



AMENITY LAND POLICY AND MAINTENANCE

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“Not to sell amenity land, to preserve and protect it but to be flexible in particular circumstances. Access widening of more than 1 and a half car widths would not be accepted. In all circumstances the cost of the work would be borne by the resident, and he/she would be required to sign an agreement taking all responsibility and liability.”

REQUESTS TO ALTER AMENITY LAND

The following Procedure is adopted:

Stage 1

- Any request for alteration to an area which encompasses Parish Council amenity land must be put in writing for consideration by Full Council.
- Such requests must be accompanied by a detailed diagram of the area to be utilised which should show all dimensions but need not be to scale.
- In the first instance, a letter of acknowledgement will be sent explaining Council's policy as follows:
 - *not to sell amenity land but to preserve and protect it. However, in some circumstances it will consider the installation of a specified turf protector. This would need to be put into the grassed area and, as it allows grass to grow through, would maintain the appearance of the area. The turf protector would be firm enough to allow cars to travel over without damaging the surface.*
 - *any subsequent agreement given would have conditions attached to it which the resident would be made aware of at this stage. The resident would be required to sign a license, attached to which would be a nominal annual fee (previously agreed at £5) which would state, among other things, that*
 - *the land would only be used as a means of access to and egress from the property and for no other purpose, i.e., it could not be used for parking; and*
 - *the resident indemnifies the Council against all actions, claims, demands, losses, and liability in respect of any breach of the obligations.*

- *in all circumstances the cost of the work would be borne by the resident*
- *In order to ensure that the license becomes part of the resident's deeds, and therefore transfers to new owners on the sale of the property, the Council's solicitor will undertake (on behalf of Council) to submit a Land Registry application for the resident. A letter of consent must be signed by the resident agreeing to the Land Registry application. All costs in relation to this will be borne by the resident (currently £50 for the drafted letter and £50 for the Land Registry application).*

Stage 2

- Council considers the request
- If the proposal is accepted, it will be in accordance with the following requirements:
 - *the turf protector supplier to be: Tylyne. A 30m x 2m roll + pins costs £350 which will take an axle weight of 7.5 tonnes. The Council has experience of Tylyne's product with the spur path to the play area.*
 - *the work to be carried out by the Council's chosen contractor who would also be responsible for purchasing the turf protector.*
- If the proposal is refused a letter will be issued to the resident.
- If the proposal is accepted a letter will be issued along with a draft license and letter of consent in relation to the Land Registry application and anticipated costs for consideration by the resident. It will be explained that the Council will specify the turf protector and that all work must be undertaken by the Council's chosen contractor in accordance with the agreed diagram. At this stage the resident must agree, in principle, to the process, the draft license and to signing the letter of consent for the Land Registry application in writing.
- On receipt of a resident's letter confirming acceptance, in principle, details of the Contractor will be issued to enable him/her to find out the costs involved. However, the Contractor will be under strict orders not to commence any work without Council confirmation that **all** legal requirements have been met. If the resident is happy to proceed, then he/she must confirm in writing to the Council.
- A license will be issued for signature along with the letter of consent for the Land Registry application and invoice for the costs involved.
- On receipt of the signed license, the signed letter of consent for the Land Registry application, the fees in relation to the Land Registry application and the nominal annual fee, the Contractor will be instructed to commence work.
- The Council will not be involved in any dealings between the resident and Contractor as long as the work is carried out in accordance with the agreed diagram.

Stage 3

- The Clerk will invoice the nominal fee on the anniversary of the signed license.

AMENITY LAND - Maintenance thereof

- All Amenity Land as a result of the Pearce & Barker Model Village build was given to Harlington Parish Council (HPC) by Pearce & Barker in 1965. At the time, the transfer was affected by letter.
- The above land has subsequently been registered to HPC, with the Land Registry, under BD266377 (December 2008), BD296684 and BD296683 (December 2014).
- In order to comply with Policy Council will monitor and maintain amenity land in the village.
- Residents damaging amenity land will, in the first instance, be sent a polite letter explaining Council's policy with regards amenity land and requesting that their current practice of:
 - driving over or parking vehicles on it; or
 - storing building materials on it; or
 - fencing it in or blocking access to it; or
 - any other use of it, not considered to meet the aims of HPC's policy, be discontinued and that the resident should make good any damaged land, to its previous condition.
- If, after 14 days, the resident fails to take note of HPC's request, a further letter will be issued giving the resident 7 days in which to rectify the breach of HPC's policy otherwise the Council will arrange for repair of the damaged land/removal of offending articles but that all costs incurred, as part of this process, will be passed to the resident for payment.