

Report to Leader

Subject: Disposal of strip of Land at the Northern Portion of Killisick Lane

Date: 22 September 2025

Author: Property Services Manager

Wards Affected:

Coppice

Purpose

To seek approval to dispose of a small strip of land at Killisick Lane as identified outlined in red on the attached plan at Appendix 1.

Key Decision

This is not a key decision.

Recommendation(s)

THAT:

- 1) Approval is granted to dispose of the small strip of land at Killisick Lane and shown on the plan at Appendix 1.**

1 Background

- 1.1 On 5th October 2023, Cabinet agreed to dispose of the Council owned land at Killisick Lane as shown in Appendix 2. This land consisted of a number of parcels either side of the bridleway also known as Killisick Lane.

- 1.2 Prior to any formal decision to dispose of the site and approval of the method of disposal in line with the Council's Rules for Dealing with Land and Buildings, in accordance with s.123 (2A) of the Local Government Act 1972 ("the Act"), the Council is required to give notice of its intention to dispose of the land, thereby giving the public and stakeholders the opportunity to comment on any such disposal prior to any formal decision being taken.
- 1.3 This process was followed for the whole disposal site in September 2023. However, during the process of disposing of this land, it has come to light that a section of Killisick Lane, linking two parcels of Council-owned land to the east and west, was previously unregistered and not in the Council's ownership at the time of the original disposal decision. This additional parcel is shown at Appendix 1.
- 1.4 The Council's Legal Services completed registration of the section of Killisick Lane shown in Appendix 1 bringing the land into the Council's ownership and joining the land on the east and west sides of Killisick Lane. As this parcel of land was not in the Council's ownership when the previous Section 123 process was undertaken, it was not included in the disposal that was previously approved.
- 1.5 In order to consider disposal of the land in Appendix 1, the Council was therefore required to follow the same process again thereby giving the public and stakeholders the opportunity to comment on any such disposal prior to any formal decision being taken.
- 1.6 As per the approved report dated 2 July 2025, the Council proceeded to advertise the intention to dispose of the Land in accordance with s.123 (2A) of the Local Government Act 1972. The notice of intended disposal was advertised for two consecutive weeks in the Nottingham Evening Post on 5 and 13 September 2025 requesting any objections must be received no later than 19 September 2025.
- 1.7 The Council has received no response to date in relation to the intended disposal.
- 1.8 The Council would therefore like to proceed with disposal of the small strip of land shown in Appendix 1, to be included with the disposal of the land previously approved on 5 October 2023.

2 Proposal

- 2.1 It is proposed that approval is given to dispose of the small strip of land at Killisick Lane as shown in Appendix 1.

3 Alternative Options

- 3.1 An alternative option would be not to dispose of this small parcel of land however failure to dispose of this small strip may hinder development of the wider site.

4 Financial Implications

- 4.1 There are no costs directly associated with the disposal of this small parcel of land as this land forms part of the wider development site shown in Appendix 2 under which terms (including capital receipts) have been agreed.

5 Legal Implications

- 5.1 Any disposal of Council land must be undertaken in accordance with the correct legislative disposal power and in accordance with the Council's Rules for dealing with Land and Buildings. As this land forms part of the wider site shown in Appendix 2, the disposal method was through private treaty on the open market which is an accepted form under the rules.
- 5.2 This land is being disposed of under s.123 of the Local Government Act 1972 and as such the land must be disposed of for the best consideration following a valuation of the site by an independent qualified valuer. As per the above, this was already carried out as part of the previous disposal process.

6 Equalities Implications

- 6.1 There are no direct equalities implications arising out of this report.

7 Carbon Reduction/Environmental Sustainability Implications

- 7.1 As the land forms part of the wider development site the land will be included within any planning application which would subject to environmental and ecological surveys.

8 Appendices

8.1 Appendix 1 – Small Parcel of Land for Disposal

8.2 Appendix 2 – Killisick Lane Site

8.3 Appendix 3 – Equalities Impact Assessment

9 Background Papers

9.1 None

10 Reasons for Recommendations

10.1 To allow the small parcel of land to be sold along with the wider site to enable the land to be developed for housing.

Statutory Officer approval

Approved by:

Date:

On behalf of the Chief Financial Officer

Approved by:

Date:

On behalf of the Monitoring Officer