



## **Full Council Meeting – 27 September 2018**

### **Agenda Item CC1902/18**

#### **Report of the Land Transfer Working Party**

##### **Introduction**

This paper reports progress of the Land Transfer Working Party and seeks Council approval to commit resources to progress the project to a satisfactory outcome.

##### **Recent progress**

At the Council meeting on 27 July 2017, under item CC1753/17, Working Parties, Land Transfer:

- Cllr Mitchell stated that he had a meeting with officers from Three Rivers District Council and had told them which land in question CGPC would be seeking to transfer. However, due to TRDC staff turnover it may be pertinent for CGPC to seek another meeting.
- Cllr Mitchell elaborated that he had spoken to all TRDC Croxley Green Cllrs and all supported ownership transfer to CGPC with one supporting CGPC having the land on a long lease. He commented that it was common place in other districts and recently St. Albans had been transferring land to Parishes.
- Cllr Vassiliou asked whether CGPC need to get more public support behind their ideas for land transfer. Cllr Mitchell said that it had been mentioned plenty of times in the Parish Pump, MyCroxley and at the Annual Parish Meetings

At the Council meeting on 28 July 2018, under item CC1876/18, Working Parties, Land Transfer:

- Cllr Mitchell updated members with the progress the working party had made over the past year. He reiterated that it was still very much the intention of the Council to transfer land from Three Rivers District Council. He added that the working party had met on three occasions over the past year and another meeting was scheduled on July 24.

##### **Current Position**

We have clarified that TRDC does have a policy on the transfer of assets to a third party such as a parish council or community group, approved by the TRDC Policy and Resources Committee 25 January 2016.

This sets out a number of criteria for transferring assets which include

- having the resources to manage the assets such as access to expertise, knowledge, skills
- providing evidence, in the form of a robust business plan, that they can manage and finance the asset as part of the proposal.

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We have also clarified that, under their approved Asset Management Plan 2015-2018, TRDC has a framework for the sale of land of land and property to parish councils.

This sets out a number of requirements which include

- a proposed management plan for ongoing maintenance (provided by the applicant)
- a planning brief (provided by TRDC)
- a valuation (provided by the District Valuer)
- all fees including surveyor, legal costs and any other fees in connection with the proposed transaction will be borne by the Parish Council.

We have been advised to work with the TRDC Head of Major Projects in Community & Environmental Services (Alan Head) to develop a plan and a timetable to take this matter forward in a way that meets the aspirations of the residents, the parish councillors and the district councillors and is acceptable to all.

We have also identified that, for a proposal to be successful, we should focus on the Green and Stones Orchard, which we already manage, as we can make the best case in terms of resources and competence.

At present we are not in a position to identify the likely total but we should recognise that we may need to cover the cost of legal and other professional fees including of preparing management plans for the land.

Before we embark on the process of detailed negotiations with TRDC we need to be confident that the Council still wishes to pursue the transfer of the land and is prepared to commit the time and the money to securing a satisfactory outcome to the negotiations.

**At this stage this is not a decision to submit an application for transfer of ownership, which would be brought to the Council at a future date, but a decision in principle to commit resources to developing an application in partnership with TRDC.**

### Recommendations

The working party recommends that:

- 1) The Council endorses the proposal to seek transfer of responsibility for the Green and Stones Orchard from TRDC to the Parish Council by way of a transfer of ownership (freehold) or long lease.
- 2) The Council is prepared in principle to accept the consequent liabilities and opportunities (risks and rewards) of taking more responsibility for the land (which are, as yet, unquantified but will be quantified through negotiations with TRDC).

The Council is prepared to accept the reasonable costs of developing a detailed proposal for the transfer of land (which may include legal fees and professional fees for advice). Approval will be sought before any actual expenditure in the usual way.

Cllr Chris Mitchell  
14 September 2018