

**CABINET MEMBER FOR WASTE, PROPERTY AND ENVIRONMENT AND DEVELOPMENT  
CONTROL SERVICES - CLLR TOBY STURGIS**

**DEPARTMENT OF TRANSFORMATION AND RESOURCES**

**OFFICER CONTACT:** John Price 01225 713231 email:john.price@wiltshire.gov.uk

**REFERENCE:** WPE-007-11

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**WPE-007-11 - LAND ADJOINING 35 AND 36 THE HALVE,  
TROWBRIDGE**

**Purpose of Report**

To approve the disposal of an area of land of approximately 42 square metres in the area indicated edged red on the plan to the owners of 35 and 36 The Halve, Trowbridge on terms to be agreed by the Head of Strategic Property Services.

**Background**

The land shown edged red on the plan (**Appendix 1**) formed part of a grass verge between the rear of 35 and 36 The Halve and the footway at St. Thomas' Road. The householders have fenced the land and incorporated it into their gardens. As well as the land ownership/encroachment issue, the action taken contravenes planning legislation. Enforcement of the planning legislation can only be taken against the land owner, which is not possible as Wiltshire Council would have to take action against itself. The householders have indicated that they would like to buy the land. If terms can be agreed, selling the land will resolve both issues as enforcement action under the planning acts could then be taken against the householders if it should be necessary.

**Consultation**

Internal consultation with relevant departments has been carried out and there is no Council requirement for this land.

**Options Considered**

To:

- (i) Dispose of the land.
- (ii) Not dispose of the land.

**Reason for Decision**

To dispose of a small parcel of land which is of little use to the Council, obtain a capital receipt and resolve the encroachment onto the area by the adjoining owners.

**INTENTION TO MAKE DECISION**

Following consultation with officers I give notice that I intend to make the decision set out in the attached report. If you would like to make any representations to me on this issue please do so by 13<sup>th</sup> October, 2011.

**The following supporting documents are attached:**

WPE-007-11 - Trowbridge land Adjoining 35 and 36 The Halve - Report

WPE-007-11 - Trowbridge Land Adjoining 35 and 36 The Halve - Appendix

Date: 5<sup>th</sup> October, 2011.....

Cllr Toby Sturgis  
Cabinet Member for Waste, Property and  
Environment and Development Control Services