

REPORT FROM: Strategic Director

TO: Barrowford and Western Parishes Committee

DATE: 9th March 2017

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LAND ADJACENT TO PENDLESIDE, LOMESHAYE

PURPOSE OF REPORT

1. To seek comments from Barrowford Area Committee on the recommendation that the Executive approve the grant of a lease of land adjacent to Pendleside, Lomeshaye.

RECOMMENDATIONS

The Committee comment on the proposal:

- (1) That the land is declared surplus in order that it can be leased to the adjoining occupier for a term of 125 years (tenant to pay all costs).
- (2) That the loss of open space is advertised to facilitate the grant of the lease.

REASONS FOR RECOMMENDATIONS

- (1) To enable the provision of additional land in order to allow the adjoining occupier to expand on the site.
- (2) To comply with the public open space requirements of section 123 of the Local Government Act 1972 (as amended)

ISSUE

1. The Council owns an area of land at Lomeshaye Industrial Estate, most of which is leased to individual occupiers under the terms of 125 year leases. The leased area comprising Unit 4 Pendleside is well used and the occupying company is growing rapidly, currently employing 400 local staff, with plans to expand further in the future.

2. As a result of the previous expansion of the occupying business, the Council resolved in 2014 to grant a lease of land to the rear of Unit 4 Pendleside to enable a car parking area to be constructed in order to alleviate parking / traffic problems in the vicinity. This lease was granted at nil rental in consideration of the cost of development.
3. The occupier of Unit 4 has requested that adjacent land is leased for use as additional hard standing. This will also facilitate an extension to the present building on land which is within the currently leased area. The proposed development would secure the presence of the tenant company, considering the present rate of growth, on the site for at least five years.
4. Land located adjacent to Unit 4 is not currently included in any lease and forms the naturalised route of a brook and public footpath FP111, please see the plan attached at Appendix A which shows the land between the leased areas as shaded green and the proposed additional land as edged in red.
5. The construction of the additional hard standing and building extension would represent a substantial investment for the tenant business. The adjacent land is at a substantially lower elevation than the leased area and the proposal would entail alteration of the brook and footpath route.
6. The subject land is of negligible value, being naturalised in nature and in view of the investment required, it is proposed that a lease at nil rental to the adjacent tenant would facilitate their continued presence on the site and further expansion of the business.
7. The applicant would be required to meet the Council's reasonable legal and surveyors costs and the Public Open Space advertising costs. They must also obtain any Planning Permission as well as all Permissions required in connection with the alteration of the brook and footpath routes as applicable.

IMPLICATIONS

Policy: None arising directly from the report

Financial: The financial implications for the Council are as outlined in paragraphs 6 and 7 above.

Legal: The land will have to be advertised as outlined in the report in accordance with Section 123. Any objections received have to be considered by the Executive. We advertised the adjacent land, now incorporated in Wellock's lease and there were no objections.

Risk Management: None arising directly from the report

Health and Safety: None arising directly from the report

Sustainability: None arising directly from the report

Community Safety: None arising directly from the report

Equality and Diversity: None arising directly from the report

APPENDICES

Appendix A – plan showing the land adjacent to Unit 4 Pendleside, Lomeshaye.

Appendix A



Description ADDITIONAL LAND ADJ. 4 PENDLESIDE, LOMESHAYE INDUSTRIAL ESTATE Area edged red approx. 0.14 ha.			Borough of Pendle Liberata Property Services No. 1 Market Street, Nelson BB9 7LJ Tel: 01282 878787 Fax: 01282 878993
Scale	Drawing No.		
Drawn By	Date	CAD Reference	
1:1000	LOM/WEL/3		
L.G.	FEB. 2017		