

REPORT FROM: CHIEF EXECUTIVE

TO: NELSON, BRIERFIELD AND REEDLEY COMMITTEE

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LAND ADJOINING 44 BRUNSWICK 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 to purchase it.

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, 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 managed by the Councils Engineering and Special Projects and comprises a paved area with planted trees and tarmaced area with four marked car parking spaces. There have been ongoing issues with unroadworthy vehicles being parked on the land, fly tipping and littering.
2. The owner of the commercial premises to the rear of No's 44 to 48 Brunswick Street and No's 147 to 149 Railway Street has requested to purchase the land to use as parking for his tenants businesses.

ISSUE

3. The Council is responsible for maintenance of the land and there have been ongoing issues which have been dealt with at a cost to the Council. There has been interest to purchase the land which may result in a capital receipt for the Council and an end to all liabilities.

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 requested to submit an offer, and that the land be offered to the owners of No's 44-48 Brunswick Street as private parking or garden use. 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 if it is required 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