



**RECOMMENDED that:**

Approval is given to dispose of the Council's freehold interest in the access roadway and land between Lord Street and Beech Walk, Hoddesdon to B3Living for nil consideration.

**Purpose**

To give approval to transfer an unadopted access roadway and accompanying unmade access land to B3Living as part of the redevelopment scheme due to be undertaken by them at Beech Walk.

**The Project**

The land to be transferred is identified outlined in red on the attached plan. The small area coloured blue represents access to a substation.

The Council is liable for the maintenance of the roadway, which is in need of repair. Whilst it is not possible to determine the cost of comprehensive repairs, a quote has been received from a local road repair company for undertaking works to various potholes, at a cost in the order of £3000. Such a repair would only offer a short term remedy.

The unmade land is used by the occupiers of Lord Street for the purpose of rear access.

Some of these have entered into licence agreements, although it is not possible to control those who have not. There is a potential legal issue of established legal rights if the Council were to challenge those occupiers.

The income/potential income from these agreements is never likely to cover the cost of administering them and the cost of managing and maintaining the land. In short, the Council gains no benefit from owning the land whilst it represents a future liability in terms of repairs and maintenance.

If the land were transferred to B3Living they have indicated that they are willing to repair and improve the roadway and land generally as part of the overall redevelopment scheme.

**Financial, Legal and Risk Management Implications**

Maintaining ownership of the land will result in adverse cost implications in terms of future repair and maintenance of the land as well as management costs.

The Council does not receive any income from these pieces of land.

Given the poor condition of the unmade surface and deteriorating condition of the roadway, there is a risk that anyone driving over the land may incur some damage and seek to make a claim against the Council.

**Alternative Options Considered and Rejected**

No alternative options are available other than for the Council to incur the considerable expense of managing and maintaining the roadway and land.

## **Contribution to the Council's Objectives**

The Council is actively seeking to dispose of non-productive land or that which may create a liability. Disposing of this site will meet the Council's drive to reduce costs and limit future liability.

## **Conclusion**

It is not in the Council's interest to keep the land as it represents an ongoing liability. Disposal at nil consideration will reduce the Council's future liabilities, whilst B3Living is understood to have the resources to improve the land generally.

Contact Officer: Damian Macnair                      Ext: 2950                      Date                      4 July 2018

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Action reported to the Cabinet on:

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HM Land Registry  
Official copy of  
title plan

Title number HD495453  
Ordnance Survey map reference TL3608NE  
Scale 1:1250  
Administrative area: Hertfordshire : Broxbourne

