

Report Title:	Sale of Agricultural Land in Horton, Slough
Contains Confidential or Exempt Information	Report and Appendices A&B Part I
Cabinet Member:	Councillor Adam Bermange - Cabinet Member for Planning, Legal and Asset Management
Meeting and Date:	Cabinet – 29 th November 2023
Responsible Officer(s):	Andrew Durrant – Executive Director of Place Services
Wards affected:	Datchet, Horton & Wraysbury

REPORT SUMMARY

Land at Pickin's Piece consists of 2.11 acres of agricultural land within the Horton Parish to the east of the Borough. It was historically leased as grazing land but has since been unused and attracts fly tipping.

Terms have been agreed to sell the freehold interest in the property to Field House PS Ltd for a sum of £200,000. If the property is redeveloped within 20 years, the Council would receive an uplift in value of £50,000.

Under the Council's Scheme of delegation Cabinet approval is required for disposals in excess of £100,000.

The disposal is recommended for approval.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Cabinet notes the report and:

- i) Approves the sale of the freehold land at Pickins Piece, Horton.**
- ii) Delegates authority to the Executive Director of Place Services in consultation with the Cabinet Member for Planning, Legal and Asset Management to approve the legal contracts required to complete the transactions.**

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments
Sell the freehold to Field House PS Ltd. This is the recommended option	The Council receives a capital receipt of £200,000 in this financial year.
<i>[Have a 1 year option agreement with WAM CLT subject to planning.]</i>	<i>[The Council may receive a capital receipt of £100,000 after 1</i>

Option	Comments
	<i>year should planning be achieved.]</i>
Do not sell the freehold.	No capital receipt is received and ongoing maintenance and security is required.

2.1 Land at Pickins Piece is agricultural land which has historically been leased for grazing. It has been vacant for over 10 years with limited maintenance and as such is overgrown with vegetation, subsequently attracting fly tipping.

2.2 A number of options have previously been considered for the site, but these were not deliverable due to restrictive covenants or internal priorities. It has therefore been assessed that disposal is the most favourable option for the council.

2.3 The land is owned freehold by RBWM. Majority of the area proposed for sale is secured with fencing. A small area of amenity grass maintained by RBWM is also included as part of the sale. A location plan is included in Appendix A.

2.4 A number of properties back onto the site. These are a mixture of privately owned homes and Abri Housing properties. A matter of encroachment from an adjacent occupier is being dealt with and will need to be concluded prior to exchange of contracts.

2.5 The site was promoted by Lambert Smith Hampton for disposal earlier in the year. A number of conditional offers of up to £1.5m were received subject to grant of planning consent within 2 years following exchange of contract.

2.6 Subsequently a review was carried out of the development risks of the site. This included the current policies in the BLP, as the site is situated in the Green Belt, severely restrict permissible forms of development. The site and surrounding area are also subject to extensive risk from flooding. All these factors impact development value and timescales for the potential capital receipt, bidders were asked to revise their offers as an unconditional freehold purchase.

2.7 The offers were revised, and 2 bids received for an unconditional purchase. The terms of the sale with the preferred bidder are:

- A purchase price of £200,000 for the freehold of land at Pickins Piece.
- If the property is redeveloped within 20 years of completion of the purchase the Council shall receive £50,000.
- Tree survey to be carried out.
- Encroachment to be resolved with Abri.
- Each side to pay their own legal costs.

2.8 Discussions have also taken place with WAM CLT (Windsor and Maidenhead Community Land Trust) in consultation with the Parish Council. An offer has been made of £100,000 for a 1-year option agreement subject to planning.

3. KEY IMPLICATIONS

3.1 The sale of a Council asset provides the Council with a capital receipt. In addition, the agreed overage provision enables the Council to benefit from any future redevelopment.

3.2 Retaining the asset is not in the best interest of the council. It generates no income and is a financial and management burden on the council.

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Sale completes		Sale price of £200,000 secured			8 th December 2023
Purchaser obtains planning consent		Overage of £50,000			By 8 th December 2043

4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 The asset was last valued for asset valuation purposes in March 2023. The value of the asset as agricultural land is shy of £60,000.

4.2 The costs to continue site maintenance and waste removal going forward will be in the region of £10k per annum to ensure safety and security of the site is maintained.

4.3 The agreed terms include an overage payment of £50,000 upon receipt of planning permission. This is potential additional capital receipt to the Council.

4.4 Comparative values for agricultural land are lower than the offer price which reflects hope value. This demonstrates best value for the site is being achieved.

4.5 The table below summarised the financial implications of the transaction.

Table 3: Financial impact of report's recommendations

REVENUE COSTS	2022/23	2023/24	2024/25
Additional total	£0	£0	£0
Reduction	£0	£0	£0
Net Impact	£0	£0	£0

CAPITAL COSTS	2022/23	2023/24	2024/25
Additional total	£0	£30,000	£0
Reduction	£0	£200,000	£0
Net Impact	£0	£170,000	£0

5. LEGAL IMPLICATIONS

5.1 RBWM has the power of dispose of land in its ownership under section123 of the Local Government Act 1972 provided the land is sold at a consideration not less than the best that could reasonably be obtained.

6. RISK MANAGEMENT

6.1 There is little or no risk to the Council in completing this transaction.

Table 4: Impact of risk and mitigation

Risk	Level of uncontrolled risk	Controls	Level of controlled risk
Transaction does not proceed	Medium	Proceed with alternative offer	Low

7. POTENTIAL IMPACTS

7.1 Equalities. An Equality Impact Assessment screening form has been completed and is available on the council's website.

7.2 Climate change/sustainability. N/A

7.3 Data Protection/GDPR. No personal information has been used or stored.

8. CONSULTATION

8.1 Internal consultation with CLT and Cabinet Member. Report also taken and discussed with Capital Review Board and approved.

9. TIMETABLE FOR IMPLEMENTATION

9.1 Implementation date if not called in: Immediate. The full implementation stages are set out in table 5.

Table 5: Implementation timetable

Date	Details
October 2023	Instruct solicitors to prepare land sale agreement.
December 2023	Conclude legal process and complete sale.

10. APPENDICES

10.1 This report is supported by 2 appendices:

- Appendix A – Location Plan
- Appendix B – Title Plan

11. BACKGROUND DOCUMENTS

There are no background documents.

12. CONSULTATION

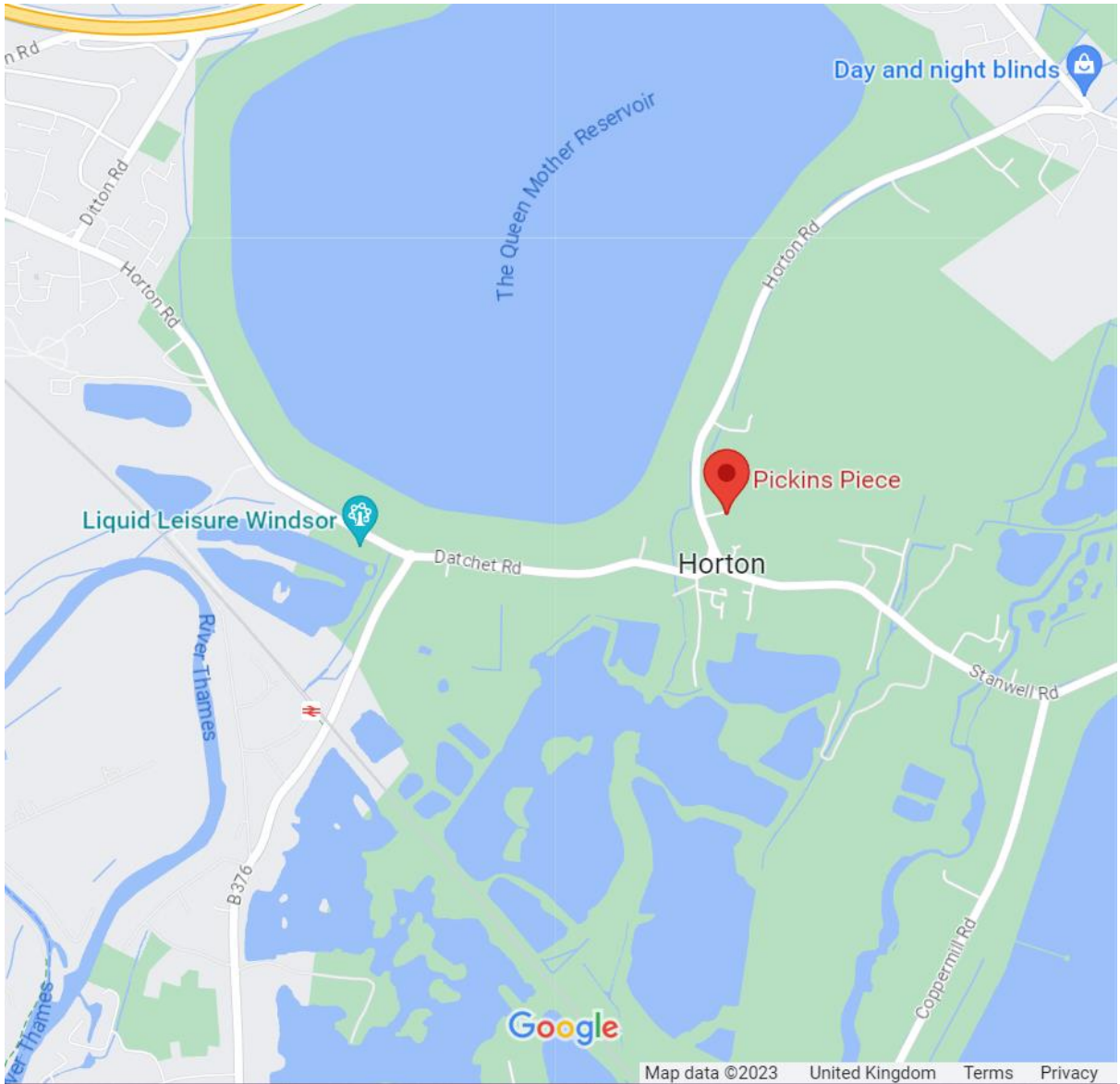
Name of consultee	Post held	Date sent	Date returned
<i>Mandatory:</i>		<i>Statutory Officers (or deputy)</i>	
Elizabeth Griffiths	Executive Director of Resources and S151 Officer	27/10/23	03/11/23
Andrew Vallance	Head of Finance / Deputy S151 Officer	27/10/23	03/11/23
Elaine Browne	Deputy Director of Law & Governance and Monitoring Officer	27/10/23	02/11/23
<i>Deputies:</i>			
Julian McGowan	Senior Business Partner Finance	27/10/23	
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Stephen Evans	Chief Executive	27/10/23	
Andrew Durrant	Executive Director of Place	27/10/23	
<i>Heads of Service (where relevant)</i>			
Ian Brazier-Dubber	Property Company MD	25/10/23	26/10/23
<i>External (where relevant)</i>			
N/A			

Confirmation relevant Cabinet Member(s) consulted	Cabinet Member for Planning, Legal and Asset Management	Yes
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REPORT HISTORY

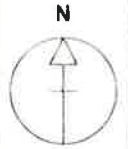
Decision type:	Urgency item?	To follow item?
First entered the Cabinet Forward Plan: 2 nd October 2023	No	No

Report Author: Kiran Hunjan, Project Manager, RBWM Property Company Ltd Tel 07800 715 485
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TITLE NUMBER
BK403716



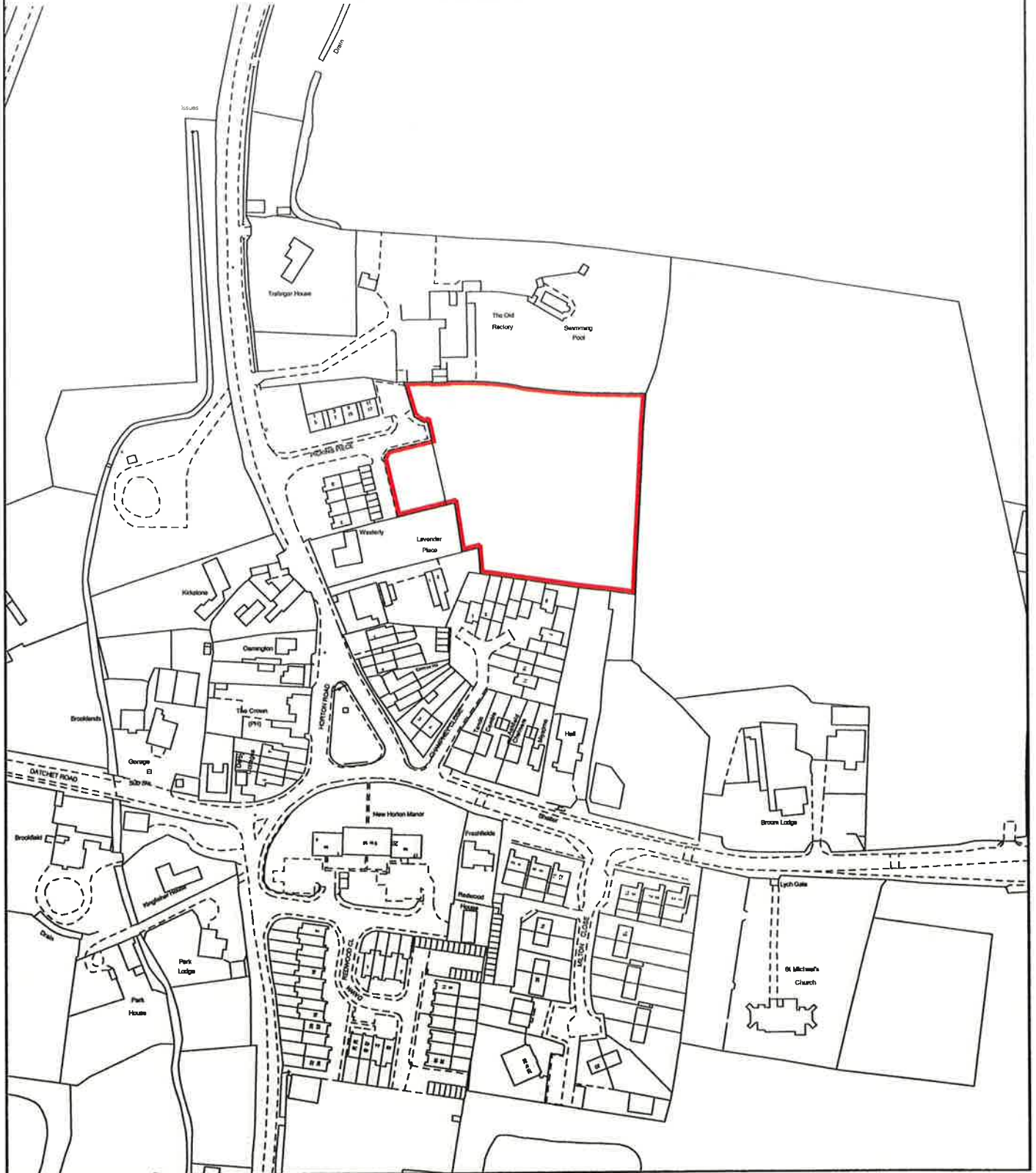
WINDSOR AND MAIDENHEAD

ORDNANCE SURVEY MAP REFERENCE:

TQ0176SW

SCALE 1:2500

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This title plan shows the general position of the boundaries: it does not show the exact line of the boundaries. Measurements scaled from this plan may not match measurements between the same points on the ground. For more information see Land Registry Public Guide 7 - Title Plans.

This official copy shows the state of the title plan on 27 April 2006 at 14:52:13. It may be subject to distortions in scale. Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

Issued on 27 April 2006.

This title is dealt with by the Gloucester District Land Registry.



Equality Impact Assessment

For support in completing this EQIA, please consult the EQIA Guidance Document or contact equality@rbwm.gov.uk

www.rbwm.gov.uk



1. Background Information

Title of policy/strategy/plan:	Disposal of Pickins Piece, Horton
Service area:	Property Company
Directorate:	Place

Provide a brief explanation of the proposal:

- What are its intended outcomes?
- Who will deliver it?
- Is it a new proposal or a change to an existing one?

The disposal of the land at Pickins Piece in Horton will provide the council with a capital receipt. The Property Company will manage the disposal through our agent. This is a new proposal.

2. Relevance Check

Is this proposal likely to directly impact people, communities or RBWM employees?

- If Yes, state 'Yes' and proceed to Section 3.
- If No, please explain why not, including how you've considered equality issues.
- Will this proposal need a EQIA at a later stage? (for example, for a forthcoming action plan)

Yes

If 'No', proceed to 'Sign off'. If unsure, please contact equality@rbwm.gov.uk

3. Evidence Gathering and Stakeholder Engagement

Who will be affected by this proposal?

For example, users of a particular service, residents of a geographical area, staff

The disposal impacts the Parish of Horton and the adjacent residents. It is currently a site that attracts fly tipping and has little management. Sale to a 3rd party would potentially see the site come into more efficient use.

Among those affected by the proposal, are protected characteristics (age, sex, disability, race, religion, sexual orientation, gender reassignment, pregnancy/maternity, marriage/civil partnership) disproportionately represented?

For example, compared to the general population do a higher proportion have disabilities?

No

What engagement/consultation has been undertaken or planned?

- How has/will equality considerations be taken into account?
- Where known, what were the outcomes of this engagement?

Community engagement will take place at the stage a planning application is submitted and there is a scheme for discussion.

What sources of data and evidence have been used in this assessment?

Examples of possible sources of information are in the Guidance document (Section 2.3). You may also wish to consult the [EQIA Evidence Matrix](#) for relevant data.

4. Equality Analysis

Please detail, **using supporting evidence**:

- How the protected characteristics below might influence the needs and experiences of individuals, in relation to this proposal.
- How these characteristics might affect the impact of this proposal.

Tick positive/negative impact as appropriate. If there is no impact, or a neutral impact, state 'Not Applicable'.

More information on each protected characteristic is provided in the EQIA Guidance document (available on the intranet).

	Details and supporting evidence	Potential positive impact	Potential negative impact
Age	n/a		
Disability	n/a		
Sex	n/a		
Race, ethnicity and religion	n/a		
Sexual orientation and gender reassignment	n/a		
Pregnancy and maternity	n/a		
Marriage and civil partnership	n/a		
Armed forces community	n/a		
Socio-economic considerations e.g. low income, poverty	n/a		

Children in care/Care leavers	n/a		
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5. Impact Assessment and Monitoring

If you have not identified any disproportionate impacts and the questions below are not applicable, leave them blank and proceed to Sign Off.

<p>What measures have been taken to ensure that groups with protected characteristics are able to benefit from this change, or are not disadvantaged by it? For example, adjustments needed to accommodate the needs of a particular group</p>
<p>Where a potential negative impact cannot be avoided, what measures have been put in place to mitigate or minimise this?</p> <ul style="list-style-type: none"> For planned future actions, provide the name of the responsible individual and the target date for implementation.
<p>How will the equality impacts identified here be monitored and reviewed in the future?</p>

6. Sign Off

Completed by: Kiran Hunjan	Date: 01.11.23
Approved by: Ian Brazier-Dubber	Date: 02.11.23

If this version of the EQIA has been reviewed and/or updated:

Reviewed by:	Date:
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