

Report of Head of Strategy and Investment

Report to Chief Officer Strategic Housing

Date:

**Subject: Request for Supplementary Lease for Garage Plot at Allerton Lodge,
Allerton Hill, Chapel Allerton, LS7 3QB**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Chapel Allerton	<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 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: II	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Summary of main issues

1. The leaseholder of flat A Allerton Lodge has requested a supplemental lease for the garage plot highlighted in brown on the attached plan and associated vehicular access rights.

Recommendations

2. Chief Officer Property and Contracts is requested to approve the principle of granting the leaseholder of flat A Allerton Lodge a supplemental lease for the garage plot highlighted in brown on the attached plan and associated vehicular access rights.
3. Terms and conditions of the lease to be approved by the Director of City Development.

1 Purpose of this report

- 1.1 The purpose of this report is to seek approval for the principle of granting the leasehold of flat A Allerton Lodge a supplemental lease for the garage plot highlighted in brown on the attached plan and associated vehicular access rights.

2 Background information

- 2.1 The leaseholder of flat A Allerton Lodge has requested a supplemental lease for the garage plot highlighted in brown on the attached plan and associated vehicular access rights.
- 2.2 The current leaseholder purchased the leasehold for flat A Allerton Lodge in November 2008, from the original tenant who had bought the lease through Right to Buy in 1989. The garage wasn't included in either the secure tenancy or the lease for Flat A Allerton Lodge. No queries were raised about the garages exclusion from the leasehold of Flat A Allerton Lodge at the time original lease for the property was completed. There have been other right to buy sales in this block of flats and the garages have been excluded.
- 2.3 The current garage was built approximately 20 years ago. Granting a lease would formalise existing arrangements and prevent an adverse possession claim from being made.
- 2.4 The supplemental lease for the garage will run concurrently alongside the existing lease for Flat A.

3 Main issues

- 3.1 The leaseholder of Flat A Allerton Lodge has requested a supplemental lease for the garage plot highlight in brown on the attached plan and associated vehicular access rights. This plot wasn't included in their RTB.
- 3.2 The granting of a lease will formalise existing arrangements.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Local Ward Members and Housing Management have been consulted and no objections have been raised to the proposal set out in this report.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.2 An Equality Impact Assessment been carried out for this option and is attached as Appendix

4.3 Council policies and City Priorities

- 4.3.1 The recommendation to grant a supplemental lease for the garage plot will generate a small capital receipt for the council.

4.4 Resources and value for money

4.4.2 The recommendation to grant a supplemental lease for the garage plot will generate a small capital receipt for the council.

4.5 Legal Implications, Access to Information and Call In

4.5.1 This report isn't eligible for call in.

4.6 Risk Management

4.6.1 There is a risk that the leaseholder of flat A Allerton Lodge could claim adverse possession of the garage site if we don't grant a lease.

5 Conclusions

5.1 Granting a supplemental lease to the leaseholder of flat A Allerton Lodge would generate a small capital receipt for the council and protect the Council from any future adverse possession claims.

6 Recommendations

6.1 Chief Officer Property and Contracts is recommended to approve granting a supplemental lease for the garage plot highlighted in brown on the attached plan along with associated vehicular access rights.

6.2 Terms and conditions of the supplemental lease to be approved by the Director of City Development.

7 Background documents¹

7.1 Appendix I – Plan Allerton Lodge – garage plot highlighted in brown

7.2 Appendix II - EIA

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.