

**REPORT FROM: CHIEF EXECUTIVE**

**TO: NELSON, BRIERFIELD AND REEDLEY COMMITTEE**

**DATE: 7<sup>TH</sup> JUNE 2021**

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**LAND ADJOINING 26 POPLAR STREET, NELSON**

**PURPOSE OF REPORT**

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

**RECOMMENDATION**

That this Committee recommends the Policy and Resources Committee to declare the land surplus to requirements in order for the land to be marketed for sale to be sold for an alternative use, and that the Chief Executive be authorised to negotiate terms.

**REASON FOR RECOMMENDATION**

A sale of the land would achieve a capital receipt and end all maintenance and other liabilities relating to ownership of the land for the Council. It is recommended that the land be sold on a long leasehold rather than a freehold so that covenants would be easier to enforce in the event of them being breached.

**BACKGROUND**

1. The land is an enclosed play area located next to the gable of 26 Poplar Street, Nelson. It was previously declared surplus in 2014 with a number of other miscellaneous sites located at the end of residential terraced blocks. One offer was accepted for the land, but did not progress to completion and there was interest from Bradley Community Land Trust to take control of the site but this did not proceed.
2. The Housing, Health and Engineering Services Manager submitted a report to The Policy and Resources Committee on 28<sup>th</sup> October 2020 recommending that this land and three other surplus sites be removed from the disposal programme to allow more accurate asset valuations to be carried out based on their existing use. It was resolved that the land be removed from the disposals programme.

3. There has been a request from the owner of 60/62 Bradley Hall Road to purchase the land for the purpose of building a private domestic garage.

## ISSUE

4. The land was removed from the disposals programme due to a lack of progress on it being sold and to allow more accurate asset valuations to be carried out. The Council is liable for maintenance the land, but there has been interest to purchase the land which may result in a capital receipt.

## IMPLICATIONS

**Policy:** The Council seeks to identify surplus property for inclusion in its disposal programme in order to achieve capital receipts.

It is proposed that the enquirer be invited to submit an offer, but that it also be offered to the adjoining owner and to owners of the properties which are directly opposite the land for use as domestic parking or garden. The land would be sold on a long leasehold for a 125 year term, subject to the purchaser obtaining planning permission for the proposed use and there would also be a restrictive covenant restricting its use.

**Financial:** A capital receipt and no further liabilities for the Council.

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

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

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

**Climate Change:** 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

## APPENDICES

Location plan

## LIST OF BACKGROUND PAPERS

None