

APPENDIX N

WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 29 MARCH 2011

Title:

ROADWAY AT LION GREEN, HASLEMERE

[Wards Affected: Haslemere Critchmere and Shottermill]

Summary and purpose:

Authorisation is sought for the transfer of any rights that Waverley may have over the roadway shown outlined on the plan annexed to Haslemere Town Council.

Environmental implications:

There are no environmental implications.

Social / community implications:

The transfer of this land will assist in maintaining control over street traders and other users.

E-Government implications:

There are no e-government implications.

Resource and legal implications:

It is proposed that the transfer be at nil consideration. The Town Council will meet Waverley's legal costs.

Background

1. Haslemere Town Council has requested the transfer from Waverley of the land shown outlined on the plan at Annexe 1. This roadway is not public highway and the Town Council's attempts at controlling street traders have been thwarted by its lack of ownership.
2. The Town Council has investigated the history of the land and is of the opinion that it belongs to Waverley. The basis of this belief is set out in the Annexe and has been provided by the Town Council.
3. Waverley was not aware that it had title to the land. It does not hold any deeds for the roadway and has no records to suggest that it has ever undertaken any works to the site. Waverley undertook an exercise to register all its land around five years' ago and has a comprehensive terrier: however, this land does not appear on it.

4. Under the circumstances, it would appear reasonable for Waverley to transfer what interests it has in this land to Haslemere Town Council at nil consideration with the Town Council paying Waverley's legal costs.

Recommendation

It is recommended that Waverley transfers what interests it has in this land to Haslemere Town Council at nil consideration with the Town Council paying Waverley's legal costs.

Background Papers:

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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