

**HALESOWEN AREA COMMITTEE**

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

**REQUEST FOR: PURCHASE/LEASE OF LAND**

**LOCATION: ADJOINING 7 & 8 TENTER COURT, HALESOWEN**

**(As shown hatched black on the plan attached)**

**BACKGROUND**

A request has been received from the owners of 8 Tenter Court, Halesowen to purchase or lease the Council owned land as shown hatched black on the plan attached. The land is required for additional garden area.

The land was leased originally by agreement in 1970 for an allotment in a shared tenancy between the owners of 7, 8 and 9 Tenter Court. However, since new owners have taken over 8 and 9 Tenter Court, the original tenants of No. 7, Mr Owen, has since died. His widow has been unable to maintain the land for many years and as a result it is now heavily overgrown. She has since handed the land back to the Council.

Additionally, a 2m strip of Council owned land at the side of No. 7 Tenter Court's garage has recently been tidied up to allow access for workmen.

The land is under the control of the Directorate of Law and Property.

**COMMENTS**

All of the relevant Council Directorates have been consulted regarding the application. No objections have been received from the Directorate of Education and Lifelong Learning who consider that the land has become an eyesore and therefore should be sold for garden purposes only.

The Directorate of the Urban Environment has identified that the land is situated within the confines of a former gasworks. Gasworks are renowned for the complex range of contamination associated with the activities that occur on such sites and the risks that they can present. At the moment it is unclear whether the land is actually suitable for use as private gardens without requiring remediation first. Two options regarding this application have been suggested, either to refuse the application on the grounds of the potential for unacceptable contamination to be present or defer a decision until the land has been investigated and any risks from contamination identified.

The Directorate of Law and Property stated that the land should remain as an amenity/ buffer strip between the residential land and the industrial area. There may be some merit in seeing if the land could be managed by a residential association. However, there is nothing contained in the deeds that would prevent or hinder the sale of the land for use as garden land.

## **PROPOSAL**

That the Halesowen Area Committee considers its recommendation to the Cabinet Member for Personnel, Legal and Property.

## **BACKGROUND PAPERS**

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

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