

REPORT FROM: HOUSING, HEALTH AND ECONOMIC DEVELOPMENT
SERVICES MANAGER

TO: EXECUTIVE

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Report Author: Julie Palmer
Tel. No: 01282 661039
E-mail: julie.palmer@pendle.gov.uk

BRIERFIELD MILL ADJOINING SITES

PURPOSE OF REPORT

The purpose of this report is to seek the Executive's approval to the arrangements for the demolition of buildings/structures on two sites (Order Lands) adjoining Brierfield Mill shown on the Plans in Appendix 1 to this report, acquired as part of two Compulsory Purchase Orders (CPO) being promoted by the Council and to agree the transfer of the Order Lands to Pendle Enterprise and Regeneration (Brierfield Mill) Ltd, (Pearl (Brierfield Mill)) following the CPO vesting process.

RECOMMENDATIONS

It is hereby recommended that the Executive pass the following resolution:

- (1) Agree to the demolition of the Railway Tavern and buildings /structures on Order Lands, as defined in the report.
- (2) Agree to waive the Contract Procedure Rules to enable the contract for clearance works of Council owned buildings on the Order Lands to be awarded to Pearl (Brierfield Mill).
- (3) Agree to the transfer of the Council's freehold of the Order Lands, to Pearl (Brierfield Mill) on completion of the CPO vesting process at a value to be agreed under delegated powers to the Corporate Director, taking into account an independent valuation report by Liberata and the financial appraisal of the scheme.

REASON FOR RECOMMENDATIONS

To seek approval from the Executive on specific matters that supports the Northlight project at Brierfield Mill.

ISSUE

1. Following Executive approval at its March meeting, two CPO's were made on 26 May 2016 relating to Order Lands, in order to facilitate the comprehensive development of the Brierfield Mill Masterplan Site. These were: The Borough of Pendle (Clitheroe Road/Glen Way, Brierfield) 2016 and The Borough of Pendle (Glen Way, Brierfield) Compulsory Purchase Order 2016.
2. The promotion of the CPOs is following a strict statutory legal process, which has involved public notice and submission to the Secretary of State for confirmation. In the meantime, negotiations are ongoing with the interested parties to acquire their interests in the Order Lands, through voluntary agreement.
3. One of the buildings, (i.e. The Railway Tavern) within The Borough of Pendle (Clitheroe Road/Glen Way, Brierfield) Compulsory Purchase Order 2016 was purchased by the Council by voluntary agreement in June 2016.
4. The Railway Tavern and the other sites are planned for clearance and redevelopment, in accordance with recent planning consents and the Brierfield Mill Revised Masterplan. Arrangements need to be put in place for the buildings/structures to be demolished once they are successfully acquired through voluntary agreement or the CPO vesting process by the Council. The Executive's authority to demolish the public house and other buildings/structures once they are in Council ownership is therefore now sought.
5. Given that Pearl (Brierfield Mill) through a contract with Barnfield Construction are currently undertaking strip out/demolition work at the Mill site, it would be beneficial to award it the contract for the demolition work of the Railway Tavern. The cost for this will be assessed by external consultants to ensure it provides value for money and to award on this basis would avoid further delays in terms of procurement and the introduction of another external party in to this arrangement. The Executive is asked to waive Contract Procedure Rules (a requirement for tenders) and agree that the contract for clearance works for Council owned buildings/structures on the Order Lands be awarded to Pearl (Brierfield Mill).
6. The CPOs are being promoted on the basis that the Order Lands are to be redeveloped by Pearl (Brierfield Mill) as part of its comprehensive development and regeneration plans for the mill site, as set out in their Revised Masterplan and as encapsulated in various planning consents. Upon successful completion of the CPO vesting process, the Council's freehold interest in the Order Lands is to be transferred to Pearl (Brierfield Mill). Authority is therefore being sought to transfer the Order Lands (after the vesting process) at a value to be agreed under delegated powers to the Corporate Director, taking into account an independent valuation report by Liberata and the financial appraisal of the scheme.

IMPLICATIONS

Policy: The proposals are in accordance with the current regeneration, economic growth, and planning policies.

Financial: The financial risk to the Council will be controlled through existing policy and procedures. Provision has been made in the Council's approved Capital programme 2016/17 for Brierfield Mill of £1.56m, which includes the cost of demolishing buildings/ structures once they are in the Council's ownership.

Legal: The CPOs are being managed and processed in accordance with Compulsory Purchase legislation.

Risk Management: Risk management would be controlled through the Council's existing procedures.

Health and Safety: All health and safety requirements will be observed through out.

Sustainability: None

Community Safety: None

Equality and Diversity: None

APPENDICES

Appendix 1 – Plans of the Compulsory Purchase Order Lands

LIST OF BACKGROUND PAPERS

Report to Executive: 18th September 2014 - Acquisition of land adjoining Brierfield Mills ('Northlight')

Report to Executive: 17th March 2016: The Borough of Pendle (Clitheroe Road / Glenway, Brierfield) CPO 2016

Report to Executive: 17th March 2016: The Borough of Pendle (Glen Way, Brierfield) CPO 2016