

**REPORT FROM: HOUSING, HEALTH AND ENGINEERING SERVICES
MANAGER**

TO: NELSON, BRIERFIELD AND REEDLEY COMMITTEE

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LAND ADJOINING 54 CARLETON STREET, NELSON

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 in order for it to be sold.

RECOMMENDATION

That this Committee recommends the Policy and Resources Committee to declare the land surplus to requirements in order for it to be sold, and that the Housing, Health and Engineering Services Manager be authorised to negotiate terms of a long leasehold sale to the adjoining owner.

REASONS 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. If a private treaty sale is negotiated to the adjoining owner it is more likely to be maintained than if offered to the open market and sold to a non-adjoining owner.

BACKGROUND

1. The land adjoins the gable of 54 Carleton Street and is a paved area with planted trees and concrete bollards to the perimeter. It is managed by the Councils Engineering and Special Projects and classed as a problem site.
2. There are ongoing issues with fly-tipping on the land and the landlord owner of 54 Carleton Street says this is causing problems for his tenants and is attracting vermin. He has requested to purchase the land to enclose it and create a parking area for use by his tenants.

ISSUE

3. The Council are responsible for maintenance of the land which is classed as a problem site and there have been issues with fly tipping and vermin. A sale of the land would result in the Councils liabilities being transferred to the adjoining owner.

IMPLICATIONS

Policy: It is proposed that a sale of the land be negotiated to the owner of 54 Carleton 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: A capital receipt for the Council and an end to all liabilities.

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