

HALESOWEN AREA COMMITTEE

DATE: 30 MARCH 2005

APPLICATION FOR THE TRANSFER OF COUNCIL OWNED LAND ADJACENT TO:

LOCATION: MAGISTRATE'S COURT CAR PARK, LAUREL LANE, HALESOWEN
(As shown on the plan attached)

BACKGROUND

A request has been received from the Magistrates Court, Halesowen to have the car park off Laurel Lane transferred to them. Visitors to the Magistrates Court and the Police Station use the car park. These bona fide visitors are experiencing difficulty in parking due to its use by other members of the public.

Under the Courts Act 2003, the administration of the Magistrates Court will pass to the Department for Constitutional Affairs (DCA) with effect from the 1st April 2005. All land and property used by the Magistrates Court will also be transferred to the DCA from the Council on that date. As a consequence, the Magistrates Court have requested that this land is transferred along with the rest of the property even though it is not classed a relevant property for the purpose of the Courts Act 2003.

In October 2002 a report was submitted to the Halesowen Area Committee regarding the unrestricted parking in the area around Laurel Lane. The Police had expressed concerns about indiscriminate parking causing danger and inconvenience to drivers using the road for access to the Magistrates Court and the Police Station. A residents' parking scheme was considered as a result of the police request. A Decision was made by the Cabinet Member for Transportation not to consider residents parking schemes until a Borough wide strategy for parking is in place.

The land is under the control of The Director of Law & Property.

COMMENTS

The Director of the Urban Environment has expressed an interest in the Car Park. The Environmental Management Division of DUE wish the car park to stay as it is till the proposals for car parking in Halesowen have been considered. It could then be transferred to DUE control for use as a Pay & Display Car Park. The Director of the Urban Environment has therefore recommended that the request for the car park to be included in the transfer should be refused.

According to the Director of Law & Property, the Magistrates Court was extended a few years ago on land that formerly provided car parking. The general public as well as visitors to the Police Station and Magistrates Court use the car park. It should therefore remain under the control of the Council for public use.

The Director of Finance has stated that the transfer of the car park to the Magistrates Court would preclude the possibility of a capital receipt or an income generating pay & display car park. The Director of Finance would therefore recommend the option of

retaining the car park in its current use until car-parking proposals for Halesowen have been considered.

There are two proposals; the first is to transfer the car park to the Magistrates Court and it will then be transferred to the DCA with effect from 1st April 2005; the second is to retain the car park under DUE control pending the study into car parking proposals in Halesowen. It may then either be retained for use as Pay & Display or for use by local residents.

PROPOSAL

That the Area Committee make a recommendation to the Cabinet Member for Law & Property to refuse the application to transfer the land at Laurel Lane to the Magistrates Court.

BACKGROUND PAPERS

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

Contact Officer: Alan Nugent, Property Manager, Ext. 5351