

## Record of officer decision

<b>Decision title:</b>	<b>Sale of surplus former highways land at Yarkhill HR1 3ST</b>
<b>Date of decision:</b>	15 January 2020
<b>Decision maker:</b>	Director for Economy & Place
<b>Authority for delegated decision:</b>	Herefordshire Council's constitution - Scheme of Delegation Part 3 Functions Scheme, Section 7 Officer Functions <ol style="list-style-type: none"> <li>1. 3.7.6 Delegation to Chief Executive</li> <li>2. 3.7.13 Sub delegation from Chief Exec to officers</li> </ol> Appendix 1 Chief Executive's Scheme of Delegation to Officers – Specific sub-delegation to Director for Economies Communities & Corporate (version 31 <sup>st</sup> March 2017 as revised 14 February 2019)
<b>Ward:</b>	Three Crosses
<b>Consultation:</b>	Ward Cllr Jonathan Lester was consulted and no comments or suggestions were received
<b>Decision made:</b>	Sale of surplus former highways land at Yarkhill HR1 3ST
<b>Reasons for decision:</b>	<ol style="list-style-type: none"> <li>1. The land comprising 2077 sqm (half an acre) approx is surplus to requirements having been acquired by the Council in 1978 for a road improvement scheme on A4103.</li> <li>2. It is at the top of an embankment above the A4103 and has been occupied as amenity land by the adjoining residential property for over ten years.</li> <li>3. It has been agreed to sell to that owner for the sum of £10,000 for garden and amenity use purpose only, which is considered to be a fair value.</li> <li>4. The land has been stopped-up by the Worcester Magistrates Court to technically remove it from the public highway and the purchaser is paying all of the Council's associated and legal costs.</li> <li>5. the acting assistant director for technical services be authorised to take all operational decisions necessary to complete the sale of this land</li> </ol>
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	<ol style="list-style-type: none"> <li>6. A clawback provision is included that in the event of planning consent being granted for change of use or development, 50% of any increase in value is payable to Herefordshire Council.</li> <li>7. A clawback provision in the event of all or part of the land being sold off separately from the adjoining residential property, 50% of any increase in value (on a pro-rata basis if applicable) payable to Herefordshire Council.</li> <li>8. The Council's legal fees and cost of stopping-up are to be paid by the purchaser.</li> </ol>
<b>Details of any alternative options considered and rejected:</b>	No suitable alternatives were proposed
<b>Details of any declarations of interest made:</b>	None

Signed..... Date:

CHRIS JENNER