Dear Sir/Madam,

The Cabinet Member for Resources and Support (Councillor B.J. Grant) is to consider the following report and make a decision on Thursday 15th April, 2010, at 4.00 p.m. in the office of the Head of Estates and Town Centres, Town Hall, Nuneaton.

Yours faithfully,

CHRISTINE KERR

Chief Executive

AGENDA

PUBLIC BUSINESS

1. EVACUATION PROCEDURE

2. PUBLIC CONSULTATION - Members of the public will be given the opportunity to speak on specific agenda items if notice has been received.

3. LAND REAR OF 7, 9 AND 11 HATTERS COURT, BEDWORTH - report of the Environmental Services Director attached (Page 2)

4. LAND REAR OF PLOUGH HILL ROAD/ WAGGESTAFFE DRIVE, NUNEATON - report of the Environmental Services Director attached (Page 9)

5. LAND FRONTING 229 ANSLEY ROAD, NUNEATON - report of the Environmental Services Director attached (Page 14)
**Report Summary Sheet**

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<tr>
<th>Date:</th>
<th>15th April 2010</th>
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<tbody>
<tr>
<td>Subject:</td>
<td>Land rear of 7, 9 &amp; 11 Hatters Court, Bedworth.</td>
</tr>
<tr>
<td>Portfolio:</td>
<td>Resources &amp; Support</td>
</tr>
<tr>
<td>From:</td>
<td>Alan Franks – Environmental Services Director</td>
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</tbody>
</table>

**Summary:** 7, 9 & 11 Hatters Court, Bedworth have applied to purchase land at the rear of their properties. The land is green space and acts as a buffer zone to the elderly residents of the Council owned bungalows, as shown edged black & cross hatched on attached plan.

**Recommendations:** That the land rear of 7, 9 & 11 Hatters Court, be retained by the Council.

**Reasons:** Objections received from Public Amenities, Planning & Development, a Ward Councillor and residents of an OAP bungalows.

**Options:**
1. That the land rear of 7, 9 & 11 Hatters Court, be retained by the Council.
2. That the land rear 7, 9 & 11 Hatters Court, to be sold to the applicant on terms to be agreed by the Head of Estates & Town Centres.
<table>
<thead>
<tr>
<th>Subject to call-in:</th>
<th>Yes.</th>
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<tbody>
<tr>
<td>Forward plan:</td>
<td>N/A.</td>
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<tr>
<td>Corporate priorities:</td>
<td>Key Aim 4 Priority 1.</td>
</tr>
<tr>
<td>Relevant statutes or policy:</td>
<td>N/A.</td>
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<tr>
<td>Equal opportunity implications:</td>
<td>None.</td>
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<tr>
<td>Human resources implications:</td>
<td>None.</td>
</tr>
<tr>
<td>Financial implications:</td>
<td>Whole report.</td>
</tr>
<tr>
<td>Risk management implications:</td>
<td>None.</td>
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<tr>
<td>Environmental implications:</td>
<td>Whole report.</td>
</tr>
<tr>
<td>Legal implications:</td>
<td>None</td>
</tr>
<tr>
<td>Contact details:</td>
<td>Lisa Cowley  (024) 7637 6136</td>
</tr>
</tbody>
</table>
AGENDA ITEM NO. 3

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Councillor B. J. Grant – 15th April 2010

From: Environmental Services Director.

Subject: Land rear of 7, 9 & 11 Hatters Court, Bedworth.

Portfolio: Resources & Support

1. Purpose of Report

To consider applications from 7, 9 & 11 Hatters Court, Bedworth to purchase land at the rear of their properties.

2. Recommendation

The land rear of 7, 9 & 11 Hatters Court, Bedworth be retained.

3. Background

3.1. 7, 9 & 11 Hatters Court applied to purchase land at the rear to extend their gardens, 1773m², 1462m² and 137.6m², respectively as shown edged black and cross hatched on attached plans.

3.2 The land is part of the OAP bungalow site and has been fenced off to prevent anti-social behaviour.

4. Comments

4.1. Housing Services has no objection to the sale of the land.

4.2. Public Amenities has no objection but has advised it will diminish the amount of green space enjoyed by the elderly who live in the bungalows. They will be hemmed in by fencing to the rear and the benefits of green space to the physical and mental well being of the elderly is well documented.

4.3. Development Control has advised that Planning Permission would be required for change of use to garden land and that there are concerns regarding the impact the garden extension would have on the character and visual amenity of the area in York Avenue.

4.4. A Ward Councillor formally objected both as an advocate for the affected in York Avenue where he has visited, and as a Ward Councillor. The reason is that the land is a very valuable “buffer zone” between two different types of tenure, in Hatters Court being generally family housing and in York Avenue
being elderly residents. When planning permission was granted this was taken into consideration.

The Ward Councillor believes the issue of land levels has been a concern and a direct problem to some residents since Hatters Court was built.

4.5. 42 York Avenue is not happy about the application and feel their peace and tranquillity is being invaded.

4.6. 20 York Avenue objects as the fence was erected to stop noise nuisance from school children running through and enjoys peace and quiet of the “Elderly Residents Area”.

4.7. 18 & 40 York Avenue are horrified by the proposal and object strongly to plans going any further.

Alan Franks
Environmental Services Director
Report Summary Sheet

Date: 15th April 2010

Subject: Land rear of Plough Hill Road/Waggestaffe Drive, Nuneaton.

Portfolio: Resources & Support – Cllr B Grant.

From: Alan Franks – Environmental Services Director

Summary: To consider application to purchase land rear of Plough Hill Road/Waggestaffe Drive, Nuneaton.

Recommendations: That the land rear of Plough Hill Road/Waggestaffe Drive, Nuneaton, be retained by the Council.

Reasons: To retain ownership of land which provides access to a potential future development site.

Options: 1. That the land rear of Plough Hill Road/Waggestaffe drive be retained.

Subject to call-in: Yes.

Forward plan: N/A.
<table>
<thead>
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<th>Key Aim 4 Priority 1.</th>
</tr>
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<td><strong>Relevant statutes or policy:</strong></td>
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<td>Whole report</td>
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<td><strong>Risk management implications:</strong></td>
<td>None</td>
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<td><strong>Environmental implications:</strong></td>
<td>Whole report</td>
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<td><strong>Legal implications:</strong></td>
<td>None</td>
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| **Contact details:** | Lisa Cowley (024) 7637 6136 |
1. **Purpose of Report**

   To consider an application to purchase approximately 137.6m² land to the rear of Plough Hill Road/Waggestaffe Drive, Nuneaton as shown edged black and crosshatched on the attached plan.

2. **Recommendation**

   That the land at the rear of Plough Hill Road/Waggestaffe Drive, Nuneaton to be retained.

3. **Background**

   3.1. The owners of 66 Plough Hill Road, Nuneaton also own a large field to the rear of 48-66 Plough Hill Road, shown edged in black on the attached plan. They and their predecessors have enjoyed access to their field over the Council’s land shown edged in black and crosshatched on the attached plan. The land that is not owned by the Council has been gated and fenced by the owner.

   It is understood that there was originally a tunnel beneath the railway line that is no longer there that was used to access the field. When the line and bridge was removed a right of way across the Council land was granted to the owners. The land is currently used for the keeping of cattle and horses and for general agriculture.

   The applicants say they do not, at present, have intentions to develop or change the use of the land.

4.0. **Comments**

   4.1. Asset Management & Strategic Development is concerned that if the Council’s land is sold the Council would lose a potentially valuable interest in any future development should the owners’ intentions change and the land is developed in the future. Retaining the Council’s land would secure the Council’s financial interest should the land be developed in the future.
4.2. A Ward Councillor stated that should the land be sold an acceptable price should be paid for it. The Council is obliged under s.123 of The Local Government Act (1972) to obtain the best price possible when disposing of land and property.

4.3. Public Amenities has no objection to the disposal.

4.4. Neighbouring properties were consulted but did not comment.

Alan Franks
Environmental Services Director
**Report Summary Sheet**

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**Summary:** To consider application to purchase land fronting 229 Ansley Road, Nuneaton.

**Recommendations:** That the land fronting 229 Ansley Road, be retained by the Council.

**Reasons:** Objections

**Options:**
1. That the land fronting 229 Ansley Road, Nuneaton be retained by the Council.
2. That the land fronting 229 Ansley Road, Nuneaton be sold on terms to be agreed by the Head of Estates & Town Centres.

**Subject to call-in:** Yes

**Forward plan:** N/A

**Corporate priorities:** Key Aim 4 Priority 1
**Relevant statutes or policy:** None

**Equal opportunity implications:** None

**Human resources implications:** None

**Financial implications:** Whole report

**Risk management implications:** None

**Environmental implications:** Whole report

**Legal implications:** None

**Contact details:** Lisa Cowley (024) 7637 6136
1. **Purpose of Report**

To consider application from 229 Ansley Road, Nuneaton to purchase land fronting the property, as shown edged in black and cross hatched on the attached plan.

2. **Recommendation**

That the land fronting 229 Ansley Road, Nuneaton be retained.

3. **Background**

3.1. The applicant's own property includes a small strip of garden between the house and footpath leading to the property.

3.2. The land subject to the request to purchase is approximately 45.6m².

3.3. If the sale of the land is agreed, it is proposed to fence and use as garden.

4. **Comments**

4.1. Housing Services has no objections to the sale.

4.2. Public Amenities has no objection to the sale.

4.3. Development Control objects as it will look incongruous and detract from the attractive and open appearance of the frontage. Further, as the land is not within the curtilage of the property, a planning application would be required to change it to garden land and this would not be forthcoming.

4.4. Ward Councillors have been consulted, and one has advised there are no objections to the sale of land subject to it being used only for garden purposes.
4.5.  Adjacent properties have been consulted but have not responded.

Alan Franks
Environmental Services Director