

**NORTH SOMERSET COUNCIL  
DECISION**

2016 2017 scheme



DECISION OF SECTION 151 OFFICER OF THE COUNCIL,  
CORPORATE SERVICES DIRECTORATE

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**DECISION NO: CSD16**

**SUBJECT:**

**Land at 10 Valley Gardens Nailsea**

**BACKGROUND:**

The council owns land forming part of the back garden of the above property as shown in red outline on the attached plan. The subject land is held by the Development and Environment Directorate and is not required for operational purposes.

The subject land comprises a landscaped area forming an integral part of the rear garden to the property and is enclosed by a high mature hedge on the northern boundary to Stockway South, the adjacent public highway and a close boarded fence on the eastern boundary to an adjacent public footpath. The land can only be accessed through the rear garden of the house.

Records show that the land has been part of the rear garden to the house for over 25 years. The owners of the property could claim legal title to the land through an adverse possession claim and officers are of the view that such a claim would be successful. In the circumstances therefore it has been provisionally agreed with the owners that the land will be transferred to them for a nominal sum subject to the transferees agreeing to maintain the boundaries to their property marked A-B-C on the plan and reimbursing the council's legal costs incurred in connection with the transaction.

**DECISION:**

The land shown in red outline on the report plan be transferred to the owners of 10 Valley Gardens in accordance with the terms and conditions set out in this report.

**Reasons:**

The land is not required for operational purposes and the owners would be successful in claiming ownership of the land through adverse possession. The land transfer will formalise the current occupation of the land at no direct cost to the council.

**Other Alternatives Considered:**

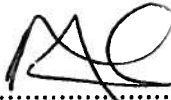
None.

**Financial Implications:**

None as the council's legal fees are being reimbursed.

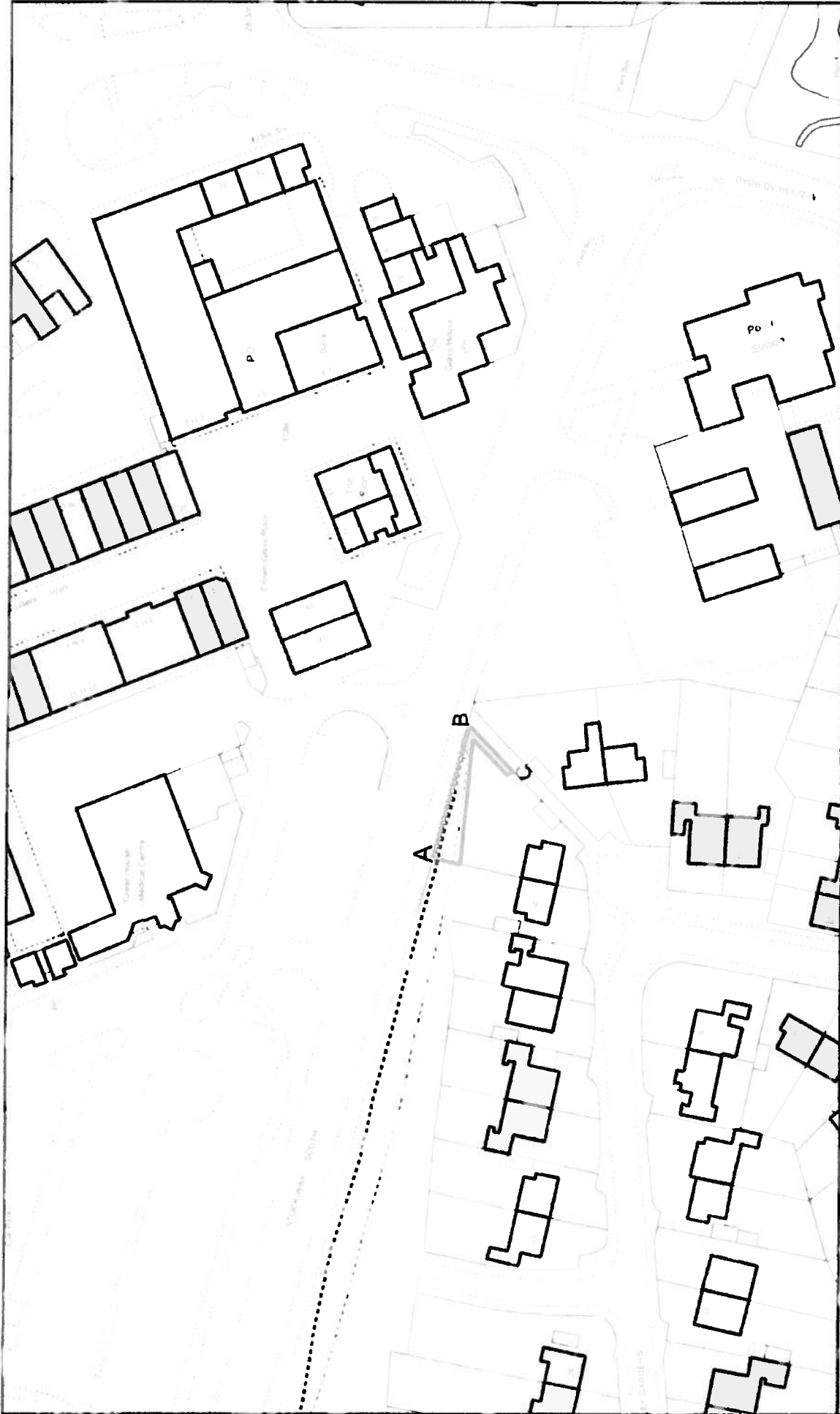
**Implications for Future Years:**

None.



Signed: .....  
Section 151 Officer, North Somerset Council

Dated: .....14 / 6 / 14,.....



**Land at 10 Valley Gardens Nailsea**

**Property and Asset Management**  
 Castlewood, Tickenham  
 Road, Clevedon, BS21  
 6FW

**Scale: 1:1000**  
**Drawn by: Stuart Bates**  
**Date: 26 May 2016**  
**Time: 15:16:31**



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