

REPORT TO: CABINET MEMBER (HOUSING)

DATE: 4 August 2009

DEPARTMENT: COMMUNITY SERVICES

REPORTING OFFICER: Reno Cooper
Neighbourhood Team Leader

SUBJECT: PROPOSAL TO LEASE HOUSING LAND AT
MOORFIELD, STAVELEY, TO THE STAVELEY
& COPGROVE PARISH COUNCIL

WARD/S AFFECTED: CLARO

FORWARD PLAN REF: N/a

1.0 PURPOSE OF REPORT

- 1.1 To seek approval from the Cabinet Member to declare an area of housing land, located at Moorfield, Staveley, surplus to housing requirements on a temporary basis so that a lease can be granted to the Staveley & Copgrove Parish Council (PC). The land would then be used as allotment plots by members of the local community.

2.0 RECOMMENDATION/S

- 2.1 That the area of land identified in Appendix A to this report should be leased to the Staveley & Copgrove Parish Council for an initial term of 5 years at a suggested annual rent of £80.
- 2.2 That a break clause be included in the lease allowing either side to break the agreement on 6 months prior written notice, together with such other terms deemed necessary by the Director of Development Services and Head of Legal and Democratic Services.

3.0 RECOMMENDED REASONS FOR DECISIONS

- 3.1 The area of land is not capable of being developed for housing purposes at the present time as it is allocated by planning for recreation use and, as there is a demand for allotments which are classed as recreation, Planning would not at the moment allow a change of use.
- 3.2 There are currently a number of allotment plots adjacent to this site.
- 3.3 The provision of additional allotments by the PC will bring back into use an area of redundant land and help meet an unmet need within the local community.
- 3.4 Leasing the land will realise a small income for the Housing Revenue Account and, in addition, prevent the need to incur costs to the HRA maintaining the land.
- 3.5 Leasing the land, as opposed to selling it, will ensure it remains in the ownership of Harrogate Borough Council as housing land, which may be capable of being developed should demand for recreational use diminish in future years and the planning allocation change.

4.0 ALTERNATIVE OPTION/S CONSIDERED AND RECOMMENDED FOR REJECTION

- 4.1 To leave things as they are and continue to maintain the land. This would be a waste of what could be a useful community asset.
- 4.2 To dispose of the land but given its current use it would have little value and would see housing land, with possible long-term value, lost to the Council.

5.0 BACKGROUND

- 5.1 The land in question is highlighted in Appendix A to this report. It has a public highway to its front, an access road to one side, a residential property to the other side and to its rear there are allotments plots. It was purchased in 1921 by Great Ouseburn RDC for the provision of housing and became vested in Harrogate Borough Council in 1972.
- 5.2 Land held for housing purposes cannot be disposed of without Secretary of State consent. General consents have been issued and consent E 3.2(b) of the General Housing Consents 2005 is relevant to the proposal. Under this consent, Council's can dispose of land at a price set by them for the provision of not for profit use which is beneficial to persons the majority of which are from the estate or neighbourhood. Allotment use so long as adequate provisions are contained in the Lease would fall within this consent.

- 5.3 Recently the land was identified for potential development but this was contested by the PC. Enquiries were made of Planning who advised that the land was allocated for recreational use, which includes allotments, and, as there is demand for allotments, they would not allow a change of use for development to take place.
- 5.4 The PC did initially contest ownership of the land but now appear happy to lease it from HBC for allotment use. They currently have 18 people on their waiting list for allotment plots.
- 5.5 Although the land is not developable at this point in time, it would be appropriate for us to retain ownership for possible future Housing purposes.
- 5.6 The Director of Development Services (Property Management) and Director of Resources (Legal) have been consulted on the contents of this report.

6.0 CONCLUSION

- 6.1 The disposal of this redundant area of land as proposed in this report will bring it back into effective use for the local community, realise a small income for the HRA and remove any maintenance responsibility from HBC. There are no negative implications and the proposal would allow HBC to recover use of the land for housing purposes at any time. Legal have confirmed that provided appropriate clauses are inserted in the draft Lease this will be the case.

Background Papers – None

OFFICER CONTACT: Please contact **Mr R Cooper Neighbourhood Team Leader Dept. of Community Services** if you require any further information on the contents of this report. The officer can be contacted at **Department Community Services, Kennion Rd Housing Office 13 & 15 Kennion Road Harrogate HG2 7QY Tel: 01423 556878** or by Email = reno.cooper@harrogate.gov.uk

SUSTAINABILITY ASSESSMENT / POLICY CONSIDERATIONS

		Implications are		
		Positive	Neutral	Negative
A	Economy		✓	
B	Environment	✓		
C	Social Equity			
i)	General		✓	
ii)	Customer Care / People with Disabilities		✓	
iii)	Health	✓		
D	Crime and Disorder		✓	

If all comments lie within the shaded areas, the proposal is sustainable.