

LAND ACQUISITION AND DISPOSAL **POLICY FOR** **BROMHAM PARISH COUNCIL** **2026-2027**



Land Acquisition and Disposal Policy

This statement sets out the policy for the acquisition and disposal of land by Bromham Parish Council ("the Council").

The Council owns a number of pieces of land throughout the Parish, including the village green, Lower Farm Road paddock and other public open space.

Acquisition or disposal of land shall be considered and negotiated by the Finance and General Purposes (F&GP) Committee and referred to the Council for determination.

Any land proposals will be discussed, in the first instance, in an open meeting, thereafter, once a decision has been made to progress a land acquisition or disposal the negotiations and contacts will be held in the private and confidential part of the meeting.

A council is subject to statutory requirements to advertise its intention to sell open space land in a local newspaper for two consecutive weeks and to formally consider any objections before it decides to sell the land.

Criteria for Acquisition

The Local Government Act 1972, Section 124, as amended by the Local Government, Planning and Land Act 1980 (Schedule 23) confers powers on a local council to acquire land by agreement for the purposes of its functions or for the benefit, improvement or development of its area. Acquisition of land by agreement, whether inside or outside its area, may be by way of purchase, lease or exchange of other land held by the Council.

Historically, much of the land that the Council currently owns has been gifted to the Parish or transferred to the Council through Section 106 Agreements.

The Council will consider purchasing or acquiring new land or property provided there is a village need, it is within the powers and duties of the Council, and the transaction represents good value for the residents of the village. In all cases due regard will be given to the ongoing costs of the use and maintenance of the land.

The Council will, where appropriate, employ an Independent Land & Property Valuer and a Solicitor to process the purchase.

Criteria for Disposal

A local council has a general power (under Section 127 of the Local Government Act 1972) to dispose of land which it owns either by way of sale, lease or tenancy.

The Council holds land in trust for the use and enjoyment of future generations. Disposal of land should not be considered unless there is a good reason to do so or, if deemed appropriate, there is a reasonable replacement through acquisition of alternative land.

The Council recognises the importance of public open space within the village of Bromham and, in support of its key policies, will seek to maintain ownership and control of important open spaces or small amenity areas. Only in exceptional circumstances will this policy not apply. When considering disposal the Council will take into account restrictive covenants on land. The Council will, in particular, resist the disposal of key areas of public open space identified in a separate register.

In considering requests for disposal of public open space, the Council will have regard to the following protocol:

- (a) Village Greens: These designated areas will not generally be considered for disposal. In exceptional circumstances (e.g. access to a property) the Council may consider disposal but, in such circumstances, land disposed of must be replaced with suitable land and/or the Council must seek appropriate financial compensation.
- (b) Village Open Space: Development will not generally be permitted on land designated by Bedford Borough Council as a village open space or view. Village open spaces should meet one or more of the following criteria:
 - (i) They are publicly accessible and valuable to the local community for sport, recreation or as amenity space;
 - (ii) They give identity to a settlement or village by helping to retain its form and reflect its history (for example, a village green);
 - (iii) They provide a gap or break in the frontage which contributes to the character of a settlement for example by providing a view into a village which forms part of the village setting, or a view into open countryside establishing the relationship between the form of the village and the countryside beyond;
 - (iv) The gap provides visual relief in an otherwise built up area punctuating the street scene;
 - (v) Land owned by the Council that adjoins the public highway shall not ordinarily be reduced to less than 2 metres in distance from the highway/footpath to the curtilage of the adjacent property in order to provide valuable amenity value;

- (vi) The open space assists the transition between village and countryside providing a soft edge to the village which is pleasing visually.
- (c) Whilst the Council regards village open space as being important for the reasons identified in (b) above, the Council will consider disposal on appropriate terms if it is in the interests of the Council or if benefit can be derived from the disposal. This could be a direct (but appropriate) financial benefit or in terms of reduced risk or other implications, maintenance or otherwise.
- (d) When considering land adjoining Bromham Brook, due consideration will be given to issues such as Flood Plains and Riparian ownership and rights. The inspection and maintenance of the brook is carried out regularly by the Council and the maintenance of access for this purpose is paramount.
- (e) There will be a presumption of support for applications seeking access across verge and/or Council land if such applications are:
 - (i) To improve access and egress to and from properties in the village.
 - (ii) To extend utilities from properties over Council land.

Such applications will nonetheless be carefully considered on an individual basis. All works will be carried out to Bedford Borough Council Highways standard by a reputable contractor and the cost of provision and all future maintenance and liability will be the responsibility of the home owner. The land will remain in the ownership of the Council.

- (f) The Council will seek to obtain open market value for all disposals in order to maximise the return to the Council and, as appropriate, the Council will arrange an independent valuation to confirm the proposed sale value. By way of guidance, the land consideration should equate to approximately 30% of the uplift value, ordinarily the difference between the purchase price and the potential sale price arising from a development that occurs on that part of the land.
- (g) In the event that the disposal is made for non-development purposes, such as an extension of garden land, the Council shall impose a covenant on the land transaction preventing development unless the covenant is released. The Council will, in these circumstances, required due financial consideration in order to exercise the release. Where land, subject to such covenant, is proposed for onward sale, the Council will ordinarily insist on the continuation of such covenant to the new owner.

Adopted by:	PC Meeting
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