



REPORT FROM: Neighbourhood Services Manager

TO: Barrowford and Western Parishes Committee

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Old Corn Mill, Gisburn Road, Higherford

PURPOSE OF REPORT

To update Members on the options for dealing with unsightly vehicles adjacent to the highway at Higherford.

RECOMMENDATION

That action leading to the removal of unsightly vehicles on land at the front of the Old Corn Mill, Gisburn Road in Higherford is escalated and that authority is given to issue a Community Protection Warning and serve a Community Protection Notice should negotiations with the owner fail.

REASON FOR RECOMMENDATION

To enable officers to be able to negotiate or force the removal of unsightly vehicles on land at the front of the Old Corn Mill, Gisburn Road in Higherford.

ISSUE

The Old Corn Mill is a building of significant historical and architectural interest in Higherford. Over a period of months the owner has allowed vehicles which are unsightly and likely to be unroadworthy to be parked on the land at the front of the building. The land is on the main Gisburn Road passing through Higherford. The condition of the vehicles and their position detracts from the significance the building would otherwise attract. The vehicles also overhang the walkway along the front of the building. Photos of the vehicles and their positioning are attached in Appendix 1.

The building owner has been approached regarding several issues concerning the building over a number of years. The owner has consistently refused to remove the vehicles. It is understood that the office of the Pendle MP, Andrew Stephenson, has reached an agreement with the owner for the removal of the caravan. This Committee has agreed to fund the cost of disposal however the office of the MP has still not received written confirmation of the owner's authority to proceed.

The County Council advises the footpath is not adopted making the obstruction of it unenforceable.

The Anti-Social Behaviour, Crime and Policing Act 2014 introduced powers encouraging this Council to act where circumstances are detrimental to the quality of life of the community; are continuing and persistent in nature and are unreasonable. Continuing to allow vehicles of this nature to be parked on the land in front of the Old Corn Mill meets that test.

Officers will continue to try to negotiate with the owner, probably through the office of the MP, however in the event this fails the Committee may want to consider the use of a Community Protection Warning and, if needed, a Community Protection Notice and either prosecution or removal of the vehicles (which is permitted under the legislation).

IMPLICATIONS

Policy: None

Financial: There may be legal costs associated with an appeal to the magistrates' court on serving a Community Protection Notice. There would be a minimum cost of £50 per vehicle to remove the vehicles in default of the Notice.

Legal: Community Protection Notices were introduced in the Anti Social Behaviour, Crime and Policing Act 2014

Risk Management: None

Health and Safety: The vehicles obstruct the unadopted footpath in front of the land forcing users into the road in the face of on-coming traffic

Sustainability: None

Community Safety: The vehicles may be considered to be offensive to the general public

Equality and Diversity: None

