

WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 01/09/2015

Title:

**PROPERTY MATTER – EASEMENT OF ACCESS TO 1 CROSSWAYS COTTAGES,
ALFOLD**

[Portfolio Holder: Cllr Tom Martin]

[Wards Affected: Alfold, Cranleigh Rural and Ellens Green]

Note pursuant to Section 100B(5) of the Local Government Act 1972

An annexe to this report contains exempt information by virtue of which the public is likely to be excluded during the item to which the report relates, as specified in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, namely:-

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Summary and purpose:

The purpose of this report is to consider the granting of an easement for access to 1 Crossways Cottages, Alfold.

How this report relates to the Council's Corporate Priorities:

The proposals contained within this report will contribute towards a number of the Council's corporate priorities:-

Value for money: The easement of access has been valued in accordance with commercial practices. It will therefore provide Waverley with a capital sum.

Leisure and Lives: The grant of an easement is essential to the owners of the above property, who are seeking to sell their home.

Financial Implications:

The granting of this easement will provide Waverley's Housing Revenue Account with a capital sum, as set out in the terms in the (Exempt) Annexe.

Legal Implications:

Officer time is required to draft the legal documentation and the applicant is required to pay WBC's reasonable legal costs.

1. Introduction

- 2.1 Authorisation is sought for the grant of an easement of access over Waverley-owned common land to 1 Crossways Cottages, Alfold on the terms and conditions set out in the (Exempt) Annexe.
- 2.2 1 Crossways Cottages is a former Council house that was sold under the Right to Buy in 1985 without a right of vehicular access. It has had a licence for vehicular access to the rear of the property for a number of years. This access is over Housing-owned land and has not been converted into an easement as this land may be required by the Housing Section in future years. However, while Waverley is prepared to continue licensing the access for the foreseeable future, prospective purchasers of the property will not buy without a permanent right of access.
- 2.3 The land to the front of 1 Crossways Cottages is Waverley-owned common land. There is a dropped kerb, created many years ago, in front of Welby Cottages. The position of this kerb could be used by 1 Crossways Cottages to provide a vehicular access into the front of the property. The Parks and Countryside service does not object to the creation of an access at this point, provided that the applicants obtain the necessary planning permissions, common land consent and approval from the highways authority as the access is onto a classified road. Terms and conditions have been agreed with the applicants as set out in the (Exempt) Annexe.

Recommendation

It is recommended that an easement of access be granted to 1 Crossways Cottages, Alfold, subject to the terms set out in the (Exempt) Annexe.

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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