

Report of Chief Statutory Housing

Report to Chief Officer Property and Contracts

Date: August 2014

Subject: Request to declare land adjacent to 23 and 25 Crimbles Road surplus to departmental requirements

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Middleton Park	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. The owner of 25 Crimbles Road has put in a request to purchase land to the rear of their property and 23 Crimbles Road (highlighted on the attached plan). The land is vested with Environment and Housing.

Recommendations

2. It is recommended that the Chief Officer Property and Contracts declare the land (highlighted on the attached plan) surplus to the Department of Environment and Housing operational requirements for the purpose of selling as garden land with the option of selling to the owners of 23 and 25 Crimbles Road or as one lot to one of the owners.

1 Purpose of this report

- 1.1 The purpose of this report is to seek approval to sell the land to the rear of 23 and 25 Crimbles Road (highlighted on attached plan) for garden purposes.

2 Background information

- 2.1 The owner of 25 Crimbles Road has put in a request to purchase land to the rear of their property (highlighted on the attached plan). The land is vested with Environment & Housing and managed by Housing Leeds.
- 2.2 As the land in question runs behind number 23 and 25 Crimbles Road we would be looking at the option of selling to both owners of the properties or to just one should either of the owners decline the offer. This would even up the boundary with 21 Crimbles Road .
- 2.3 The whole land measures approximately 43 sq. meters with a value between £1075 and £1505 plus fees (at garden land prices), the land would be sold to be used as garden land only.

3 Main issues

- 3.1 The owners of 25 Crimbles Road have recently approached the Council requesting to purchase the land to the rear of their and neighbours property (highlighted on attached plan).
- 3.2 They want to create a garden with access via a doorway from the rear of their property.
- 3.3 The land would be sold with the option of selling to the owners of both 23 and 25 Crimbles road or to just one of them should one or the other decline to purchase.
- 3.4 Currently the land in question is very overgrown and not been maintained.
- 3.5 Internal consultations were conducted on 7th November 2013 with the following comments:
- 3.6 Public Footpath No.50 Pudsey abuts the site but does not appear to affect it. If this is the case, this office has no objection to the sale.
- 3.7 If this sale proceeds it should include the requirement that the boundary adjacent to the footpath should be no more than 1m high.
- 3.8 Flood Risk Management records indicate that there is a culverted watercourse running under and into the land behind property no.25.
- 3.9 Please note the following restrictions on the attached appendix 7.2

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Local Ward members and Area management have been consulted.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An equality, diversity cohesion and integration screening exercise have been carried out. This has affirmed that equality, diversity, cohesion and integration considerations have been effectively considered in relation to this proposal and that a full impact assessment was not required.

4.3 Council policies and City Priorities

- 4.3.1 The proposal to sell the land to the owners of 23 and or 25 Crimbles road would generate a capital receipt for the Council and alleviate any future maintenance responsibility.
- 4.3.2 If the owners of 23 and or 25 Crimbles Road were to purchase the area of land, they would maintain and it would be incorporated into their rear gardens.
- 4.3.3 If the land were to be sold it would even up the boundary that runs along the back of 21 to 25 Crimbles Road as the land behind 21 Crimbles Road was sold in the past.

4.4 Resources and value for money

- 4.4.1 The sale of the land would alleviate the Council from any potential future maintenance liability and provide the Council with a capital receipt.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 This report is not eligible for Call in and there are no known legal implications.

4.6 Risk Management

- 4.6.1 If the sale does not proceed the Council will remain responsible for the maintenance of the land and the land has no operational use for the department of Environment and Housing.

5 Conclusions

- 5.1 The Department of Environment and Housing has no operational use for the land to the rear of 23 and 25 Crimbles Road (highlighted on the attached plan). Following internal consultation where no right of way or adverse issues were raised as to the use of the land, it is concluded that the best option would be to sell the land with the option of selling to the owners of 23 and or 25 Crimbles Road.
- 5.2 The land would be sold as garden only with the restrictions mentioned in 3.9 (appendix 7.2).

- 5.3 The proposed sale of this land would alleviate the Council from its maintenance responsibility and would generate a capital receipt.

6 Recommendations

- 6.1 It is recommended that the Chief Officer Property and Contracts declare the land (highlighted on the attached plan) surplus to the Department of Environment and Housing operational requirements for the purpose of selling as garden land with the option of selling to the owners of 23 and 25 Crimbles Road or as one lot to one of the owners.

7 Background documents¹

- 7.1 Plan identifying land to rear of 23 and 25 Crimbles Road.
- 7.2 Restrictions to be put in place for the use of the land as a garden.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.