

BY: Mr Mike Austerberry, Director of Property  
TO: Mr Nick Chard, Cabinet Member for Finance  
DATE: January 2008  
SUBJECT: Sale of freehold interest in former Wyvern School, Hythe Road, Ashford

**This is an unrestricted summary of a matter which is exempt under Paragraph 3 of Part 1 of schedule 12A of the Local Government Act 1972**

**1.**

**Background**

- 1.1 The property was previously occupied as Wyvern Special School prior to its move to new premises on the other side of Ashford.
- 1.2 It was marketed with the benefit of outline planning consent for 52 dwellings including the conversion of the listed Hewitt House to three/four flats.
- 1.3 Prior to marketing it came to light that a number of neighbours in houses facing Oast Meadow to the rear had encroached onto the subject land. Following legal advice that adverse possession claims would probably prove successful, it was decided to offer the site on the basis that the purchaser would revise the boundary to reflect the current fencing arrangements. The land in question falls within the gardens of houses shown in the indicative layout submitted with the planning application and has no development value.

**2. Proposal**

- 2.1 The proposal is to sell KCC's freehold interest in this land with vacant possession less S.106 and other costs to be agreed with KCC Property Group following completion of the prospective purchasers' due diligence enquiries. Cabinet Member approval is therefore sought for a net-of-costs sale figure which is consistent with other offers received.

The proceeds of sale will be reinvested in the Special Schools' Programme.

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