



BRECKLAND COUNCIL

DELEGATED DECISION RECORD

This records a key or other decision taken by an Executive Member or the Cabinet in accordance with the Council's scheme of Delegations (as set out in Section D of Part 3 of the Council's Constitution).

Unless the Leader and the Chairman of the Overview and Scrutiny Commission certify that the matter is so urgent that the normal five-day scrutiny delay on action should not apply, then this decision will come into force and may then be implemented on the expiry of five working days after the publication of the decision, unless called in under the call-in procedures as set out in Section D of Part 3 of the Council's Constitution.

Portfolio/Cabinet	Cabinet
Report Title (& Reference No.)	Request to transfer Council-Owned Land at Norwich Road, Besthorpe and Release of Restrictive Covenant(s)
Summary Background	To approve the transfer of Council-owned land at Norwich Road, Besthorpe, to Peddars Way Housing Association at nil consideration and the release of a restrictive covenant affecting the garage forecourt at Norwich Road, Besthorpe, at nil consideration, to enable the redevelopment of this site to accommodate a two storey three bed house with integral garage. Peddars Way Housing Association has advised that, if approved, the proceeds of the sale will be recycled in development of social housing or associated facilities within the Breckland district.
Author/Contact Officer	Zoe Footer (zoe.footer@breckland.gov.uk)
Ward(s) Affected	
Urgent?	No
Key Decision?	No
In Forward Plan?	Yes
Date Decision Taken	Tuesday, 10 June 2008
Date Published	Thursday, 12 June 2008
Call-In Expiry	Thursday, 19 June 2008
Exempt Information?	No
Decision (Action Agreed)	That

	<ol style="list-style-type: none"> 1) the Council-owned land at Norwich Road, Besthorpe be transferred, at nil consideration to Peddars Way Housing Association to allow this land and the adjacent garage forecourt to be redeveloped, subject to Peddars Way Housing Association undertaking community consultation. 2) the restrictive covenant affecting the garage forecourt at Norwich Road, Besthorpe be released, at nil consideration. 3) the rights of access over the adjacent Council-owned track be granted for a successor in title. 4) the equivalent capital receipt of developing the land at Norwich Road, Besthorpe, to the District Valuer's valuation of £34,000, be recycled by the Housing Association in development of social housing or associated facilities within the Breckland district.
Reasons(s)	<ol style="list-style-type: none"> 1) The Council would lose responsibility for this area of land at Norwich Road, Besthorpe. 2) The redevelopment of these areas will support the Council's number one priority.
Options	<ol style="list-style-type: none"> 1) that the Council-owned land at Norwich Road, Besthorpe be transferred, at nil consideration to Peddars Way Housing Association to allow this land and the adjacent garage forecourt to be redeveloped; <ol style="list-style-type: none"> i) that the restrictive covenant on the Peddars Way Housing Association's title (transfer dated March 1993), in favour of Breckland District Council stating that "subject to Clause 7, in respect of any part of the Property described in Parts III, IV, V and VI of Schedule A (garages, garage forecourts, off street parking areas and amenity areas) not to develop or redevelop that part of the Property and not to permit the same to be used as other than garages, parking area, amenity areas, respectively, serving residential dwellings", be released, at nil consideration; and ii) that rights of access over the adjacent Council-owned track be granted for a successor in title. 2) that the Council-owned land at Norwich Road, Besthorpe be transferred, at or above the District Valuer's valuation of £34,000 to Peddars Way Housing Association to allow this land and the adjacent garage forecourt to be redeveloped; <ol style="list-style-type: none"> i) that the restrictive covenant on the Peddars Way Housing Association's title (transfer dated

	<p>March 1993), in favour of Breckland District Council stating that “subject to Clause 7, in respect of any part of the Property described in Parts III, IV, V and VI of Schedule A (garages, garage forecourts, off street parking areas and amenity areas) not to develop or redevelop that part of the Property and not to permit the same to be used as other than garages, parking area, amenity areas, respectively, serving residential dwellings”, be released, at or above the District Valuer’s valuation; and</p> <p>ii) that rights of access over the adjacent Council-owned track be granted for a successor in title.</p> <p>3) that the Council-owned land at Norwich Road, Besthorpe remain within Breckland’s ownership;</p> <p>i) that the restrictive covenant not be released; and</p> <p>ii) that rights of access over the adjacent Council-owned track not be granted</p>
<p>Further Information</p>	<p>A15 - Besthorpe - Norwich Road Report</p> <p>A15 - Land at Norwich Rd, Besthorpe Prof B</p> <p>A15 - Besthorpe - Norwich Road Location Map</p>