



**REPORT of
DIRECTOR OF NEIGHBOURHOOD SERVICES AND COMMUNITIES**

**to
COUNCIL
10 SEPTEMBER 2026**

PURCHASE OF LAND AT LANGFORD

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to seek Council approval to purchase two parcels of land at Langford in order to protect the existing natural habitat and reduce the risk of inappropriate future use.

2. RECOMMENDATIONS

That the Council considers the report and agrees to:

- (i) the purchase of Plot 1, subject to:
 - (a) satisfactory completion of legal due diligence and title investigation;
 - (b) confirmation of the planning status of the land and any relevant constraints, covenants or easements;
 - (c) receipt of an independent valuation demonstrating value for money; and
 - (d) agreement of final heads of terms, including price, conditions, timescales and the apportionment of fees.
- (ii) the purchase of Plot 2, subject to:
 - (a) satisfactory completion of legal due diligence and title investigation;
 - (b) confirmation of the planning status of the land and any relevant constraints, covenants or easements;
 - (c) receipt of an independent valuation demonstrating value for money; and
 - (d) agreement of final heads of terms, including price, conditions, timescales and the apportionment of fees.
- (iii) delegate authority to the Director of Neighbourhood Services and Communities in consultation with the Chairperson of Strategy and Resources Committee to agree a purchase price of up to 5% above the independent valuation, where necessary to secure completion of the transaction and where this is considered justified and represents value for money;
- (iv) delegate authority to the Director of Neighbourhood Services and Communities to enter into an agreement with Vistry for the installation or improvement of the footpaths across Plot 2.

OR

That having considered the report, the Council agrees not to proceed with the purchase of Plot 1 and Plot 2 as acquisition is not considered necessary or represents the best use of public resources, and instead manages any risks associated with the land through its existing statutory powers, regulatory functions and enforcement mechanisms.

3. SUMMARY OF KEY ISSUES

- 3.1 Heybridge Parish Council has raised concerns regarding two parcels of land located to the north of Elm Farm Park, between the former railway embankment and Heybridge Approach, on the basis that the land could be vulnerable to inappropriate use in the future.
- 3.2 The plots were previously owned by the developer, Vistry, but were considered surplus to requirements and were sold at auction in 2025. Plot 1 sold for £36,000 and Plot 2 sold for £40,000. These sums would also have been subject to auction fees and the purchaser's legal costs, although the Council has not been provided with details of those additional amounts.
- 3.3 Following approaches to officers, discussions took place with Councillors, Vistry and the current landowner to establish whether the landowner would be willing to sell the plots to the Council.
- 3.4 The landowner has advised that the plots were acquired as an investment and that any disposal would need to reflect both acquisition costs and an appropriate return. Whilst no formal offer has been made or agreed, officers have held discussions with the landowner to understand the likely price expectations should the Council wish to pursue an acquisition. Details of these discussions are provided in the confidential **APPENDIX 1**.
- 3.5 **Plot Information**
 - 3.5.1 As shown on the plan at **APPENDIX 2**, the two plots are separated by an adjacent residential property. Both plots lie to the east of the former railway embankment and are connected to the wider Elm Farm Park area by the Blackwater Rail Trail, which follows the route of the former Witham to Maldon railway line. Plot 2 also adjoins the small section of Elm Farm Park situated on the eastern side of the embankment.
 - 3.5.2 Both plots are currently accessible on foot, but neither benefit from vehicular access. The only potentially viable road access would be from either the B1018 (Heybridge Approach) or the B1019 (Langford Road). As both are busy B roads, any proposal for a new junction would be likely to raise highway concerns and may attract objection from Essex County Council Highways. At present, the land comprises open grassland with some trees and shrubs.
- 3.6 **Future Use**
 - 3.6.1 Given the access constraints described above, the scope for alternative future use of the land is limited. The plots would, however, be well suited to a naturalised use, such as a wildlife reserve. Initial discussions have taken place with Essex Wildlife Trust, which has indicated that it would be willing to explore the possibility of leasing the land for this purpose. If approval is granted to proceed with the purchase, officers will submit a further report to the Committee setting out proposals for the future use and management of the site.
 - 3.6.2 During discussions with Vistry they confirmed that they would be willing to install/improve the footpath across the land (believed to be Public Right Of Way (PROW) 13) at their expense and as a goodwill gesture for the community.

3.7 Purchase of Plots

- 3.7.1 The current landowner has confirmed a willingness to discuss the sale of Plot 1 and has indicated that a sale of Plot 2 may also be possible if the offer is sufficient.
- 3.7.2 No legal due diligence has yet been undertaken in relation to the plots. Such due diligence, including title investigation and confirmation of relevant constraints, would be required before any acquisition could proceed. If significant issues are identified through that process, the purchase would not be progressed.
- 3.7.3 The Council is required to secure value for money in any acquisition. An independent valuation would therefore be obtained to inform any offer. Although the current landowner has indicated that he would wish to recover his costs and achieve a return on his investment, the plots were acquired only in 2025 and there may therefore have been limited uplift in value since that time. Officers consider that a limited discretion to agree a price of up to 5% above the independent valuation may be necessary to secure the acquisition, where this can be properly justified.

4. CONCLUSION

- 4.1 The plots appear to be available for acquisition, subject to successful negotiation with the landowner and satisfactory completion of due diligence.
- 4.2 Given the physical constraints of the site, the most appropriate long-term use of the land is likely to be environmental or naturalised use, complementing the existing public amenity provided by Elm Farm Park.
- 4.3 The acquisition is not expected to generate any meaningful financial return. If Essex Wildlife Trust were to lease the land from the Council for environmental purposes, any rent would likely be nominal.

5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2025 - 2028

5.1 Supporting our communities

- 5.1.1 Providing additional natural space for residents and visitors to enjoy, with associated health and wellbeing benefits.
- 5.1.2 Supporting the improvement of Public Right of Way 13 across the site.
- 5.1.3 Creating additional stopping points for users of the Blackwater Rail Trail where the natural habitat can be appreciated

5.2 Investing in our District

- 5.2.1 Safeguarding green space within the District for the benefit of current and future generations.

5.3 Protecting our environment

- 5.3.1 In an area undergoing significant development, the retention of these green spaces would help secure natural habitat for wildlife and support wider environmental objectives.

6. IMPLICATIONS

- (i) **Impact on Customers** – The proposal would provide additional natural amenity space for public use and enjoyment.
- (ii) **Impact on Equalities** – None identified.
- (iii) **Impact on Risk (including Fraud implications)** – The principal risks relate to acquisition at a price that does not represent value for money and to any adverse issues arising from legal due diligence. These risks would be mitigated through independent valuation, negotiation and title investigation prior to any purchase.
- (iv) **Impact on Resources (financial)** – There would be a capital cost associated with the purchase of the land, together with any legal, valuation and associated transaction costs. Additional funding may also be required for future maintenance and site management.
- (v) **Impact on Resources (human)** – Officer time would be required to progress the acquisition and undertake legal and valuation work and develop proposals for the future management or leasing of the site if the purchase proceeds.
- (vi) **Impact on Devolution / Local Government Reorganisation** - None currently envisaged. If acquired, the land would form part of the Council's asset portfolio and would transfer to any successor authority in due course.

Background Papers:

APPENDIX 1 –Information on Purchase of Land at Langford Valuation and Acquisition Considerations – Private and Confidential by Virtue of Section 100 (4) Schedule 12A of the Local Government Act 1972 as defined in Paragraph 3 of Part 1.

APPENDIX 2 - Site plan and confirmation of purchase at auction.

Enquiries to: Frank Britt, Principal Assets Manager.