



# HARTLEPOOL BOROUGH COUNCIL

## OFFICER DECISION RECORD

Department:	Regeneration & Neighbourhoods Directorate
Division:	Strategic Asset Management
Date of Decision / Issue of Licence:	9 <sup>th</sup> April 2019
Officer Making Decision:	Tim Wynn (Strategic Asset Manager)
Subject / Description & Reason for Decision:	<p>Property – Release of covenants affecting land at Old Cemetery Road</p> <p>In April 2015, a contract was completed with Starford Holdings Ltd in relation to land at Central Park and Old Cemetery Road. The transaction, which followed extensive negotiations, comprised 3 elements; firstly the sale of part of Central Park for the construction of a new road linking Old Cemetery Road and West View Road; secondly the grant of an easement and related rights relating to Council owned land on the seaward side of Brus Tunnel; and thirdly the release of historical covenants by the Council affecting the former Steetley Magnesite and Barnshaw Bending sites owned by Starford on Old Cemetery Road.</p> <p>The purpose of the transaction was to allow Starford to sell the sites on for housing development. The new road was a planning requirement, the easement was required to access the westernmost site (known as Site A) and the covenants needed to be released to allow housing development as they restricted various parts of the sites to industrial uses.</p> <p>The two larger sites (Sites A and B) were sold on to Persimmon and are now being developed.</p> <p>As part of this process, it has recently become apparent that whilst release of all the restrictive covenants affecting the titles should have been included in the 2015 contract as this was the basis of the agreement, some in relation to sites C and D were omitted and therefore the solicitors for Starford have requested release of these covenants. Terms for this have been agreed.</p>

**ODR No.: TO BE COMPLETED BY DST**

The Starford land and the Council's adjoining land is shown on the attached plan.

Type of Decision: Non Key

Nature of Delegation Being Exercised: Committee Delegated Authority

The Director of Regeneration and Neighbourhoods has delegated powers for a variety of transactions within a prescribed threshold which is currently £30,000 in capital value and £12,000 in rental value. The powers are to approve land and property disposals, leases, lettings, licences, wayleaves, easements, undertaking and concluding rent reviews, lease renewals and the release and amendments of restrictions, covenants and other land and property matters within the prescribed thresholds as approved by the Council.

Delegated Powers Authority was approved at Finance & Policy Committee on 18 July 2012

Alternative Options Considered & Rejected:

Request for payment of a substantial premium – rejected in the circumstances.

Any Declared Register of Interest

No

**OFFICER WITH THE DELEGATION**

Tim Wynn, Strategic Asset Manager

NAME:  .....

POSITION: *STRATEGIC ASSET MANAGER* .....

**ODR No.: TO BE COMPLETED BY DST**



