
Stourbridge Area Committee – 3rd September 2008

Report of the Director of Law and Property

Applications in respect of land and property owned by the Council

Purpose of Report

1. To bring to the Committee's attention requests relating to land and property controlled by the Council and to seek the Committee's recommendations on those requests.

Background

2. The Council has interests in a substantial amount of land and property across the Borough, those interests being controlled by the Council's various Directorates.
3. Requests are received from the public on a regular basis for property related matters such as purchases, leases, licences, easements and access agreements. Those requests are dealt with by the Directorate Law and Property who carry out a consultation process with the Council's relevant Directorates before preparing a report for Committee to consider.
4. Reports for this Committee are attached as appendices and the proposal resulting from the consultation on each particular request is set out at the end of each appendix. A plan is provided where required.

Finance

5. In general terms leases, easement and access agreements each generate an income for the Council. The sale of the land generates a capital receipt of the Council, the size of which would depend on a valuation placed on the site by the Director of Law and Property and the price finally agreed between the parties.

Law

6. Section 123 of the Local Government Act, 1972 enables the Council to dispose of its interests in land at the best price reasonably obtainable.

Section 123(2A) of the Local Government Act, 1972 requires the Council prior to any disposal of open space to advertise notice of its intention to do so for two consecutive weeks in a newspaper circulating in the area in which the land is situate and to consider any objections which may be made.

The various statutory undertakers will have statutory powers to install equipment in Council owned land, but they do apply to the Council for a formal agreement, such as an easement, on a regular basis.

Section 32 and 34 of the Housing Act, 1985 and the General Consents for the disposal of Houses and Land, 1999, enable the Council to let and dispose of land and buildings held for housing purposes at the best price reasonably obtainable.

Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 enables the Council to apply provision to any land it sells restricting its future use, provided the relevant section of the Act are specifically referred to in the transfer document and are registered as a local land charge.

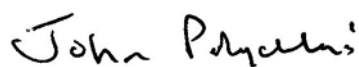
Section 111 of the Local Government Act, 1972 empowers the Council to do anything calculated to facilitate or which is conducive to or incidental to the discharge of any of its functions.

Equality Impact

7. The proposals take into account the Council's equal opportunities policies.

Recommendation

8. It is recommended that proposals contained in each of the attached appendices be approved.



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John Polychronakis
Director of Law and Property

Contact Officers: Gill Hudson, Principal Property Manager
Telephone: 01384 817068
Email: gill.hudson@dudley.gov.uk

Sonia McLean, Property Manager
Telephone 01384 815321
Email: sonia.mclean@dudley.gov.uk

Alan Nugent, Property Manager
Telephone 01384 815351
Email: alan.nugent@dudley.gov.uk

List of Background Papers
See individual appendices

Appendices

Stourbridge Area Committee

Date: 3rd September 2008

Request for: Lease of Land

Location: Wollescote Hall, Wollescote Road, Stourbridge
(As shown on the plan attached)

Background

The Black Country Bowls Club and Crystal Bowls Club share the use of the greens at Wollescote Park with the right to use the kitchen and other rooms in the Hall currently used by the Sons of Rest.

However, concern has been expressed by the Council regarding the lease of the Pavilion building which has been erected on the edge of the Bowling Green in the Park, as shown marked on the plan attached. This building has been on site for several years and was funded by grant from this Committee and the Bowls Clubs. The Council would like to regularise the occupation and have therefore requested that a formal lease of the land is granted. This lease will also include an extra area of land, also indicated on the plan, required for a proposed extension to the Pavilion.

Wollescote Hall is under the control of the Ernest Stevens Trust and this Area Committee is the Trustees on behalf of the Council and is therefore responsible for making decisions regarding the Trust.

Comments

All of the relevant Directorates have been consulted and no objections have been received subject to planning consent being approved.

Proposal

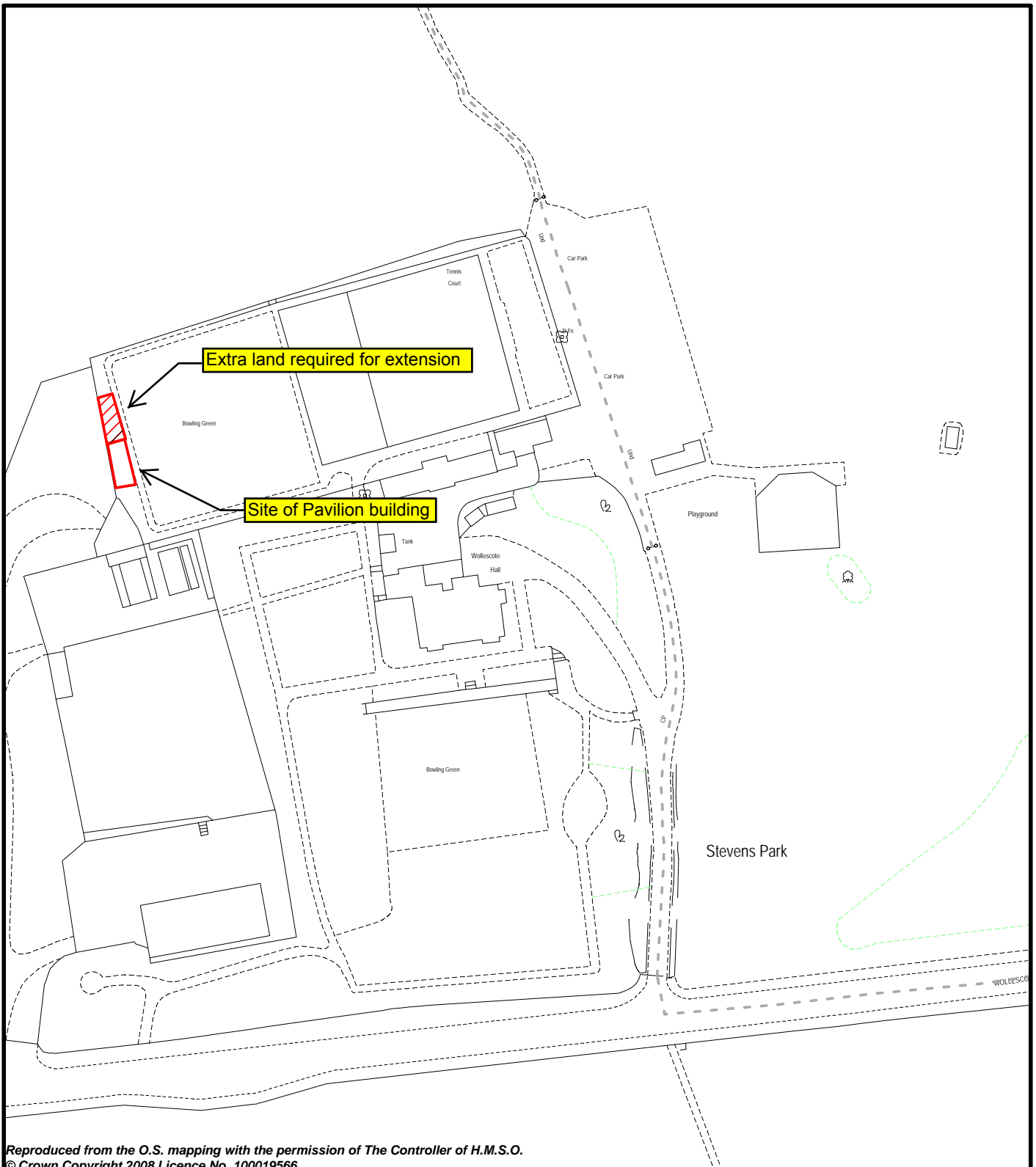
That the Area Committee approve the granting of a formal lease of land at Wollescote Hall, Wollescote Road, Stourbridge, and to include the additional land required for an extension to the Pavilion building, on terms and conditions to be negotiated and agreed by the Director of Law and Property.

Background papers

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

Contact Officer:

Sonia McLean, Property Manager, Ext. 5321



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<p>CREATED BY: Sonia McLean - Property Manager, Ext. 5321</p>	<p>SCALE: 1 : 1250</p> <p>DATE: 21-MAY-2008</p>	