

REPORT FROM: STRATEGIC DIRECTOR

TO: NELSON COMMITTEE

DATE: 4TH JULY 2016

Report Author: Hywel Lebbon

Tel No: 01282 878939

E-mail: hywel.lebbon@liberata.com

CAR PARK OFF RAILWAY STREET, NELSON

PURPOSE OF REPORT

To request that Members ask the Executive to consider a request for a clause within a proposed licence of the land shown edged black on the plan to allow the licensee an option to purchase if it is sold in the future.

RECOMMENDATIONS

That this Committee recommends the Executive to consider a request by the proposed licensee to include a clause allowing the first option to purchase the land if it is declared surplus by the Council in the future.

REASONS FOR RECOMMENDATION

For the Executive to consider a request for a clause in the proposed licence allowing an option to purchase.

BACKGROUND

1. The land is located between Railway Street and Brunswick Street and comprises a tarmaced car park with 10 spaces which has no parking restrictions. The owner of the adjoining commercial premises at the junction of Vernon Street and Railway Street has requested a licence to allow his tenants of the individual units to park on the land.
2. A licence has been offered to the adjoining owner for half of the parking spaces and the remainder to the nearby Nursery School as they also park on the land. As the Nursery do not wish to take a licence of the parking spaces all of them have been offered to the owner of the commercial premises on a licence.
3. The adjoining owner has requested for a clause to be included in the proposed licence that if the car park is declared surplus to requirements in the future he is given the first option to purchase.

ISSUE

4. The inclusion of a clause allowing the licensee the first option to purchase may affect the amount of capital receipt received by the Council if the car park was sold. If such a clause was approved by the Executive and the land sold in the future, the amount of capital receipt would be negotiated to reflect the use of the land with a restrictive covenant on the sale that it be used for car parking only.

IMPLICATIONS

Policy: No policy implications are considered to arise directly from this report.

Financial: No implications are considered to arise directly from this report.

Legal: No legal implications are considered to arise other than as stated in the report.

Risk Management: On disposal of the land the risks and liabilities for the Council will cease.

Health and Safety: No implications are considered to arise directly from this report.

Sustainability: No implications are considered to arise directly from this report.

Community Safety: See risk management

Equality and Diversity: No implications are considered to arise directly from this report.

APPENDIX

Location plan

LIST OF BACKGROUND PAPERS

None