

ITEM

ITEM

Executive Report – 3 January 2008

PROPOSED PROPERTY DISPOSAL – CREACOMBE COTTAGE, YEALMPTON

Report of the Head of Property Services

Statutory Powers: Local Government Act 1972.

Financial Implications: If approved, the Council will receive a capital receipt as set out in the exempt Appendix 1 to this report. In addition, there will be a saving of £5,000 which would otherwise be incurred in demolition of the building.

Purpose: To seek approval to the disposal of a property asset.

RECOMMENDATION:

That Executive RESOLVES that:-

The disposal of Creacombe Cottage on the terms as set out in this report are approved.

Background

1. Creacombe Cottage was acquired in 1990 by the Council under the terms of a Purchase Notice.
2. Since 1990 the property has remained derelict but, over the intervening years the structure has deteriorated into a dangerous state of repair. Urgent attention is now required to either repair or demolish the structure (estimated to be in the region of £5,000) or sell the property “as is” on the open market.
3. Within the curtilage of the property the Council has allowed under licence with The Barn Owl Trust, the establishment of a Barn Owl nesting box.
4. The Asset Management Group (AMG) on the 5 November 2007 considered the matter and supported a proposal that the property should be sold in preference to incurring further expenditure.

Current Proposals

5. In discussion with Development Control it has been established that residential development of the site is still contrary to planning policy and as such a planning application would be resisted. It is therefore, proposed that the property is marketed via a local agent and sold at Auction without the benefit of a planning consent.
6. The attached Appendix 1 exempt item provides an indication of value given by a local agent.
7. Appendix 2 identifies the area of land to be disposed (hatched black).

8. It is proposed that prior to sale a small area of land is conveyed to The Barn Owl Trust to preserve a site for the nesting box. This is likely to incur some modest costs and legal expenses.
9. It is proposed that a budget of £2,800 is allocated from the receipt to cover the anticipated expenses of marketing the property and sales fee together with the costs of relocating the nesting box and associated expenses of The Barn Owl Trust.
10. The sale will contain a claw back clause in the event that a future owner of the property secures planning consent for residential use.

Value for Money

11. If the recommendation is supported and the property is sold the Council will enjoy a capital receipt and avoid future expenditure.

Human Rights

12. There are no Human Rights Act implications arising from this disposal.

Risk Assessment

	Risk	Action to Mitigate
1	The structure of the property will collapse onto the adjoining road	To either demolish or sell the property
2	Ongoing management and financial expenditure to put and keep the property in a safe state of repair	To sell the property
3	Potential loss of a Barn Owl Nesting Box	To agree with The Barn Owl Trust the relocation of the existing nesting site within the curtilage of the property and convey this area to the Barn Owl Trust

Conclusion

13. By disposing of the property as outlined above, the Council will secure a capital receipt, remove a significant ongoing liability and avoid expenditure in relation to the demolition of the property.

Stephen Forsey
Development Surveyor

Executive
3 January 2008

Nick Hodgson
Head of Property Services

Background Documents: None