

**PROPOSED DISPOSAL OF LAND REAR OF
42 SOUTH STREET, STANTEAD ABBOTTS**

Presented by the Deputy Chief Executive

EXECUTIVE SUMMARY

The Authority was approached by the owner of 42 South Street with an enquiry as to whether it would be prepared to dispose of a part of its interest of land at Stanstead Marina. After consultation with the manager of Stanstead Abbots Marina it was proposed that the land shown edged red on the plan attached as Appendix A to this report was not required for any future proposals of the marina business. Advice was taken from external surveyors familiar with residential values in the locality and a valuation was received for the land should it be disposed of. Terms were provisionally agreed for a disposal of an approximate 38 sq. m piece of land to be used as a garden extension and these terms are set out in paper E/757/22 (part 2). This report seeks Member approval to disposal of land which is no longer required for Park purposes.

RECOMMENDATIONS

- Members Approve:
- (1) that the Authority agree that the land identified in Appendix A to this report is no longer required for Park purposes;
 - (2) subject to (1) above an application be submitted to the Secretary of State for consent to the disposal; and
 - (3) subject to (1) and (2) above the signing and sealing of all necessary legal documentation.

BACKGROUND

- 1 The Authority received a request from the owner of 42 South Street regarding the purchase of a small area of land of approximately 38 sq. m. This interest dates back to 2019 when at the time the owners were in the process of purchasing 42 South Street. The piece of land abuts to the rear of 42 South Street and is adjacent to an area currently used by Stanstead Abbots Marina as a caravan storage area.

In 2019 the Authority was also approached by the Stanstead Abbots Parish Council at a time when they had also commenced consultation with various landowners on the Stanstead Abbots Neighbourhood Plan. As such this matter was put on hold to allow further dialogue with the Parish Council as there was a need to understand its view on the future status in the Plan of the Authority's land holdings in the area. The Stanstead Abbots Neighbourhood Plan subsequently included two sites of land owned by the Authority in the second round of its Sites for Assessment, however the 38 sq. m land being proposed for disposal was not included.

- 2 The Marina managers (both past and present) were consulted on the potential area to be disposed of and had no objection to the disposal as the land was not deemed crucial to any future management or proposals for the marina business.
- 3 The Authority commissioned external advice in 2019 on the valuation of the land taking into account the value the extra land would add to the value of the property at 42 South Street. Due to the time lapse from the original valuation, the external adviser was asked to re-evaluate the previous advice and an updated valuation was received in December 2021. The new consideration provisionally agreed is set out in Paper E/757/22 contained in Part 2 of this Committee.

ENVIRONMENTAL IMPLICATIONS

- 4 There are no environmental implications arising directly from the recommendations in this report. The site is relatively small at approximately 38 sq m.

FINANCIAL IMPLICATIONS

- 5 Should it be agreed that the land is surplus to the Authority's requirements and be disposed of then the Authority will receive a small capital receipt for land that is not required for Park purposes and where the disposal does not materially affect the use of the Authority's retained land whether retained in-house or leased out as part of any future arrangement for the management of the Marina. The terms provisionally agreed ensure there would be no cost to the Authority in disposing of the land.
- 6 The negotiated amount satisfies the requirements of the Lee Valley Regional Park Act 1966 (the Park Act) in relation to best consideration. An external valuation view has been obtained to confirm this position and for the purposes of the application for Secretary of State consent. This is set out in a separate report (Paper E/757/22) contained in Part 2 of this Committee.

HUMAN RESOURCE IMPLICATIONS

- 7 There are no human resource implications arising directly from the recommendations in this report.

LEGAL IMPLICATIONS

- 8 The contract will state that the use of the land is for garden use only and in connection with one single dwelling house. The use of this restrictive covenant will prevent sale of the land for use as more than one dwelling house unless the Authority is asked to consent to the removal of the covenant.

The Authority is able to dispose of land when it is no longer required for Park purposes. This must be a properly applied test under s.21 of the Park Act and all of the facts should be taken into consideration when making a decision to dispose of land.

RISK MANAGEMENT IMPLICATIONS

- 9 There are no risk management implications arising directly from the recommendations in this report.

EQUALITY IMPLICATIONS

- 10 There are no equality implications arising directly from the recommendations in this report.

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APPENDIX ATTACHED

Appendix A Plan showing the land to be disposed of edged in red

LIST OF ABBREVIATIONS

the Park Act Lee Valley Regional Park Act 1966



Proposed disposal of land at rear of 42 South Street, Stanstead Abbots Marina, Stanstead Abbots