

## PORTFOLIO HOLDER DECISION NOTICE

<b>Portfolio Holder:</b>	Cllr Donald Nannestad Portfolio Holder for Quality Housing
<b>Decision Title:</b>	Approval of Boundary determination (red line drawing) for disposal of Unused Land for Provision of Supported Accommodation within Part B Executive report dated 3 <sup>rd</sup> October 2022.
<b>Purpose of Report:</b>	To request approval for the final land transfer boundary relating to the original Part B Executive report which as approved on 3 <sup>rd</sup> October 2022. This approval delegated authority to the Director of Housing, with the support of statutory officers, for the authority to enter into Heads of Terms and agree the final disposal. However, the delegated final land transfer boundary was not specifically requested and delegated Executive decision is now being requested from Portfolio Holder for Quality Housing to finalise the red line boundary drawing which will form part of the final Head of Terms and transfer of land subject to planning permission being granted in the future.
<b>Recommendation:</b>	It is recommended that the revised red line drawing of the site is approved to include the historic straight line boundary of the Housing Revenue Account land directly to the rear of the site. This will ensure that the HRA land is not left as dormant land and could have future maintenance implications and potential costs by the HRA.
<b>Alternative Options Considered and Rejected:</b>	The following alternative options have been considered: <ul style="list-style-type: none"> <li>• Leave the red line drawing and land transfer to the existing fence line which was captured within the original Executive report and presentation..</li> <li>• Transfer the land to general fund for future maintenance obligations.</li> </ul>
<b>Reason for Decision:</b>	On 3 <sup>rd</sup> October 2022, Executive approved the disposal of this land to enable a supported Housing provision. Contained within this part B report included a presentation which detailed a red line site plan which captured the existing fence line as the boundary. This fence was originally installed to contain and secure the site to reduce the risk of rubbish dumping and ASB. The inclusion of the site plan within the Executive report implies that the boundary line for land transfer should be a right angled rear boundary line in keeping with the existing fence line, however

	<p>from due diligence it has been identified that the original and historic land ownership for the HRA is a straight line. Due to the original Executive report not specifically capturing delegated approval for the final land transfer a final decision is being presented back to Housing Portfolio Member for Quality Housing to finalise the red line drawing and site plan for land transfer.</p> <p>The recommendation would be to transfer this section of the remaining HRA land as part of the agreed Head of Terms if planning permission is approved. This will ensure that the HRA does not retain a small section of land with future maintenance obligations. The area of land is currently not being managed / cut back and has been left to over grow via the brambles to act as a deterrent for access over the fence to the existing garage site.</p> <p>Options have been considered with the open spaces team as to land transfer and they are supportive of the land being captured as part of the red line drawing / land transfer to the supported housing provider. It is likely that this whole area will continue to be left to overgrow and not be on a regular cutting programme if left in Council ownership.</p> <p>Therefore the transfer of this additional c35m2 area of land to the supported housing provider (subject to them gaining planning permission) will ensure no future maintenance implications to this area of land.</p> <p>Four appendices were provided with the original delegated Executive decision but restricted access on publication due them being Part B excluded as follows:</p> <ul style="list-style-type: none"> <li>• Appendix 1: PART B Executive report from 3<sup>rd</sup> Oct 2022.</li> <li>• Appendix 1a: PART B Which captures the original Executive presentation and red line drawing with the existing fence line.</li> <li>• Appendix 2: PART B Proposed new red line drawing to capture the additional triangular section of land which is the original historical HRA land boundary.</li> <li>• Appendix 3: PART B Photo of existing area evidencing the current condition.</li> </ul>
<b>Is the decision a Key Decision?</b>	No
<b>Is the decision subject to Call In?</b>	Yes

<b>Does the decision relate to any exempt information?</b>	Yes – Previous report was exempt – appendices are PART B so not to be included for full publication.
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**Number of appendices: 4**

- Appendix 1: PART B Executive report from 3<sup>rd</sup> Oct 2022.
- Appendix 1a: PART B which captures the original Executive presentation and red line drawing with the existing fence line.
- Appendix 2: PART B Proposed new red line drawing to capture the additional triangular section of land which is the original historical HRA land boundary.
- Appendix 3: PART B Photo of existing area evidencing the current condition.

Signed: D Nannestad

**Councillor Donald Nannestad**

Dated: 17 March 2025