
North Dudley Area Committee – 1st February 2006

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.

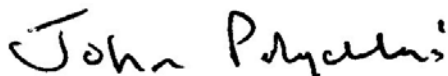
Section 111 of the Local Government Act, 1972 empowers the Council to do anything calculated to facilitate or which is conducive to or incidental to the discharge of any of its functions

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.



.....
John Polychronakis
Director of Law and Property

Contact Officers: Gill Hudson, Property Manager
Telephone: 01384 815311
Email: gill.hudson@dudley.gov.uk

List of Background Papers
See individual appendices

Appendices

North Dudley Area Committee

Date: 1ST February 2006

Proposed disposal:

Location: 9 Bayer Street, Coseley
(As shown on the plan attached)

Background

The above property is a detached property, formally a house, converted to offices, with a large car park area that is controlled by the Directorate of Law and Property.

It has, for many years been used by the Directorate of Housing as the Coseley District Housing Office, however, the property is in a bad state of repair and a recent health and safety inspection has resulted in the office being closed as it has structural problems.

The property is no longer needed by the Directorate of Adult, Community and Housing Services and is boarded up and secured.

Comments

The relevant Council Directorates have been consulted regarding the future use of the building.

An expression of interest was expressed by Directorate of Education and Lifelong Learning, on behalf of the adjacent Families and Children's Centre, that is based within the adjacent building owned by the Health Trust. A review of this provision is currently being undertaken and should the Families and Children's Centre be identified for expansion, the site of 9 Bayer Street may be required.

A decision has not yet been made regarding this use but should the site be required the Health Trust would have to purchase the site from the Council in order to undertake the buildings expansion.

The property is now empty and has the bar-it security system fitted to protect it. It is also being inspected regularly by the Council's appointed Security Company. It is however incurring costs for security and for the standing services charges. It could also be a potential target for vandalism and it is hoped that its future can be determined as quickly as possible to minimise any liability on the Council.

If the site is not required for the extension to the adjacent building, it could be sold on the open market and may be suitable for a residential building development, subject to planning consent. Expressions of interest have already been received regarding the site.

It is therefore proposed that the site of 9 Bayer Street be declared surplus to requirements, to be added to the land disposals programme and for it firstly to be considered for use as an extension to the adjacent Centre but should the offer not be

taken up, the site be sold on the open market for the best price reasonably obtainable.

Proposal

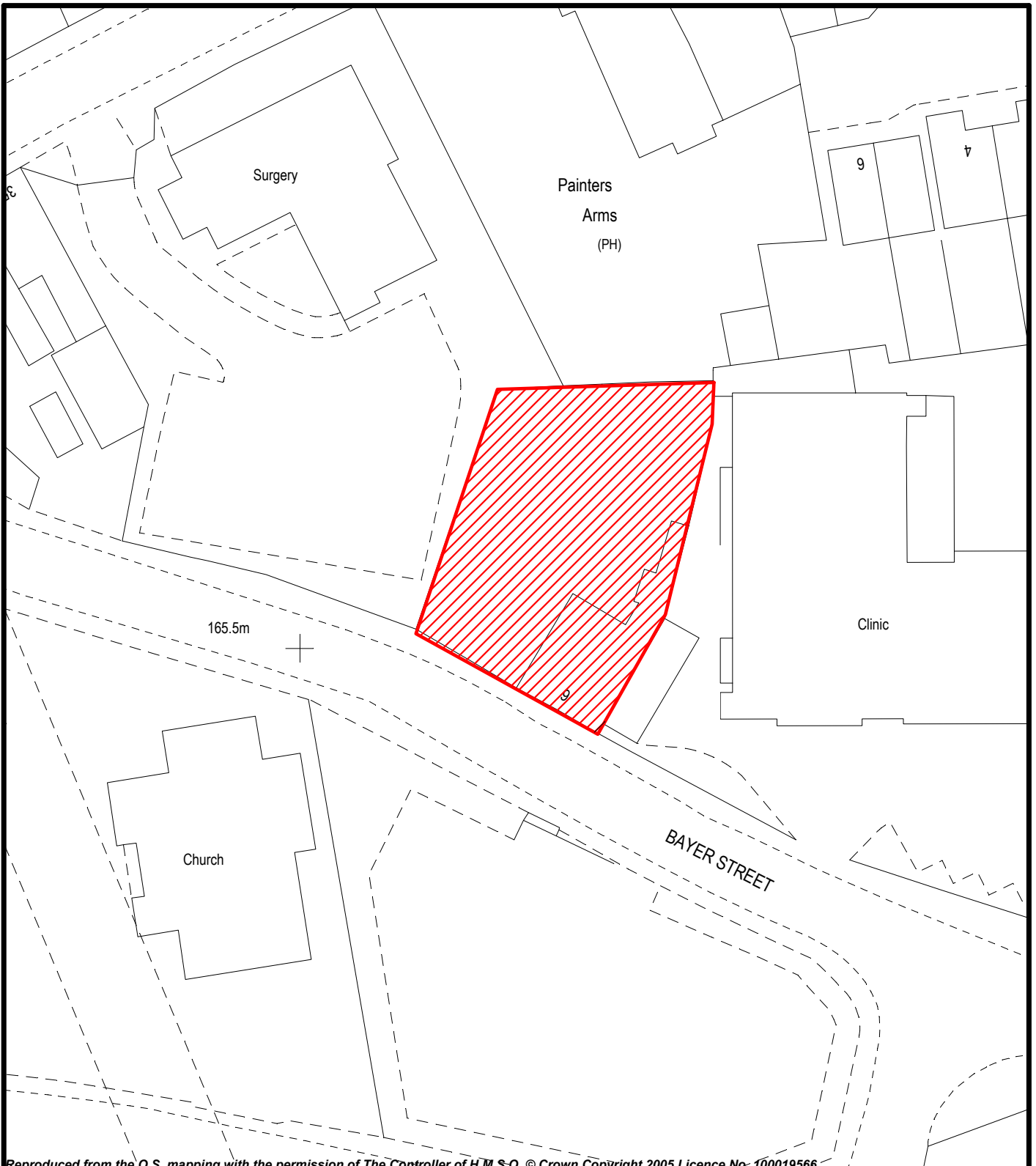
That the Area Committee advise the Cabinet Member for Law and Property to declare the site surplus to requirements to be added to the land disposals programme and sold on terms and conditions to be negotiated and agreed by the Director of Law and Property.

Background papers

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

Contact Officer:

Gill Hudson, Property Manager, Ext. 5311



Reproduced from the O.S. mapping with the permission of The Controller of H.M.S.O. © Crown Copyright 2005 Licence No. 100019566

<p>TITLE:</p> <p>9 BAYER STREET COSELEY</p>		<p>Corporate Estate Services Directorate of Law and Property</p> <p>3 St James's Road DUDLEY West Midlands DY1 1HZ</p>
<p>OS data reproduced with the permission of the Controller of HMSO 2004 Licence No 100019566</p> <p>CREATED BY: GILL HUDSON. PRPERTY MANAGER.</p>	<p>SCALE: 1 : 500</p> <p>DATE: 03-OCT-2005</p>	

NORTH DUDLEY AREA COMMITTEE

DATE: 1st FEBRUARY 2006

DISPOSAL OF: 37/39 & 41/43 HARTLAND AVENUE, COSELEY

(As shown on the plan attached)

BACKGROUND

37/39 & 41/43 Hartland Avenue are 2 pairs of semi-detached Council houses within an avenue off Upper Ettingshall Road, backing onto King George's playing field. The properties are controlled by the Directorate of Adult, Community and Housing Services.

41 Hartland Avenue became vacant in 1996 and due to severe structural problems it was estimated that repairs would cost approx £25000. The report also highlighted that 43 would have similar problems and it was decided to keep 41 empty until such time as 43 became vacant so that the pair could be demolished or sold as it was not economically viable to repair the properties. 43 Hartland Avenue became vacant in August 2005.

37 Hartland Avenue became void in 2002 and a report on this property uncovered similar problems with both 37 & 39 Harland Avenue to those with 41 & 43. Repairs to these properties were estimated at between £60,000 & £80,000. It was again decided to keep 37 void until such time as 39 became vacant so that the pair could be either demolished or sold. 39 became vacant in June 2004.

The Housing Panel have considered the future of these properties and as all four properties are now void and due to the costs involved in correcting the problems and the cost of bringing the properties up to a standard to be able to relet them, the panel have recommended that the properties should be declared surplus to requirements and sold on the open market.

COMMENTS

The relevant Council Directorates have been consulted regarding this matter and no objections to the disposal of the properties have been received.

PROPOSAL

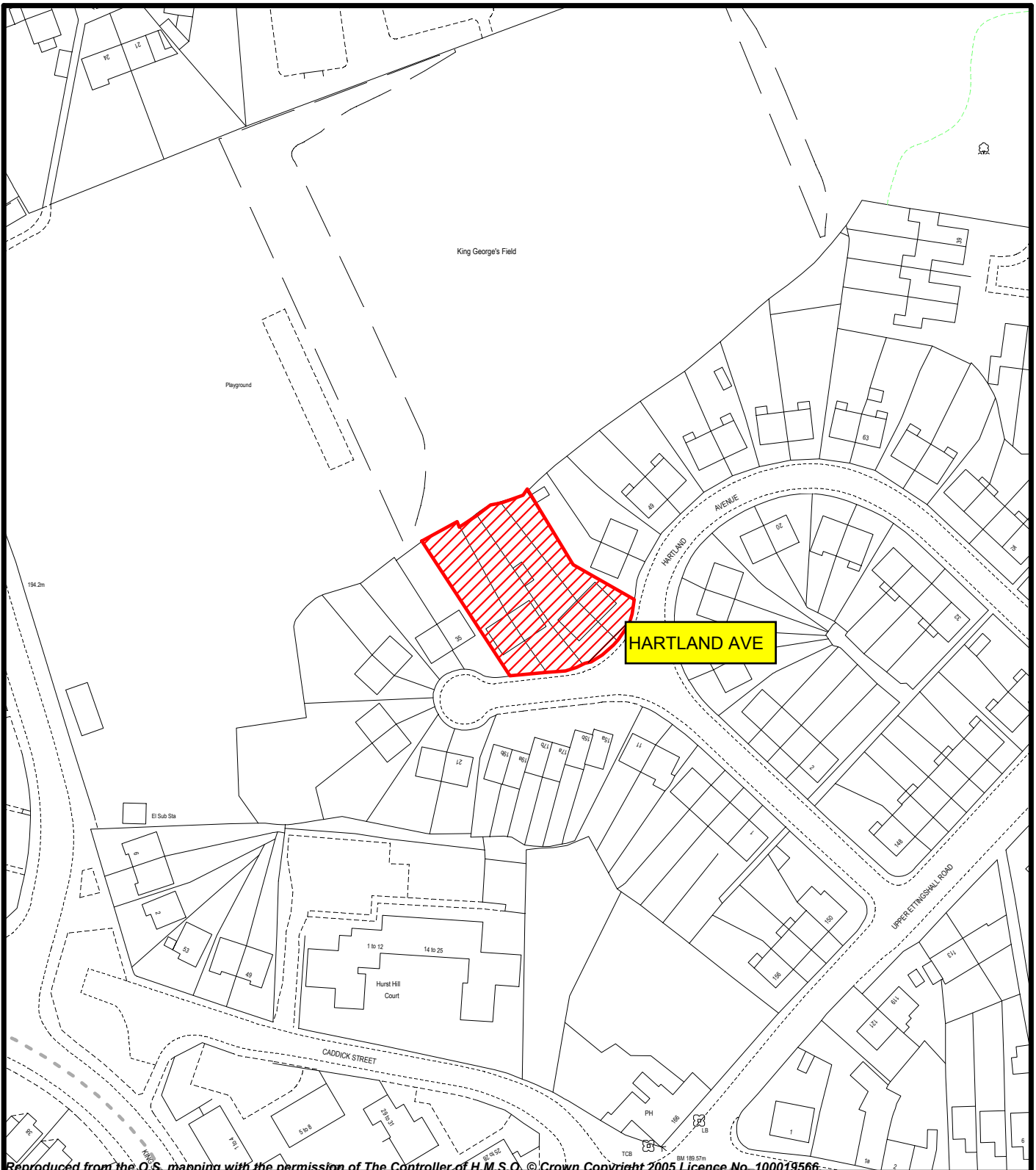
That 37/39 & 41/43 Hartland Avenue, Coseley be declared surplus to requirements and added to the land disposals programme to be sold on the open market.

BACKGROUND PAPERS

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

Contact Officer:

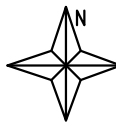
Gill Hudson, Property Manager, Ext. 5311



Reproduced from the O.S. mapping with the permission of The Controller of H.M.S.O. © Crown Copyright 2005 Licence No. 100019566

TITLE:

37,39,41 & 43 HARTLAND AVENUE
COSELEY



SCALE:

1 : 1250

DATE:

16-SEP-2005

**Corporate Estate Services
Directorate of Law and Property**

3 St James's Road

DUDLEY

West Midlands

DY1 1HZ

OS data reproduced with the permission of the Controller of HMSO 2004 Licence No 100019566

CREATED BY:

GILL HUDSON EXT: 5311

