

Record of officer decision

Decision title:	Freehold disposal of a small parcel of land in Bartestree for garden use.
Date of decision:	13 August 2020
Decision maker:	Assistant Director for Technical Services
Authority for delegated decision:	The economy and place directorate's scheme of delegation dated 29th July 2020 (line 53) gives the Assistant Director for Technical Services the authority to take the decision
Ward:	Hagley
Consultation:	Both the ward member and cabinet member (Commissioning, Procurement & Assets) have been consulted of need to regularise occupation of this small parcel of land to enable the overall disposal of this site and are supportive
Decision made:	Sale of small parcel of land at Bartestree Frome Park as garden land to the adjoining householder
Reasons for decision:	Regularises occupation of an anomalous small triangle of land that has been enclosed by an adjoining householder and incorporated into their garden. The majority of the site has been transferred to the local parish council. Anomalous boundary was created by historic circumstances and changes to Land Registry mapping. The new boundary line will be easier to manage.
Highlight any associated risks/finance/legal/equality considerations:	<p>Freehold sale will complete the process to regularise various tenure issues at this site that arose out of the asset transfer to the parish council.</p> <p>The sale of this parcel of land has been on market terms and include the council's professional costs being paid.</p> <p>A historic covenant has already been varied to remove this parcel of land from these instruction to enable the transfer of the majority of the open space to the parish council.</p> <p>Statutory procedures relating to disposals of open space, including advertising, have also been complied with. No objections were received.</p>
Details of any alternative options considered and rejected:	<p>The parish council did not want this anomalous parcel of land due to the complications in tenure. Herefordshire Council were obligated to regularise these issues to enable the asset transfer of the open space to progress (that has already been completed). Disposing of this land on market terms is the final part of a series of legal processes and transactions for this site.</p> <p>Not selling this parcel of land would have resulted in Herefordshire Council retaining liability for a de minimus area of land that provides no significant public benefit.</p>

Details of any declarations of interest made:	None
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Signed: Assistant Director Technical Services

Date: 13 August 2020