

Report Title	GARDEN LAND TO THE REAR OF HILLSIDE CLOSE AND PENNINE WAY, BRIERFIELD
Meeting	NELSON, BRIERFIELD AND REEDLEY
Meeting Date	6 TH OCTOBER 2025
Report Author	REBECCA PEREZ-KEGG
Directorate	PROPERTY SERVICES
Lead Executive Member(s)	COUNCILLOR D WHIPP
Wards Affected	BRIERFIELD
Public. Part Exempt, or Fully Exempt	PUBLIC
Appendices (if any)	LOCATION PLAN

1. Executive Summary

To seek agreement from Members to recommend that Executive declares the above garden tenancy land surplus to requirement.

2. Recommendations

For the reasons set out in this report, NELSON, BRIERFIELD AND REEDLEY COMMITTEE is recommended to:

- 2.1 Agree that Executive declares the parcels of land (shown edged black on the Committee plan), surplus to requirements to enable the Director of Resources to negotiate terms and conditions for disposal.

3. Information: the Rationale & Evidence for the Recommendations

The subject land is currently let by the Council to the residents whose houses front onto each plot by way of long term garden tenancies. Requests have been received from a number of existing garden tenants, wishing to acquire the plots let to them. This would provide the tenants with future certainty as to continued use as gardens.

- 3.1 Declaring the land surplus would also produce a capital receipt for the Council.
- 3.2 The subject garden plots are land locked by the woodland area beyond and are of no operational use to the Council.
- 3.3 Should Members declare the land as surplus any ongoing maintenance liability of vacant parcels would be avoided.

- 3.4 To ensure that the land is not used for any purpose other than for domestic/garden use, a restrictive covenant would be included in the sale to ensure that the land remains for garden land only.
- 3.5 Delegating authority to the Director of Resources to agree the terms of the sales will ensure that the Council receives market value and accords with best value.

4 Link to Council Plan Priorities: (Providing High Quality Services and Facilities, Proud and Connected Communities and Places, Good Growth and Housing and Healthy Communities)

- 4.3.1 A disposal of the parcels of land would provide a well being benefit to the adjacent residents in providing additional external amenity space and provide security of tenure.

5 Implications

5.1 Financial Implications

The Council seeks to identify surplus land and property for inclusion within its disposal programme, in order to generate capital receipts or revenue and to relieve the Council of any liability for costly maintenance.

5.2 Legal and Governance Implications

There are no legal implications that are considered to arise directly from this report.

5.3 Climate and Biodiversity Implications

No implications are considered to arise directly from this report.

5.5 Human Resources Implications

No implications are considered to arise directly from this report.

5.6 Equality and Diversity Implications

No implications are considered to arise directly from this report.

6. Consultation

- 6.1 No consultations are required as the land is already used by tenants for garden use.

7. Alternative Options Considered

- 7.1 Should Members decide that they do not wish to dispose of the land, the Council can continue granting garden tenancies.

8. Statutory Officer Sign off (please put an x in the relevant box below)

Section 151 Officer	X
Monitoring Officer	X

9. Background Documents

None

Contact Officers

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