

## **APPENDICES**

### **CENTRAL DUDLEY AREA COMMITTEE**

**DATE: 5 FEBRUARY 2004**

### **REQUEST TO PURCHASE LAND**

#### **LAND TO THE REAR OF 243-251 HALESOWEN ROAD NETHERTON** **(As shown outlined in black on the plan attached)**

### **BACKGROUND**

A report regarding an application to purchase land to the rear of 243-249 Halesowen Road Netherton for gardening purposes, was submitted to the Central Dudley Area Committee on 4 February 2003, but was deferred pending a site visit by Ward Members and Officers.

This site visit was held in July 2003 and Ward Members requested that the owners of 243 and 245 Halesowen Road be contacted to ascertain as to whether they would be interested in acquiring the land immediately to the rear of their properties for gardening purposes, should the Council decide to sell the land.

No response has been received from the owners of 243 and 245 Halesowen Road.

An application has subsequently been received from the owner of 251 Halesowen Road Netherton to purchase land adjoining and to the rear of her property in order to construct a conservatory and for gardening purposes.

The land is under the control of the Directorate of the Urban Environment, and was retained as a buffer zone between the Industrial Estate (the former Netherton Goods Yard), which was sold by the Council in 1997, and the residential properties.

### **COMMENT**

All of the relevant Council Directorates have been consulted, and no objections to the sale of land to the rear of 243-251 Halesowen Road Netherton have been received. However, if the Area Committee should support the sale of land, it is recommended that a revised area of land be sold (as shown by a broken line on the plan attached) to prevent an irregular boundary.

The Directorate of the Urban Environment advise that a publicly adopted foul water sewer crosses the land and any sale of land should be subject to the required 6 metre easement. With regard to the land adjoining 251 Halesowen Road, there is an adjacent public footpath, which has not been diverted, and therefore any sale of land should comply with the Council's 4 metre footpath policy.

Additionally, any sale of land should be subject to the tree screen remaining as a buffer against the industrial estate and maintained by future owner(s).

## **PROPOSAL**

1. That the Area Committee considers whether the revised area of land to the rear of 243-251 Halesowen Road Netherton be sold to all or any of the owners of 243, 245, 249 and 251 Halesowen Road Netherton, subject to the required 6 metre easement in respect of the foul water sewer, the sale of land complying with the Council's 4 metre footpath policy, the tree screen remaining as a buffer against the industrial estate, and on terms and conditions to be negotiated and agreed by the Director of Law & Property
2. That the Area Committee considers its recommendation to the Lead Member for Transportation.

## **BACKGROUND PAPERS**

Correspondence with the Applicants  
Emails & Memos from Council Directorates

Contact Officers: Alan Nugent, Property Manager, Ext 5351  
Janice Rogers, Property Manager, Ext 5321