

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Housing Portfolio Holder
AUTHOR/S: Executive Director

3rd March 2009

LAND OFF CRANES LANE, KINGSTON

Purpose

1. To seek a decision by the Housing Portfolio Holder on the transfer of land rear of 7 – 10 Cranes Lane, Kingston to Kingston Parish Council. See plan for extent of land area.

Background

2. The land in question has been used as allotment land since the 1960s, with pedestrian access from Cranes Lane. It is divided into 4 plots. Total annual rental income to the Council is currently £60.
3. Although all plots are currently rented, it has sometimes been difficult to find tenants, the land has not always been fully cultivated and has frequently become overgrown. The growth and spread of ragwort has been a common annual problem, resulting in concerns from adjacent landowners who graze horses and a cost to the Council of clearance.
4. The area was considered as part of the Lands Appraisal but deemed unsuitable for development due to inadequate access and impact that development would have on the surrounding area.
5. Some consideration has been made in previous years about other options for the site such as a managed public green 'open space' for the village but the general preference by village residents and the Parish Council was for it to remain as allotments.
6. Kingston Parish Council have requested that the land be transferred to them, to be retained for allotment or public amenity use.

Considerations

7. Similar areas of Council-owned land have been transferred to Parish Councils at nominal cost, for public amenity use only, such as the land at Fardells Lane, Elsworth and land rear of High Street, Barton.
8. The land offers no potential for the development of affordable housing and is an ongoing liability to the Council in terms of maintenance.

9. The Parish Council consider that by transferring the land to them to be kept as a village facility it will be easier for them to manage and ensure that it is kept free of harmful weeds.

Options

10. Retain land in SCDC ownership and continue to manage as allotments.
11. Transfer the freehold of the land to the Parish Council at the nominal price of £1, subject to the following conditions:
- i) Payment of the Council's legal costs;
 - ii) That the land shall not be used for any other purpose other than for allotment or public amenity use;
 - iii) That no disposal of the land will be made by the purchasers or their successors in Title without the consent of the Council, consent not to be unreasonably upheld;
 - iv) That the Council will receive any uplift in the value of the land upon disposal by the purchasers or their successors in Title.
12. Retain land in SCDC ownership but grant licence to Parish Council to manage land as allotments.

Implications

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| 13. Financial | No capital receipt will accrue to the Council with Option 2, but by transferring the land the Council will be relieved of the costs of future maintenance and the restrictive covenant will protect the Council's future interests |
| Legal | None |
| Staffing | None |
| Risk Management | None |
| Equal Opportunities | None |

Consultations

14. Councillor Martlew was consulted and supports the transfer of the land to the Parish Council at nominal cost.
15. The Housing Services Manager is in support of the transfer of land to the Parish Council.

Effect on Corporate Objectives and Service Priorities

16. **Work in partnership to manage growth to benefit everyone in South Cambridgeshire now and in the future**
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| Deliver high quality services that represent best value and are accessible to all our community |
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| Enhance quality of life and build a sustainable South Cambridgeshire where everyone is proud to live and work |
| The land to be transferred to the Parish Council serves as a valuable village facility. The land does not offer potential for development. |

Conclusions/Summary

17. The land has been in allotment use for a long time but in recent years has either been difficult to rent or not fully cultivated by tenants, resulting in necessary weed clearance by the Council. The Parish Council consider that by transferring the land to them to be kept as a village facility it will be easier for them to manage and ensure that it is kept free of harmful weeds. The Council would be relieved of maintenance costs and the restrictive covenant would protect the Council's future interests.

Recommendations

18. Transfer the freehold of the land to the Parish Council at the nominal price of £1, subject to the following conditions:
- i) Payment of the Council's legal costs;
 - ii) That the land shall not be used for any other purpose other than for allotment or public amenity use;
 - iii) That no disposal of the land will be made by the purchasers or their successors in Title without the consent of the Council, consent not to be unreasonably upheld;
 - iv) That the Council will receive any uplift in the value of the land upon disposal by the purchasers or their successors in Title.

Background Papers: none

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