

NORTH DUDLEY AREA COMMITTEE

DATE: 26th JANUARY 2005

APPLICATION TO DECLARE SURPLUS COUNCIL OWNED LAND

**LOCATION: LAND AT HIGH HOLBORN SHOPPING CENTRE CAR PARK
FRONTING TIPTON STREET, SEDGLEY**

(As shown on the plan attached)

BACKGROUND

An area of Council owned land adjacent to 20 Tipton Street, Sedgley has been found to have been included in the car park to the High Holborn, Shopping Centre.

The land was acquired by the Council as part of the comprehensive housing redevelopment of Tipton Street and Gate Street. As part of this redevelopment, a strip of land fronting 20 to 40 Tipton Street was retained for Highway use. The Council sold 20 Tipton Street in May 1980.

In March 1992, the owner of 20 Tipton Street sold part of their garden to the owners of the High Holborn Shopping Centre for use as a car park for the centre. It now appears that, as well as the garden land transferred from 20 Tipton Street; the highway land fronting the property was also surfaced over for the car park.

A request was received from the solicitors of the owner of the High Holborn Shopping Centre. They asked for clarification on why part of their client's car park facing onto Tipton Street was under Council ownership according to the Land Registry. They were advised of the above. The owner of the High Holborn Shopping Centre may claim adverse possession.

The Directorate of the Urban Environment controls the land and was requested to advise on whether they wished the land to be reclaimed by the Council. They have advised that the land is no longer required by the Council and should be disposed of. Permission is now sought to declare the land surplus to requirements so as to regulate the current position.

COMMENTS

The relevant Council Directorates have been consulted and no objections have been received.

PROPOSAL

That the Area Committee advises the Lead Member for Transport to declare the land surplus to requirements. The Director of Law and Property be authorised to negotiate

terms and conditions for the transfer of the land to the owner of High Holborn Shopping Centre.

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