

BRIERLEY HILL AREA COMMITTEE

DATE: 7<sup>TH</sup> JULY 2004

REQUEST TO DECLARE SURPLUS COUNCIL OWNED LAND

LOCATION: LAND FRONT OF 111 COT LANE, KINGSWINFORD  
(As shown on the plan attached)

BACKGROUND

A request has been received from the owner of 111 Cot Lane to purchase the Council owned land in front of his property. The applicant wishes to create a small garden with a low level wall at the front of his property. At present the property faces directly onto the street and if the application is granted the property will benefit from a proper frontage and privacy.

The land is Public Highway under the control of the Directorate of the Urban Environment.

COMMENTS

All the relevant Council Directorates have been consulted.

The Directorate of the Urban Environment has recommended that the area to be sold be for garden use only and not for the parking of vehicles. Any wall or fence fronting the property should be no more than 1.0 metre in height. The applicant would also have to apply for a change of use from highways to a garden area. The applicant would, at his own expense, also have to apply to have the highway "Stopped Up" under Section 117 of the Highways Act 1980.

The Directorate of Law and Property have objected to the proposal, as the pavement is quite narrow behind the bus stop.

PROPOSAL

That the Area Committee advises the Lead Member for Transport to declare the land surplus to requirements for highway purposes and then to be sold to the applicant on terms and conditions negotiated and agreed by the Directorate of Law & Property.

BACKGROUND PAPERS

1. Letters from the applicant.

2. E-mails and memos from the Council Directorates.

Contact Officer:

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