

**The Appendix of this report is Exempt/Confidential under  
Access to Information Procedure Rules 10.4 ( 3 )**

**REPORT OF THE ASSET MANAGEMENT DIVISION**  
**REPORT TO: THE DIRECTOR OF CITY DEVELOPMENT**  
**DATE: 15 May 2007**

<b>SUBJECT: Land to the rear of 12 and 14 Northwood Gardens, Colton Leeds LS15 9HH</b>			
<b>Electoral Wards Affected:</b>		<b>Specific Implications for:</b>	
		Ethnic Minorities	<input type="checkbox"/>
		Women	<input type="checkbox"/>
		Disabled People	<input type="checkbox"/>
Key Decision	<input type="checkbox"/>	Major Decision	<input type="checkbox"/>
Eligible for call in	<input type="checkbox"/>	Not Eligible for call in	<input type="checkbox"/>
Significant Operational Decision	<input checked="" type="checkbox"/>	Administrative Decision	<input type="checkbox"/> (details contained in the report)

**1.0 INTRODUCTION**

1.1 The purpose of this report is to seek approval to the disposal of land to the rear of 12 to 14 Northwood Gardens, Colton to the adjacent occupiers on the terms detailed in the Confidential Appendix.

**2.0 BACKGROUND**

- 2.1 The subject area of land is part of Colton Park which was vested with Environment and Neighbourhoods and it is in the process of being appropriated to the Parks and Countryside Service.
- 2.2 The land comprises part of a strip of triangular land running to the rear of numbers 10 to 16 Northwood Gardens and is bounded by an overgrown hedge.
- 2.3 The residents of 10-16 Northwood Gardens, Colton have applied to purchase the land to the rear of their gardens highlighted on the attached plan on several occasions. There have been numerous reports of antisocial behaviour occurring at this location, mainly relating to youths hiding behind the hedge and using it as a place for under aged drinking.
- 2.4 The resident's request to purchase this land has previously been declined as it was considered that their requests would constitute an erosion of public open space. However, over the last year a variety of measures have been undertaken by the Council itself to try and resolve this matter but without success. Some of the actions undertaken by Parks and Countryside service were, pruning works to prevent cover for Anti Social Behaviour, they have continued to remove all den making materials from the site and Park watch patrols visited the area.

- 2.5 An item was therefore resubmitted to Leda on 9 November 2006 and in light of the comments made (as detailed at 8.0 below) disposal of the land is now supported.

### **3.0 CURRENT POSITION**

- 3.1 Parks and Countryside Services have agreed to the principle of the appropriation of Colton Park from Environment and Neighbourhoods.
- 3.2 With regards to the subject site The Director of Neighbourhoods and Housing has declared it surplus to requirements on 2 March 2007.
- 3.3 Negotiations have taken place and terms for the sale of the land by way of individual plots have been agreed with the respective adjacent occupiers of numbers 12 and 14.
- 3.4 Number 16 is not interested in buying the land adjacent to their property and with regard to number 10 there is insufficient land available for the owners to purchase.

### **4.0 PROPOSAL**

- 4.1 It is proposed and recommended that the land to the rear of 12 to 14 Northwood Gardens be sold in accordance with the terms set out in the Confidential Appendix.
- 4.2 The Head of Property Services confirms that in his opinion the terms offered to the Council represents the best consideration that can reasonably be obtained under section 123 of the Local Government Act 1972 (or under the Housing Act 1985).

### **5.0 RESOURCE IMPLICATIONS**

- 5.1 The sale of the land will together generate a small capital receipt and will prevent future encroachments.
- 5.2 The sale of the land will stop the anti social behaviours currently taking place and the local residents will be able to secure the area off by building their own boundary treatment. This will therefore, release the Council from further maintenance or liabilities.

### **6.0 LINK TO CORPORATE PRIORITIES**

- 6.1 The sale of the land will generate a small capital receipt and therefore supports the Department's objective of generating income.
- 6.2 The sale of the land represents good estate management as it will prevent unauthorised use of the land while in return obtaining a small capital receipt.
- 6.3 The sale of the land will contribute to the Council's priority of creating confident and secure communities by allowing adjacent occupiers to maintain the land.

### **7.0 EQUALITY**

- 7.1 There are no equality issues affecting this proposal.

### **8.0 CONSULTATIONS**

- 8.1 This item was discussed at Leda on 9 November 2006 and the following comments received:-

i) Development Department Property Services Division – "This triangle of land is very insignificant and adds nothing to the N1 allocation. Sale of the land will rid LCC of a

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liability. Refusal to sell may result in the land being subject to encroachment and adverse possession due to the residents becoming frustrated and moving their boundary fences without authority.

ii) Parks and Countryside Area East – They are very supportive of the disposal of the land. This would remove an ongoing Anti Social Behaviour problem without any loss of publicly accessible land. The land to be sold is wedge shaped 2m wide reducing to 0m and is overgrown and has no recreational value.

iii) Although Forward Planning were not initially supportive they have amended their views and have made the following comments "Given the measures that have been tried, and the limited value of the land in terms of recreation or amenity value there are no real planning objections to the sale".

- 8.2 The Area Management and Leeds South East Homes Chief Executive have been consulted on 2 March 2007 and they have no objections to this proposal.
- 8.3 The Director of Environment and Neighbourhoods was consulted on 2 March 2007 and has no objection to the sale of this site.
- 8.4 The Director of Learning and Leisure has been consulted on 2 March 2007 and has no objection to the sale of this site.
- 8.5 Ward Members have been consulted on 22 September 2006 and they do not have any objections to this proposal.
- 8.6 The owners/occupiers of numbers 10 and 16 Northwood Gardens have been consulted on 22 March 2007 regarding this proposal to sell land to numbers 12 and 14 and have expressed no further comments.

## **9.0 OPTIONS**

9.1 Options relating to the proposal are detailed below:-

i) Not to sell the land. This is not recommended as previous attempts to resolve this have failed. It would leave the Council with an ongoing problem of anti social behaviour to resolve. A decision not to sell may result in future encroachment by the adjoining property owners.

ii) To sell the land. This is recommended as it would result in a small receipt for the Council and relieve it from future adverse possession claims and stop the anti social behaviour from occurring.

## **10.0 RISK ASSESSMENT**

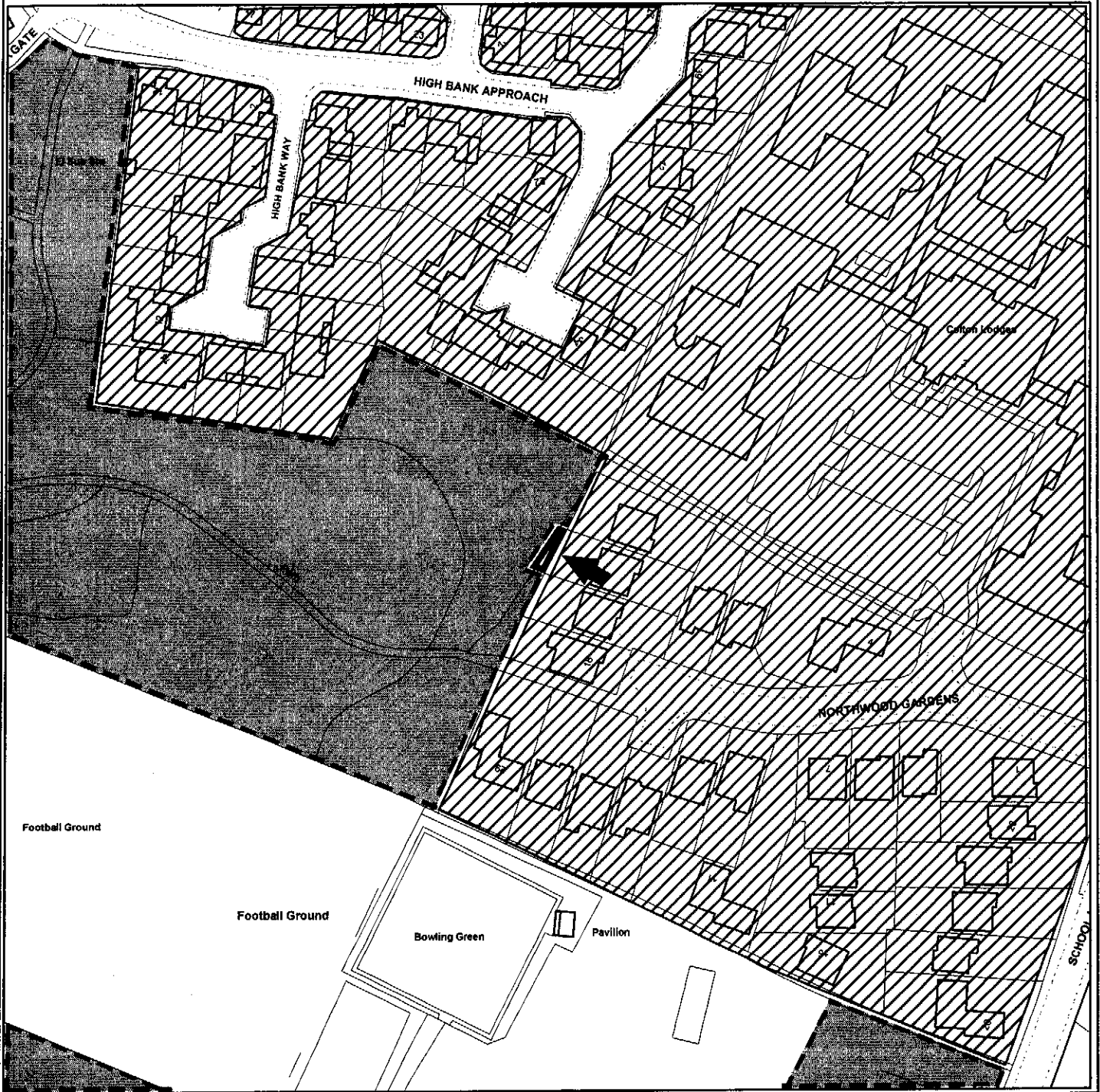
- 10.1 There is a risk that if approval is not received for the sale of the land on the terms provisionally agreed then the applicants could withdraw their interests. There is then the increased risk that the applicants may fence the land anyway as a solution to resolve the ongoing anti social behaviours at this location.
- 10.2 This risk is however, considered to be low as terms have been agreed with the occupiers.
- 10.3 There is a risk that if we do not sell the land the anti social behaviour continues this may cause conflict between the adjoining property owners and the people who are causing the anti social behaviour.

10.4 There is the risk that numbers 10 and 16 may object to the sale of the land. This is unlikely to happen as they have already been consulted on the 22 March 2007 and they are not interested in either the land to the rear of their properties or the subject land.

## **11.0 RECOMMENDATION**

11.1 It is recommended that approval is given on the disposal of the land to the rear of numbers 12 and 14 Northwood Gardens, Colton to the adjacent occupiers on the terms detailed in the Confidential Appendix.

**LAND TO REAR  
12 NORTHWOOD GARDENS  
COLTON  
LEEDS LS15**



	← SUBJECT SITE		LAND OWNED BY LEEDS CITY COUNCIL		LAND LEASED OUT BY LEEDS CITY COUNCIL
	LAND SOLD BY LEEDS CITY COUNCIL		LAND OWNED BY APPLICANT		




**Leeds**  
CITY COUNCIL

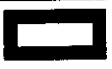
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DATE 23/03/2007  
OS No SE3733SW  
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**PLAN No 10434**



**LAND TO REAR  
14 NORTHWOOD GARDENS  
COLTON  
LEEDS LS15**



← SUBJECT SITE



LAND SOLD BY  
LEEDS CITY COUNCIL



LAND OWNED BY  
LEEDS CITY COUNCIL



LAND OWNED BY  
APPLICANT



LAND LEASED OUT BY  
LEEDS CITY COUNCIL



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CITY COUNCIL

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Scale 1:1,250



**PLAN No 10435**