

19th September 2012

REPORT OF THE CHIEF EXECUTIVE

Place Board Progress Report

1 Purpose of Report

1.1 To provide an update of progress against the current year's (2012/13) Place Board Work Plan.

2 Background

2.1 At its meeting on 26th June 2012 West Area Committee agreed its Local Area Plan for 2012/13. In doing so Area Committee agreed how it can most effectively contribute to delivering Sunderland City Council's Corporate Outcome Framework (COF) at a local level and relevant to the Place and People themes.

2.2 Those Local Area Plan priorities associated with Place were referred to the Place Board to action on behalf of the Area Committee. The Place Board have started to initiate action on those priorities and agreed target dates for delivery and feedback to the Area Committee for the year ahead. The Place Board Work Plan and target delivery dates are attached as **Annex 1**.

2.3 This report provides Area Committee with a progress update on the Place Board Work Plan during period June – August 2012 including requests for decisions where necessary.

3. Responsive Local Services

3.1 In supporting the Area Committee to influence the delivery, design and review of services at an Area level the Place Board has a key role in terms of influencing the operational redeployment of Streetscene (RLS) core service. As such each Place Board meeting has a dedicated agenda item to discuss streetscene services. The Area Response Manager (ARM) presents information on services, such as, graffiti removal, fly tipping, litter, dog fouling, grass cutting, refuse collection and recycling, parks and maintenance of play areas.

3.2 At its meeting earlier this month the ARM provided an update on RLS issues including:

- Vandalism in Barnes Park
- The impact of the weather on addressing the excessive growth of grass and weeds
- Ongoing work to the Newport Grove Site
- Delays to the start of work on the Eden Vale Site and an opportunity to make cost savings
- The operation of the Community Payback Team in the Barnes Park Extension
- Plans to address the overgrown rights of way and cycle tracks
- The short term solution provided by the Community Payback team regarding footpaths at the Sandhill end of Barnes Park (curb ends made safe and loose chippings lain) together with the possible requirement to identify a long term solution

3.3 It was agreed that work would be undertaken to identify any impediments to the effective use of time and resources by the RLS Team and investigate whether any resources subsequently freed up could be better utilised elsewhere .

4. Area Place Priority: Environment and Streetscene Improvements

4.1 **Hadleigh Road** - For a number of years residents have reported issues associated with Council owned land to the rear of residential properties at Hadleigh Road. This strip of land has limited access, runs the length of the rear of those properties and is within Bishopwearmouth Cemetery. On average the land is some 5 metres wide across its length. Residents have reported many issues including anti social behaviour, environmental issues and alcohol consumption. In the past some residents have encroached into the area and utilised some of the space for private garden purposes. Following previous requests by the Council most of those who have encroached have ceased occupation and cleared their belongings from the area. However at least one resident has a case for adverse possession by virtue of length of occupation.

4.2 Following an approach by Ward Members, officers have considered potential solutions to dealing with the issues raised and in doing so reduce the ongoing maintenance requirement of the land which is not required for operational purposes..

4.3 The following options have been developed for Area Committee to agree a way forward:

- **Do nothing**

In doing nothing and leaving the situation as it is would mean that there would be no cost to the Council in terms of providing an immediate solution. There would, however, be a long term cost to the Council and its partners in terms of continuing to clean up and maintain the land, deal with anti social behaviour, fires and ongoing environmental issues. As a consequence there would be a detrimental social impact on those residents living in the area, particularly those in the immediate vicinity.

- **Land transfer to residents at nil consideration**

This would require the Council to transfer the land in question at nil consideration to those residents whose properties back immediately on to the strip of land currently owned by the Council. Individual garden areas would then be formed. Consultations to date have indicated that the majority of residents are in favour of this option. The case for a transfer at nil consideration will require the use of the Council's well being powers on the basis that it will reduce the Council's maintenance costs for the land in question, and that it will lead to environmental and social benefits for the adjoining residents.. This would provide an immediate and long term solution to the issue with a one off cost of approximately £35,000 (SIP application enclosed within the financial report). This sum will cover the capital cost of fencing to create individual gardens, owners legal fees, planning fees, and fees in connection with a Faculty that will be required from the Church Diocese. This option will take some months to progress given the requirement for a Faculty because some of the land in question is consecrated ground. Similarly some of the land forms part of a Jewish Burial Ground and there is a need to confirm the legal position in this regard.

- **Complete a land transfer to residents at best consideration**

This would require the Council to complete a land transfer at an agreed value for each garden area.. It is estimated that the value of each garden area to be transferred is in the region of £600. This would achieve best consideration for the disposal of the land with residents taking responsibility for fencing and their own legal fees. A Faculty and planning permission will still be required and it is considered that with this option it is

preferable for the Council to be responsible for these tasks. However the tenure of each of the properties varies with a significant proportion of properties being owned by a Housing Association and the remainder being owner occupied. It is clear that a comprehensive scheme to enclose and transfer all the area in question will not be achieved if the residents were required to acquire the land at market value. As a consequence this option is not considered to provide a lasting and comprehensive solution and would not be practical.

Should Members be minded to progress a transfer at nil consideration it is recommended that work continue in respect of the outstanding legal matters. However it is also considered that it would be prudent to consider the introduction of an overall policy approach to the transfer at nil consideration of small areas of non operational land where it can be demonstrated that it would be appropriate to utilise well being powers. This would be particularly appropriate given the formation of Place Boards and the need to maintain a consistent approach to such matters across the City. Any such policy will require Cabinet approval.

5. Recommendations: Members are requested to:

- Note the report, and the Place Board's timetable for activity for the year ahead. **Annex 1.**
- Agree to accept progress update reports based on the timetable outlined in **Annex 1.**
- Agree an option to resolve the issues with land to the rear of Hadleigh Rd.

Contact Officer: Julie Lynn, West Area Officer Tel: 0191 561 1932
Email: julie.lynn@sunderland.gov.uk