

STOURBRIDGE AREA COMMITTEE

4 NOVEMBER 2003

REQUEST: TO PURCHASE LAND

**LOCATION: LAND TO THE REAR OF 42 CARELESS GREEN
WOLLESCOTE STOURBRIDGE**

(shown outlined in black on the plan attached)

BACKGROUND

The Lead Member for Housing has requested that the Area Committee considers representations made by him regarding an application received from the owner of 44 Careless Green Wollescote, to purchase Council owned land to the rear of the property 42 Careless Green Wollescote, which is occupied by a Housing tenant.

A report regarding this application was submitted to the Area Committee at its meeting on 9 June 2003. The proposal made in the report was that the Area Committee should refuse the application to purchase the land. Following representations made by the applicant at the meeting, the Area Committee further considered the request and resolved to recommend to the Lead Member for Housing that the sale of land should be approved on terms and conditions to be negotiated and agreed by the Director of Law and Property. Full details regarding the application are set out in the Committee Report dated 9 June 2003 which is attached to this report.

The Lead Member for Housing has deferred a decision on this application as he had concerns regarding the sale of land that is included within a housing tenancy.

The Lead Member for Housing therefore requests that the Area Committee considers his concerns as set out below:

- 1. That any decision to approve the disposal of housing land that is already in use by council tenants could lead to further claims of a similar nature which would result in loss of land from existing Council stock. There would be no safeguard of that land being protected for future tenants.**
- 2. In special circumstances, where it is felt that it may be advantageous to allow for the use of such land by another party, then such an arrangement should be based on a short lease so as to safeguard such land for the council and future tenants who may acquire it at a later date.**
- 3. In a situation where elderly or disabled tenants are unable to maintain the condition of their property, we should investigate any external assistance that may be available to assist them in doing so. Similar schemes have been used elsewhere from time to time.**

PROPOSAL

That the Area Committee considers the representations made by the Lead Member for Housing.

BACKGROUND PAPERS

Correspondence from the Lead Member for Housing.

Contact Officer: Janice Rogers Property Manager Ext 5321

APPENDICES

STOURBRIDGE AREA COMMITTEE

DATE: 9 JUNE 2003

REQUEST: TO PURCHASE LAND

**LOCATION: LAND TO THE REAR OF 42 CARELESS
GREEN, WOLLESCOTE, STOURBRIDGE
(As shown on the plan attached)**

BACKGROUND

An application has been received from the owner of 44 Careless Green to purchase land which is included within the Housing tenancy of No.42 Careless Green. (The land applied for is shown hatched black on the plan attached).

The applicant advises that the Housing tenant of No. 42 is disabled and is unable to look after his garden, so this area has become overgrown. The applicant's garden tapers and if the application to purchase the land was successful it would open up her garden and enable the land to be maintained.

The tenant of No. 42 Careless Green has confirmed in writing that he would have no objections to the sale of this part of his garden land.

The land is under the control of the Housing Department.

COMMENTS

All of the relevant departments have been consulted, and objections have been received from the Housing Department who advise that whilst they appreciate that the sale of land may relieve some of the problems of the existing tenant, it would have a serious impact on future

tenancies. In addition, the Housing Department advises that the sale of the land should be refused as it is contrary to their policy of not selling to adjoining properties areas of land which is included within a housing tenancy.

PROPOSAL

That the Stourbridge Area Committee advise the Lead Member for Housing to refuse the application to purchase the land.

BACKGROUND PAPERS

- 1. Letter from applicant dated 27th January 2003, 1st February 2003 and 10th February 2003.**
- 2. Letter from tenant dated 20th February 2003.**
- 3. E-mails and memos from the Directorate of Law and Property dated 18th February 2002.**
- 4. E-mails and memos from the Housing Department dated 18th February 2002 and 28th February 2002.**
- 5. E-mails and memos from the Finance Department dated 18th February 2002.**

Contact Officer: Janice Rogers, Property Manager, Ext. 5321