

**To receive a report on Town Council owned land and consider any actions and associated expenditure**

Recap:

Services Committee meeting held on 21 April 2022 agreed as follows:

**10/22/23 TO RECEIVE A REQUEST TO PURCHASE SALTASH TOWN COUNCIL LAND AT PILLMERE AND CONSIDER ANY ASSOCIATED ACTIONS AND EXPENDITURE**

It was proposed by Councillor Peggs, seconded by Councillor B Samuels and **RESOLVED:**

1. To place all Town Council land requests on hold until sufficient staffing levels improve
2. Delegate to the Acting Town Clerk to respond to the requestor and any future requests received
3. To work up a register of requests to purchase land and revisit at a future date.

Land Requests:

Land requests received by the occupiers for Members' consideration are as follows.

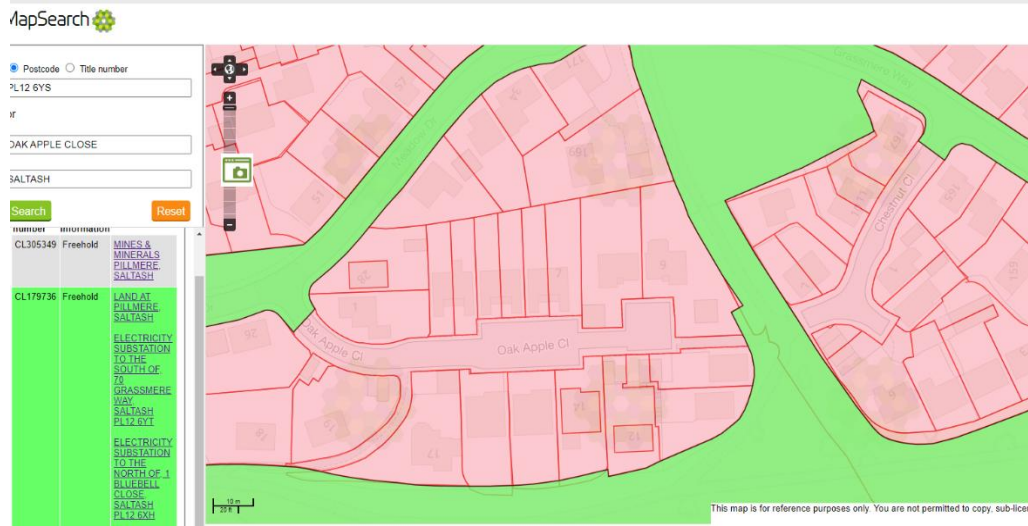
1. Property of 9 Oak Apple Close, Pillmere

A request was received on 09.04.22 to purchase land adjacent to the property to extend their garden. Refer to **picture A** for image. The resident confirmed they have been maintaining Town Council land at their own cost for some time. The resident would like to keep the trees that are healthy and remove any that have ash die back extending their boundary.

**Picture A**



## Town Council Land - Title Deed CL179736

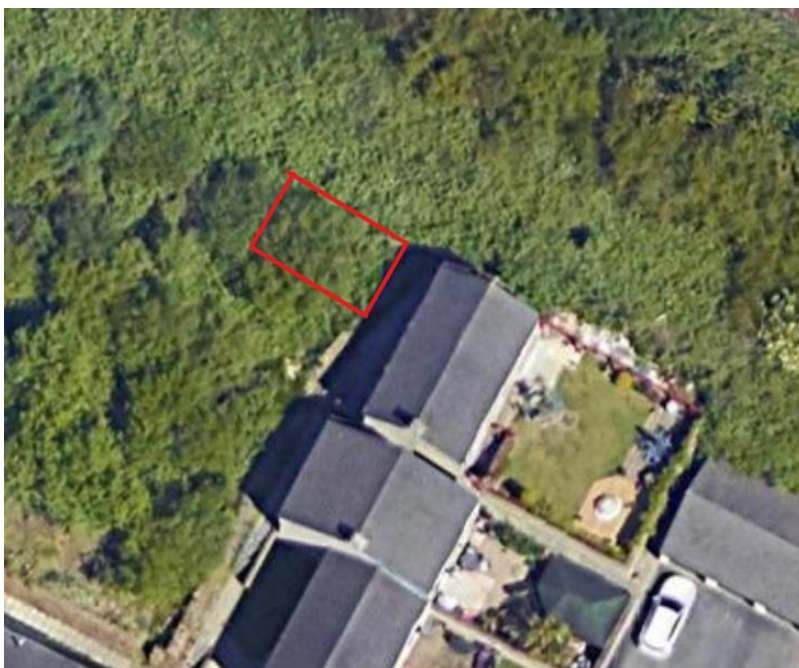


### 2. Property of 57 Dartmoor View, Pillmere

Cornwall Council Planning Department contacted Saltash Town Council on 29.10.24 informing us of a change of use relating to Town Council land submitted by the occupier of 57 Dartmoor View.

The Town Clerk issued a letter to the occupier in October this year, asking them to contact the Town Council so that we can better understand the circumstances, and to ensure Town Council land is restored to its original condition. Cllr Lennox-Boyd and the Office Manager / Assistant to the Clerk attended the site. Development has already taken place by the resident (clearing of vegetation and shed installed). They would like to keep the land subject to associated cost. Refer to **picture B** for image.

### Picture B





## Town Council Land - Title Deed CL272230

Street name only

Town or Locality

– Titles (2 of 2 loaded)

Title number	Estate information	Address
CL305349	Freehold	<a href="#">MINES &amp; MINERALS PILLMERE SALTASH</a>
CL179736	Freehold	<a href="#">ELECTRICITY SUBSTATION TO THE SOUTH OF 70 GRASSMERE WAY SALTASH PL12 6YT</a> <a href="#">ELECTRICITY SUBSTATION TO THE NORTH OF 1 BLUEBELL CLOSE SALTASH PL12 6XH</a> <a href="#">LAND AT PILLMERE SALTASH</a>

### 3. Property of 157 Grassmere Way, Pillmere

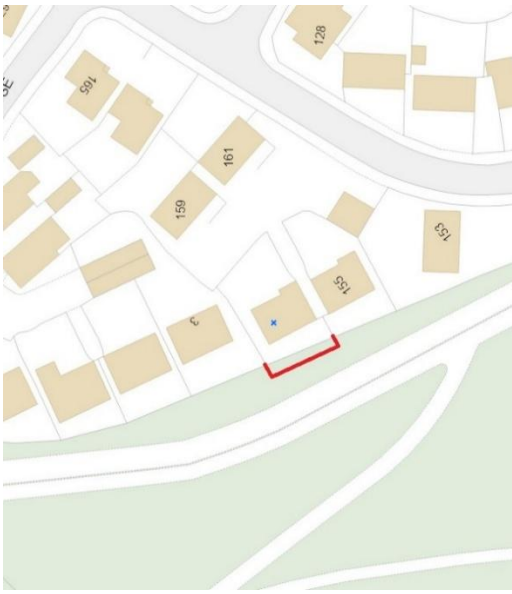
A request to purchase Town Council land was received in 2018 and not actioned by the Town Council until 2022 when the above resolution was set.

The resident has since developed on Town Council land by making an entrance through the original stone boundary wall and erecting a fence. Refer to **picture C** for image.

The original boundary line from the neighbouring property is visible. The latest communication with the resident is that they are still interested in buying the land.

#### Picture C





**Town Council Land - Title Deed CL179736**

Street name only

Town or Locality

Search Reset

**Titles (2 of 2 loaded)**

Title number	Estate information	Address
CL305349	Freehold	<a href="#">MINES &amp; MINERALS PILLMERE, SALTASH</a>
CL179738	Freehold	<a href="#">90 GRASSMERE WAY PILLMERE, SALTASH PL12 6YU</a> <a href="#">88 GRASSMERE WAY PILLMERE, SALTASH PL12 6YU</a> <a href="#">86 GRASSMERE WAY PILLMERE, SALTASH PL12 6YU</a>

**End of land requests.**

### Advice from Coodes Solicitors:

#### 1. Sale of land:

To proceed with the sale of Town Council land, it is necessary to obtain Land Registry documents dated within the last three months. This would enable Coodes to undertake a comprehensive review, including proprietorship, conveyance details, overage provisions, responsibilities and any applicable uplift charges on the sale of the land parcels.

The estimated work involved, including opening a file, conducting a review, and providing advice, is anticipated to take 2-3 hours and will be charged at £320 +vat per hour.

Evaluation of land requires land registry compliant plans by a surveyor, cost to be determined at the time of a quote requested.

The minimum sale of land fee via the solicitor is £1,500 +vat. There is also a bank fee of £48+vnt.

#### 2. Encroachment:

Should the Town Council not wish to sell its asset (land), but land has been encroached by residents as above, Coodes dispute department are available to assist the Town Council. However, the Town Council will need to provide copies of all relevant title documents as well as the details of the parties involved in the encroachment. This is essential for Coodes to understand the context and assess the scope of the work required.

Coodes dispute services are generally charged at hourly rates, starting from £200 +VAT

### Finance:

**Budget Code:** 6224 Professional cost (Policy and Finance budget code)

**Budget Availability 2024-25:** £13,679

New Services Committee budget code:

**Budget Code:** 6595 EMF Legal & Professional Fees (Grounds & Premises)

**Budget Availability 2025-26:** £1,800

### Town Council Business Plan:

‘To promote the best social, economic and environmental practices for Saltash by efficiently managing services, assets and resources of the Town Council for the benefit of the local community.’

Strategic Priority 1: Boosting Jobs and Economic Prosperity.

Next Steps:

1. Members are asked to consider how they wish to proceed with requests 1 to 3 above. Depending on the committees resolution, Members are asked to:
2. Work within the Town Council Acquisition or Sale of Land and Property policy and the NALC Legal Topic Note LTN 45, as attached;
3. Appoint the Town Council Solicitor to undertake the necessary land work on behalf of the Town Council due to the complexity of the matter, reporting back at a future Services Committee meeting;
4. There may be the opportunity for the Town Council to Lease parcels of land creating an income. However, the Town Council solicitor would need to advise accordingly and the land in question would need to be valued.;
5. Appoint the Town Council Solicitor to undertake dispute work on behalf of the Town Council due to the complexity of the matter, reporting back at a future Services Committee meeting.

**End of report**

**Office Manager / Assistant to the Town Clerk**