

<h1>BRIEFING</h1>	<b>TO:</b>	Asset Management Board
	<b>DATE:</b>	February 2023
	<b>LEAD OFFICER:</b>	Kerri Piper Estates Surveyor, Estates Team 01709 822171
	<b>TITLE:</b>	Land off Wentworth Road, Thorpe Hesley, S61 2RJ

## 1. Background

- 1.1** RMBC own the freehold title of the said land which had been let under an Agricultural Holdings tenancy to a farmer. In 2019 it came to light that an informal assignment of the holding had occurred when the farmer sought to formalise his agreement with RMBC.
- The size of the site is 12.13 acres (4.91 ha – see appendix 1). Circa 50% of the land is farmed with the remainder being left to be shrub and woodland. There is one Tree Preservation Order (TPO) on the site.
- In the meantime, in 2020, RMBC were contacted by the Coal Authority (CA) seeking to enter discussions regarding purchasing a portion of the land held under the tenancy because it has been highlighted as a suitable location for a water treatment scheme. They have already suggested using a passive scheme whereby a large area would be used as a pond planted with reeds, that possess water purifying attributes. An example of a scheme done in Stafford can be found in appendix 2.
- When questioned as to whether the CA would consider a lease in place of a sale, they said a purchase is preferred as the intention is to keep the passive treatment system in place into perpetuity.
- RMBC paid for the District Valuer (DV) to value the site, and this came back at £55,575 on 21/09/21 and the value of the easement in the access land £3,742. The CA were undecided, some time passed, and the valuation expired.
- The CA then decided to continue with the process, so we approached the DV for an updated report. The DV advised the land had increased in price so a full new report would need doing. We asked the CA to pay for the valuation this time, which they did. The DV new valuation came back at £84,000 on 22/09/22 and the value of the easement in the access land £3,750. This is an increase of £28,425 for the land. The CA have agreed to the new valuation and are keen to proceed.

## 2. Key Issues

- 2.1** The current occupant of the land, is not currently tenanting the land under a signed agreement despite farming the land for several years.
- There is an element of mutual benefit between the CA and RMBC in the fact that the CA have identified this area as being potentially exposed to water contamination from

	<p>underground aquifers transporting minerals to the surface, which can enter the watercourses. Whilst the CA have not made a specific mention to suggest water pollution has or is already occurring, it may be wise for RMBC to be proactive with these projects for the benefit of its constituents.</p> <p>The Coal Authority have powers of compulsory purchase under the Coal Industry Act 1994 where the purchase is required for the purpose of preventing or mitigating the effect of a discharge of water from a coal mine and the discharge is likely to cause pollution or serious harm to human health. They have expressed they would rather work with RMBC, and this is also our preference.</p>
<p><b>3. Key Actions and Timelines</b></p>	
<p><b>3.1</b></p>	<p>The valuation done on 22/09/22 of £84,000 is valid 6 months. RMBC needs to confirm its position on releasing the land and need to acquire approval for the sale of the land and the easement land.</p>
<p><b>4. Recommendations</b></p>	
<p><b>4.1</b></p>	<p>It is recommended that the Council proceed with the sale to the Coal Authority, for the value as set out in the latest valuation report.</p>





