

9 July 2012

Agenda Item: 7b

REPORT OF SERVICE DIRECTOR - TRANSPORT, PROPERTY & ENVIRONMENT

DISPOSAL OF LAND ADJOINING VICTORIA PARK WAY, NETHERFIELD

Purpose of the Report

1. To seek approval to the sale of 251m² adjacent to Victoria Park Way, Netherfield

Information and Advice

2. Some information relating to this report is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972. Having regard to the circumstances, on balance the public interest in disclosing the information does not outweigh the reason for exemption because divulging the information would significantly damage the Council's commercial position. The exempt information is set out in the exempt appendix.
3. This land was originally acquired under Compulsory Purchase powers for highways us in connection with the Colwick Loop Road. The area is situated adjacent to Victoria Park Way, which is the principal access to the Victoria Retail Park. The land is used as grassed verge / landscaping which is currently maintained at public expense. There is some statutory highway signage and highways lampposts situated on parts of the land.
4. It is proposed to sell this area of land to the owners of adjoining retail park in order to rationalise site boundaries. The land is to be sold subject to covenants that will see it retained as a landscaped area and will permit the County Council to retain highways signage and lighting on the land.
5. The terms of the proposed disposal are detailed in the exempt appendix.

Other Options Considered

6. Retention of the land – this would leave the ongoing maintenance liability with the Council
s142 Highways Act Licence – no capital receipt

Reason/s for Recommendation/s

7. Disposal of property not required for highways use, subject to covenants to restrict use and allow retention of highway signage and lighting.

Statutory and Policy Implications

8. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

1. That the disposal is approved.

Jas Hundal

Service Director - Transport, Property & Environment

For any enquiries about this report please contact: Patrick Robinson

Constitutional Comments (CEH 12.06.12)

9. The decision falls within the remit of the Finance and Property Committee.

Financial Comments (CDS 1/6/2012)

10. The sale will generate a capital receipt which will be used to fund the Capital Programme.

Background Papers

11. None.

Electoral Division(s) and Member(s) Affected

12. Ward(s): Carlton East
Member(s): Cllr Allen Clarke, Cllr John Clarke

File ref.: /IB/SL/

SP: 2248

Properties affected: 62213 - Colwick Loop Road