

**Report of Head of Strategy and Investment**

**Report to Chief Officer Strategic Housing**

**Date: 5 May 2015**

**Subject:** Request to Purchase Land to the Rear of 28 Kent Road, Pudsey, Leeds, LS28 9BH

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

**Summary of main issues**

1. The owner of 28 Kent Road, Pudsey, has requested to purchase land to the rear of their property, highlighted in yellow on the attached plan.
2. The area of land in question has been included in the curtilage of this property for many years and a small conservatory has been constructed on this land. The owner has sold their property subject to contact and wishes to formalise existing arrangements before the sale of 28 Kent Road, Pusey, completes.
3. . The land is vested with Environments and Housing and we have no operational use for this land. The sale would formalise existing arrangements and generate a small capital receipt.

**Recommendations**

4. Chief Officer Property and Contracts is requested to approve the disposal of land to the rear of 28 Kent Road, Pudsey, to the adjoining owner occupier to formalise its existing use.

## **1 Purpose of this report**

- 1.1 The purpose of this report is to seek approval to declare the land to the rear of 28 Kent Road, Pudsey, surplus to departmental requirements for the purpose of selling the land to the owner of 28 Kent Road, Pudsey.

## **2 Background information**

- 2.1 The owner of 28 Kent Road has requested to purchase the land to the rear of his property, highlighted in yellow on the attached plan.
- 2.2 The area of land to the rear of 28 Kent Road is a small strip of land 15m<sup>2</sup> in size. The strip of land is vested with Environment and Housing and has been included in the curtilage of 28 Kent Road, Pudsey for many years. According to aerial photos from 1999, the land appears to have been included in the boundary and was definitely included in the boundary when the current owners purchased the property in 2007. This means that if we don't formalise the current arrangement the Council are at risk of losing the land through adverse possession and forgoing a capital receipt for this site.
- 2.3 A small conservatory has been built on the land in question, which will increase the value of the house. This will be taken in to consideration when City Development undertakes a valuation of the site.
- 2.4 The owner of 28 Kent Road has sold their property subject to contact and is very keen to formalise the existing use of this land prior to completing the sale for this property.
- 2.5 Internal consultation has been undertaken regarding this matter and no objections have been raised.

## **3 Main issues**

- 3.1 The owner of 28 Kent Road, Pudsey, has requested to purchase the land to the rear of their property, highlighted in yellow on the attached plan.
- 3.2 Following internal consultation regarding this request no objections have been raised.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 Due to the urgency of this case and the need to resolve this matter prior to completing on the sale of their property Local Ward Members will be consulted by City Development once they have a valuation for this land.

### **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 sale of this land would generate a small capital receipt for the council.

### **4.4 Resources and value for money**

4.4.1 The sale of this land would generate a small capital receipt for the council and reduce the council's maintenance responsibility for this land.

### **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 If the sale of this land didn't proceed there is a risk that the owner of 28 Kent Road, Pudsey could claim adverse possession of the land. This means the council would forgo a capital receipt for the site.

## **5 Conclusions**

5.1 There are no objections to the owner of 28 Kent Road, Pudsey's request to purchase land to the rear of their property highlighted in yellow on the attached plan.

## **6 Recommendations**

6.1 Chief Officer Property and Contracts is requested to declare the land to the rear of 28 Kent Road, Pudsey, surplus to departmental requirements for the purpose of selling the land to the adjoining owner subject to Local Ward Members supporting this proposal.

6.2 Terms and conditions of the sale will be approved by the Director of City Development.

## **7 Background documents<sup>1</sup>**

7.1 Appendix I - Plan of Land to the rear of 28 Kent Road, Pudsey.

7.2 Appendix III - EIA

---

<sup>1</sup> 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.