

REPORT ON BEHALF OF THE PROPERTY & PROJECTS GROUP

SUBJECT: PROPERTY KNOWN AS TREWENT PARK, FRESHWATER EAST

Purpose of Report

This paper presents the case for the transfer of NPA owned land into private ownership under our existing policy for regularising historical encroachments in the interests of good estate management.

Background

In 2001 the Authority acquired the freehold of a large area of land at Freshwater East known as the 'Burrows'. As at the date of our purchase one of those ownerships was the complex of chalet holiday homes known as Trewent Park. In the period following the Authority's acquisition, it became clear that there was a pre-existing and continuing encroachment by Trewent Park across approximately 300sqm of the Authority's registered freehold title. The land was in use as an open storage yard. That use continues to this day.

Your Officers entered into discussions with the owner of Trewent Park in both 2002 & 2008 with a view to regularising the encroachment although no substantive progress was made on those occasions. As at today's date the Authority is proposing a new section of permissive path which will traverse the northern edge of the subject land and to facilitate this, your officers have reached agreement with the owner of Trewent Park to regularise their historic ongoing encroachment.

Financial, Risk & Compliance Considerations

The Authority's adopted policy (approved 17th April 2002) authorises the legal transfer of National Park owned land to adjoining property owners in instances where encroachments fall within clearly defined guidelines i.e. the encroachment is longstanding, is small scale, does not materially compromise our statutory objectives and does not release significant value to the transferee.

Human Rights/Equality Issues

No issues

Biodiversity Implications/Sustainability Appraisal

No issues

Welsh Language Statement

No issues

Conclusion

Following negotiations, provisional agreement has now been reached to transfer paper title of the subject land to the owners of Trewent Park at a nominal price of £1 to including an obligation for them to construct and thereafter maintain a secure fence to permanently separate the subject land from the proposed new permissive footpath.

Recommendation

In accordance with the Adopted Encroachment Policy it is recommended that Members endorse the transfer of approximately 300 Sqm of land on the terms outlined above.