

10(a)

**HALESOWEN AREA COMMITTEE**

**DATE: 2<sup>ND</sup> FEBRUARY 2005**

**REQUEST TO: PURCHASE LAND**

**LOCATION: LAND ADJOINING 11 HARTSIDE CLOSE HALESOWEN**  
**(As shown heavily edged in black on the plan attached)**

**BACKGROUND**

A report regarding this matter was submitted to the Halesowen Area Committee at its meeting on 13<sup>th</sup> July 2004. The proposal made in the report was that the Area Committee should refuse the application to purchase the land. However, further representations from the applicant and additional comments from the Directorate of the Urban Environment has been received that changes the proposal.

To reiterate, an application has been received from the owner of 11 Hartside Close, Halesowen to purchase Council owned land adjoining his property for gardening purposes, and to maintain its appearance in conformity with the rest of his property.

The land is adjacent to the applicant's property, which forms an open grassed area. Since purchasing his property in 1986, the applicant advises that he has maintained it and spent a great deal of time and money cutting the grass, weeding and removing leaves, and is willing to continue, providing he is able to purchase the land.

The land is under the control of the Directorate of the Urban Environment (Cultural & Community Services).

**COMMENTS**

All of the relevant Council Directorates have been consulted. No objections have been received from the Directorate of the Urban Environment (Planning Policy) who consider that the land in question has no worthwhile informal recreation or urban green space visual amenity value given the very limited overall size of the open space site. Furthermore, the land should be sold, provided that it is not enclosed with high fencing or hedging and maintained as its current state. This will ensure that forward visibility is not compromised on the corner for community safety reasons. Additionally, the Highways Section have no objections to the sale of the land to the owner for garden purposes only.

Objections to the sale of land have been received from the Directorate of Law & Property who advises that they consider there is a need to retain the open aspect of the site, as it is on the corner of a turning head and a public footpath, and would

remove the open space between the property and the highway. The sale of the land may also set a precedent for similar applications to purchase land in the area. However the Directorate of the Urban Environment do not consider this to be a prejudicial to the sale, providing the above conditions are incorporated.

## **PROPOSAL**

That the Area Committee advise the Cabinet Member for Leisure to approve the application to purchase the land for the reasons set out above.

## **BACKGROUND PAPERS**

1. Letter(s) from the applicant.
2. E-mails and memos from the Council Directorates.

Contact Officer:

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