@bromley.gov.uk

**Chief Officer:** Director of Regeneration & Transformation

**Ward:** Cray Valley East;

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1. Reason for report

Authority is sought for the disposal of the parcel of land adjacent to 24 Chesterfield Road, Orpington

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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 adjacent to 24 Chesterfield Close, Orpington, surplus to Council requirement to enable its sale.

### 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: 30 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 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 cross hatched on the enclosed plan is owned by the London Borough of Bromley and measures 0.043Ha (0.11 acre).
- 3.2. The land once formed part of a Council housing area, and was retained at the time of the Housing Stock Transfer in 1992, when responsibility passed to the Council's Technical Services (Highways) department. Since this time the land has been enclosed preventing public access, and has become overgrown.
- 3.3. The Council's Highway Development team has advised that there is no need for retention of the land for highway purposes.
- 3.4. In 2008 the Council's Planning department advised that there is insufficient room to construct a dwelling on the land, due to the restricted width of the site. Negotiations in connection with a sale for use as a garden extension commenced with the owner of 24 Chesterfield Close, but terms for a sale were never agreed.
- 3.5. The Council has subsequently been approached by a residential property developer, who has negotiated a conditional purchase of 24 Chesterfield Close, with the intention of acquiring the Council's land, and marrying part of the existing garden of this property with the Council's land to provide a site considered suitable for a small residential scheme.
- 3.6. Any sale would be subject to the prospective purchaser obtaining planning permission for not more than 4 x 1 bedroom flats.
- 3.7. The Council will reserve any rights of way necessary to access an existing soakaway positioned on the land in the event that any future maintenance is required by the Council or its contractors.

### 4. POLICY IMPLICATIONS

- 4.1. The Council's 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 Transformation and Regeneration's delegated authority.

### 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.

<b>Non-Applicable Sections:</b>	<b>7. PERSONNEL IMPLICATIONS</b>
Background Documents: (Access via Contact Officer)	Heads of Terms, dated 4 <sup>th</sup> December 2014

# Land adjacent to 24 Chesterfield Close, Orpington

