

## **WARWICK DISTRICT COUNCIL**

**TO: HOUSING COMMITTEE - 25th JANUARY 2000**  
**SUBJECT: LAND ADJACENT TO 239 BRUNSWICK STREET, LEAMINGTON SPA.**  
**FROM: PROPERTY SERVICES.**

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**1. PURPOSE OF REPORT**

1.1 To inform the Committee of sale of housing land adjacent to 239, Brunswick Street, Leamington Spa.

**2. BACKGROUND/INTRODUCTION**

2.1 239, Brunswick Street was purchased as a right to buy in 1987 and ten years later, the owners erected a garage and driveway to the side of their house incorporating the land hatched on the plan 1. This appears to have been an innocent mistake by the owners who believed the land was within their ownership.

2.3 Subsequently, the owners of the dwelling were trying to sell the property but were informed by the solicitors of the potential purchasers that the land was not within the demise of the deeds and that it was still registered as public open space by the Land Registry. As a result, two potential sales have fallen through.

**3. CURRENT SITUATION.**

3.1 Towards the end of 1999, I was approached by the solicitors and owners of 239, Brunswick Street, seeking information on how this matter could be resolved as there was another potential purchaser interested in the property.

3.2 Following negotiations with the owners of 239 Brunswick Street, it was agreed that the sale of the land take place in return for £2,000, subject to Committee approval. For the sale of 239 to take place, however, Committee approval was required and there was the risk that the sale would fall through if a delay ensued. The Head of Property Services therefore approved to the sale following consultation with this Committee's Group spokespersons, subject to the price stated above.

**4. RECOMMENDATION.**

The Committee is asked to note this report.

**Chris Makasis**  
**Estates Surveyor**

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**BACKGROUND PAPERS: NIL**

Contact Officer Chris Makasis - Estates Surveyor Tel No: (01926) 456040  
Areas in district affected: Brunswick Ward

