

**REPORT FROM: STRATEGIC DIRECTOR**

**TO: WEST CRAVEN COMMITTEE**

**DATE: 10<sup>th</sup> JANUARY 2017**

**Report Author: Hywel Lebbon**  
**Tel No: 01282 878939**  
**E-mail: hywel.lebbon@liberata.com**

**LAND REAR OF ALBION STREET, EARBY**

**PURPOSE OF REPORT**

To recommend that Members request the Executive to declare the land shown edged black on the plan surplus to requirements

**RECOMMENDATION**

That this Committee recommends the Executive to declare the land surplus to requirements in order for a sale to be negotiated to the tenant of the land.

**REASON FOR RECOMMENDATION**

To achieve a capital receipt and end all liabilities.

**BACKGROUND**

1. The land was retained by the Council when it transferred the adjoining land to Housing Pendle as part of the Housing Stock transfer in 2006. It is incorporated into a private garden shown hatched on the plan which is owned by the resident of 28 Albion Street.
2. The owner of the adjoining area has occupied the land on an annual garden tenancy since 1964 at a rent of £2.50 per annum and he has submitted a request to purchase the land.

**ISSUE**

3. The land has been occupied by the same tenant for a number of years at a nominal rent and is incorporated into his garden. A sale of the land would result in a capital receipt for the Council.

**IMPLICATIONS**

**Policy:** The Council identifies surplus land and property for inclusion in its Disposal Programme to support its Capital Programme. It is proposed that a sale of the land be negotiated to the current

tenant at a price to reflect the current use with a restrictive covenant that the land be used only as a private garden.

**Financial:** The disposal of the land will result in a capital receipt for the Council.

**Legal:** No legal implications are considered to arise directly from this report.

**Risk Management:** On disposal of the land all 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