

Kidwelly Town Council

Land Management Policy

Background

Kidwelly Town Council is a major landowner within the Town Council area. Much of the land is used for agriculture and recreational purposes. This policy, sets out how the land holdings are to be managed.

1. General

Overall the aim of Kidwelly Town Council in carrying out land management is to reflect the principles of sustainable development. In so doing the intention is to:

- Safeguard the primary environmental resources of air, soils and water
- Contribute to long term robust and adaptable rural economy
- Maintain and enhance landscapes, countryside character, biodiversity, historic and cultural values of the Town Council area

2. Land Improvement

Wherever possible the Town Council will endeavour to improve the condition of its land holdings, having regard to the cost of each improvement and the benefits arising. It also encourages its tenants to carry out land improvements subject to permission has been granted prior to the works being carried out. The overall purpose is to ensure that the land usage is optimised.

3. Vacant land

The Town Council will try to ensure that any vacant land is let at the earliest opportunity. All land that becomes vacant has to be subject to a tender process.

4. Encroachment

In order to prevent encroachment onto its land the Kidwelly Town Council is ensuring that its land holdings are fully documented. This will include a reconciling of the Land Registry records and the information held by the Town Council of its land holdings.

5. Planning

Details of the current planning zoning will be maintained in order that the implications of the current position and any subsequent changes are evaluated.

6. Documentation

There will be appropriate documentation maintained for all land interests. The information contained within those documents is to be subject to regular review to ensure it complies with the law and is prepared in line with best practice.

7. Income

The Town Council will seek to maximise the revenue from its land holdings and will issue requests for payment as appropriate. Any money outstanding to the Town Council as a result of a tenancy agreement being terminated, shall be recovered as outlined in the Town Council's Financial Regulations 9.1 and 9.3

8. No Shooting Policy

The Town Council has decided that there is to be no shooting on its land. Where shooting is necessary in order to control pests and vermin, only the tenant or a licensed pest controller, is authorised to carry this out. If any other person is required to carry out shooting under this provision authorisation from the Town Council is required. This policy will be incorporated into any new leases.

9. Rent Increases

There is to be a regular review of the levels of rental income. In the case of new leases a minimum rental figure is to be shown on the tender invitation documentation. For longer term lets, especially of agricultural tenancies, there is to be a periodic (normally three yearly) uplift in the rent. Such increase should be in line with the retail price index unless a method is available. Rent increases applied to grazing licenses at the time of expiry or renewal shall be set at 5% or RPI whichever is the greater.

10. Tenancy Period

All new tenancies of the Town Council shall be set for a 5 year term – unless otherwise agreed by Council.

11. Tenancy Renewal

At the end of a tenancy period, the tenant may be offered a further tenancy term at a rent set by the Town Council. The tenant must have maintained and managed the land within the terms set out within the tenancy agreement. All rental monies are to be paid in full by the end of each tenancy. A two day break between tenancy periods will be applied.

12. Land Maintenance

The Estates Manager shall view all tenanted land on an annual basis. Any tenant not maintaining the land within the terms of the tenancy shall be notified, in writing, of any issues that need to be addressed. If no remedial action is taken within a reasonable time, the tenancy shall be terminated.

13. Land Disposal

The Kidwelly Town Council often receives requests to sell parcels of land from its portfolio. It is the Council's intention to ensure that there is an openness and fairness in its disposal policy with the aim of allowing all interested parties to have an equal opportunity. Kidwelly Town Council will endeavour to ensure that when disposing of land the community receives the benefit of any added value and the proceeds from the sale reflect the value of the land.

14. Release of Land

It is the intention of Kidwelly Town Council to retain its existing land ownership unless it considers there is a clear benefit to the community in agreeing to a disposal. Any disposal will be made on its merit and in deciding to sell any land there is no intention of creating a precedent.

15. Land Disposal Procedures

Any disposal of land must be equal to or exceed the value placed on it by a land valuation agent acting on behalf of Kidwelly Town Council.

Kidwelly Town Council will require detailed information from the intended purchaser on the purpose to which the land is to be used. This will enable the Council to evaluate whether the sale of the land will result in added value. In the event that the proposed usage is subsequently amended, it is the Council's policy to include a claw back arrangement to share in any gain from the change of use of the land.