

**REPORT FROM: CHIEF EXECUTIVE**

**TO: BRIERFIELD AND REEDLEY COMMITTEE**

**DATE: 6<sup>TH</sup> NOVEMBER 2018**

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## **LAND AT EVERY STREET, BRIERFIELD**

### **PURPOSE OF REPORT**

To recommend that Members request the Policy and Resources Committee to declare the land shown edged black on the plan surplus to requirements.

### **RECOMMENDATIONS**

That this Committee recommends the Policy and Resources Committee to declare the land surplus to requirements in order for a sale to be negotiated to the adjoining owner.

### **REASONS FOR RECOMMENDATION**

To achieve a capital receipt and to end all liabilities.

### **BACKGROUND**

1. The land is a paved area with planted trees which is managed by the Councils Engineering and Special Projects. The owner of the adjoining 4 Every Street has reported roots from the trees blocking the drains to his property, and is concerned that the trees will cause future structural damage to his property. He has requested to buy the land to remove the trees and to create parking and a garden area for the property.
2. Engineering and Special Projects have recently removed branches from the trees as they were overgrown on to 4 Every Street, and they have estimated the cost of removing the trees and their roots at £2,000. If the trees are removed they would have to replace them with new trees and would rather that the land is sold due to the costs of tree removal, replanting and future maintenance.

### **ISSUE**

3. The Council is responsible for the maintenance of the trees which are causing issues to the private property. A sale of the land to the adjoining owner would allow the trees to be removed without a cost to the Council, it would be a beneficial use of the land and there would be no future maintenance liability.

## **IMPLICATIONS**

**Policy:** It is proposed that a sale of the land be negotiated to the owner of 4 Every Street with a restrictive covenant that the land be used for domestic parking and garden use for the property. The Council seeks to identify surplus property for inclusion in its disposal programme in order to achieve capital receipts.

**Financial:** Selling this land will generate a capital receipt for the Council and also relieve it of any future maintenance liability. Due to the nature of the land it has little potential to generate an annual income stream.

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

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

**Health and Safety:** See Risk Management

**Climate Change:** No implications are considered to arise directly from this report

**Community Safety:** Disposal of this land will reduce the risks of vandalism.

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

## **APPENDICES**

Location plan

## **LIST OF BACKGROUND PAPERS**

None