

REPORT FROM: DIRECTOR OF PLACE
TO: EXECUTIVE
DATE: 21ST SEPTEMBER 2023

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LAND AT REGENT STREET, COLNE

PURPOSE OF REPORT

To recommend that the Executive declare the land shown edged black on the plan surplus to requirements further to a request to purchase from the adjoining owner.

RECOMMENDATIONS

- (1) That the Executive declare the land surplus to requirements in order for it to be sold, and that the Director of Place be authorised to negotiate terms of a freehold or long leasehold sale to the adjoining owner.
- (2) If the land is to be disposed of on a long leasehold that it be sold with a restrictive covenant limiting its use as car parking for the adjoining commercial unit.

REASON FOR RECOMMENDATIONS

A sale of the land would result in a capital receipt for the Council and an end to all liabilities.

BACKGROUND

1. The land is part of a larger Council owned area shaded grey on the plan, and is enclosed with a wall into the boundary of the car park which is part of the adjoining commercial unit. It is used as part of the car park without any formal agreement to do so and the owner of the Unit has requested to purchase it further to him being made aware that it is not part of this ownership. The intention of the owner is to continue its use as staff and customer car parking for the Unit.

ISSUES

2. The land is enclosed into the boundary of a commercial property and is likely to have been used for a number of years as parking. It is not maintained by the Council, but if it is not sold it may affect the operation of the adjoining business and the land would become a maintenance liability for the Council.

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 a freehold or long leasehold sale of the land be negotiated with the adjoining owner.

Financial: A capital receipt for the Council and an end to all liabilities.

Legal: No Legal implications are considered to arise 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

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

Community Safety: No implications are considered to arise directly from this report

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

APPENDICES

Location Plan

LIST OF BACKGROUND PAPERS

None