



Basic PROD land owners cover letter and questionnaire



© Crown copyright, 2011

Copyright in the typographical arrangement rests with the Crown.

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/> or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or e-mail: psi@nationalarchives.gsi.gov.uk.

This document/publication is also available on our website at www.communities.gov.uk

If you require this publication in an alternative format please email:
alternativeformats@communities.gsi.gov.uk

Any enquiries regarding this document/publication should be sent to us at:

Department for Communities and Local Government
Eland House
Bressenden Place
London
SW1E 5DU
Telephone: 030 3444 0000

August 2011

ISBN: 978-1-4098- 3064- 1

Contents

Draft PROD land owners' letter	2
LOCAL Government Planning and Land Act 1980: Section 97 – Questionnaire	3

Dear

LOCAL GOVERNMENT, PLANNING AND LAND ACT 1980

Name of Organisation

Title/ description of land/property subject to PROD Request

1. We have received a request from ----- for the Secretary of State to use his powers under section 98 of the above Act to direct your organisation to dispose of its interest in the above named land/ property. I understand that it would be appropriate for your team to respond on behalf of your organisation to this matter.

2. The reasons put to the Secretary of State in support of this request are:

-
-

3. In order to enable the Secretary of State to reach a decision regarding the request, he hereby directs your organisation under section 97 of the above Act to inform him within 28 days of the date of this letter whether:

- a) the named organisation or one of its subsidiaries hold a freehold or leasehold interest in this land; and, if so,
- b) to give him the information about the land specified on the attached form.

4. If your organisation or one of its subsidiaries hold a freehold or leasehold interest in this land, you are also invited, within 28 days of the date of this letter, to make any comments you may wish to me, and to send me any other information you consider would be relevant to the Secretary of State's consideration of whether or not to make a direction.

5. If the Secretary of State is subsequently minded to give a direction, your organisation will be given notice of this proposed decision, in accordance with section 99 of the above Act and allowed 42 days in which to make any representations.

Yours sincerely

LOCAL GOVERNMENT PLANNING AND LAND ACT 1980: SECTION 97 – QUESTIONNAIRE

In Respect of:

Description of land/property eg address or if unknown map or other description

(If you wish to receive and complete an electronic version of the questionnaire, please contact the National Planning Casework Unit Case Officer listed in the cover letter. Those taking up this offer may wish to distinguish the questions/ answers by using a different font/ colour)

PART 1: CONFIRMATION OF ANY INTEREST HELD

1. Does your authority/body currently hold a freehold or leasehold interest either in the whole or part of the land/property described above?
YES/NO
2. If **NO**, please complete only this part of the form; sign it at the end; and return it to the address on the accompanying letter.

Otherwise, please complete Parts 2-4 below using a separate sheet(s) if necessary.

PART 2: DETAILS OF INTEREST(S) HELD

3. (a) Is the interest held by your body freehold or leasehold?
(b) Is an interest held by any subsidiary of your body?
YES/NO
If an interest is held by one or more subsidiaries:
(c) Please give their name(s) and address(es)
(d) Is it a freehold or leasehold interest?
(e) If it is a leasehold interest, who owns the freehold interest?
(f) What is the length of the lease and the period remaining?
4. (a) If a freehold interest is held by your body or any subsidiary, are there any leases tenancies or other agreements creating interest or rights in respect of the site?
YES/NO

(b) Does any person have a licence to use the land in any way?

YES/NO

5. If the answer to question 4(a) and/or (b) is **YES**:

(a) State for each category the number of unexpired leases, tenancies or any existing licences, or other agreements creating an interest or right in respect of the site.

(b) What is the longest unexpired term of each lease, tenancy, licence or other agreement?

(c) What is the longest period of notice necessary to terminate each lease, tenancy licence or other agreement?

If the answer to question 4(a) and/or (b) is **NO**:

(d) Is any part of the site occupied or used by persons who have no interest or rights in respect of the land?

YES/NO

6. Please provide a plan of the site and its surroundings, with scale and grid reference indicated, showing:

(a) The boundaries of the area(s) in which you and/or any subsidiaries hold an interest;

(b) If any of the site is in use, the boundaries of the area(s) used by you and/or any subsidiary.

7. State the size in hectares of:

(a) the area(s) in which you and/or any subsidiary hold an interest;

(b) if any of the site is in use, the area(s) used by you and/or any *subsidiary*.

PART 3: USE

8. For what purpose(s) was the site acquired and for what purpose(s) is it now held?

9. How is the land currently used by you and/or by any lessees, tenants, licensees or other persons using or occupying any of the land?

10. If the land is not currently being used, since what date has it been unused? And what was the last previous use, if known?
11. What is the site's notation in any planning document?
- i. The current adopted plan (eg saved Local Plan or Development Plan Document)
 - ii. A draft DPD plan
 - iii. Any other non-DPD document eg supplementary planning document (or Supplementary Planning Guidance) or masterplan etc
 - iv. Any other planning consideration not yet reflected above (eg European Special Protection Area designation)

12. Is the land subject to:

- i. any extant planning permission? **YES/NO**
- ii. any other planning history that may be relevant **YES/NO**

If so, please give details of the development approved and the area covered

13. Are there any restrictive covenants, rights of way, easements or any other restrictions attached to the land?

YES/NO

If so, please give details, and identify the area(s) affected on the plan.

PART 4: GENERAL

14. Briefly describe the physical characteristics of the site; including whether access and main services are available and whether there are any special problems (eg toxic contamination, flooding or drainage difficulties or subsidence) restricting use or development.

15. Is the use of all or part of the land likely to change as a result of any proposals by you or another party?

YES/NO

If so,

i. Give details of the land affected.

ii. Have any of the necessary consents been obtained? (If so, give details).

iii. If any necessary consents are not yet in place, what is the timetable for doing so and what processes are to be followed?

iv. If you are awaiting a decision on a grant application to a Government department or other organisation, please give details.

v. What is the timetable for development and or disposal?

vi. What, if any, risks exist that may affect the timing, content or impact of the proposed use of the land?

vii. What, if any, "meanwhile uses" (ie those that mean that the land/ property in question can be formally or informally used on a temporary basis until the proposed future permanent use of the land commences) have been agreed or considered, or are in the process of being considered?

viii. What extent the plans for the land had been subject to community consultation

16. Has the land/property in question been the subject of any other planning or related process (for example another Community Right, Compulsory Purchase Order, Article 4 Direction etc)

17. Please provide the name, position, address and telephone number of the person to contact for further information:

NAME OF ORGANISATION:

OFFICIAL ADDRESS:

SIGNED BY:

(Enter name and position in block capitals after signature)

DATE:

NAME OF CONTACT (IF DIFFERENT)
EMAIL ADDRESS OF CONTACT
TELEPHONE NUMBER OF CONTACT

SAMPLE