

TEST VALLEY BOROUGH COUNCIL

HEAD OF SERVICE'S DECISION

Committee: Executive
Chairman: Councillor I Carr
Head of Service: Brian Nicholas, Head of Estates and Economic Development

SUBJECT

Allotment Land at Mylen Road South, Andover

REASON FOR URGENCY

1. On 18 August 2004, Executive approved an initial report on property disposals.

Amongst the properties approved for disposal was Land at Mylen Road (south), Andover. This land extends to 1.033 acres and would have an estimated open market value of approximately £1.25 million on the basis of residential development use.

It was proposed to relocate the plot holders to alternative allotments on the northern side of Mylen Road.

The position re. occupancies was/is:-

	2004	2006
No. plots occupied	11	7
No. plots vacant	11	15
Total rental income	£208	£105

The list of properties for disposal was approved on the basis that:-

“more detailed Heads of Terms of any such individual disposals would subsequently be reported to Executive for approval.”

2. Subsequent Activity

- i) A letter was written to each plot-holder explaining that the Council was considering disposing of these allotments on the basis that alternative plots would be provided at Mylen Road north, those plots would be suitably prepared and compensation would be paid for loss of any growing crops.

2 plot-holders responded that they definitely did not wish to relocate and 1 plot-holder said he would prefer not to relocate.

- ii) Then National Society of Allotment and Leisure Gardeners were informed of the proposal.
- iii) An application was submitted to the Government Office for the South East (GOSE) requesting consent to dispose of the allotments.

That consent has now been received.

3. Proposed Course of Action

- i) A letter to be sent to each plot-holder requesting a meeting to explain the current position.
- ii) At the meeting each plot-holder to be offered £500 (i.e. total £3,500) if they are prepared to surrender their plot now (whether or not they wish to relocate to an alternative plot at Mylen Road, north), together with disturbance compensation for growing crops and preparation of a new plot. This payment to be preferably made on the basis that all plot-holders should accept the arrangement.

Whilst any such payment would be entirely discretionary, the advantages of doing this would be:-

- certainty that we can obtain possession now rather than become involved in possibly lengthy disputes, adverse publicity, etc.;
 - would help to compensate plot-holders for work they have carried out to their existing plots, any growing crops, etc.;
 - the sum involved is insignificant in relation to the potential capital receipt on disposal.
- iii) A formal Notice be served on each plot-holder by 31 March 2006 informing them that the Council intends to terminate their Allotment Agreement by 12 months notice to expire on 31 March 2007 and offering them an alternative plot at Mylen Road north.

NB

If a decision is not made to serve these Notices now, such an opportunity will not arise again until March 2007 as the Agreements can only be formally terminated by 12 months. Notice to expire 31 March in any year. This could result in disposal of the site having to be delayed until 2008.

- iv) A Planning Brief be prepared confirming that a change of use to residential would be possible.

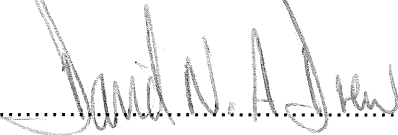
- v) A report to Executive seeking authority to dispose of the site at Auction and seeking approval of minimum disposal figure (i.e. Reserve Price).
- vi) Disposal of site.

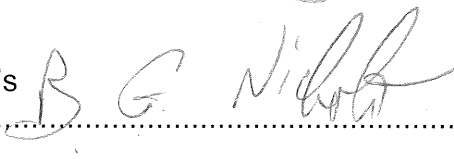
DECISION

1. That meetings be held with the 5 allotment-holders at Mylen Road south and they be offered up to £500 per plot to surrender their existing plots now and relocate to Mylen Road north.
2. That, in any case, formal Notices be served on those allotment-holders to terminate their existing Agreements on 31 March 2007.
3. That a report be presented to Executive in due course on disposal of the land at Mylen Road south which is at present partially used as allotments.

RT Chief Executive's/
Director's Signature:  Date: 22.3.06

1.6.07 Chairman's/~~Vice-Chairman's~~
Signature:  Date: 22.03.06

Chairman's/Vice-Chairman's
(Overview & Scrutiny Committee)
Signature:  Date: 23rd March 2006

Head of Service's
Signature:  Date: 22/3/06

Reported to Committee on Date:

DISTRIBUTION

1. Chief Executive
2. Corporate Director (BS)
3. Corporate Director (CC)
4. Head of Legal Services
5. Head of Administration (original for report to Committee)

BACKGROUND PAPER:

File RA 1/3 (1)
Report to Executive 18 August 2004 – “Property Disposals”
Minute No. 193