

**REPORT FROM: NEIGHBOURHOOD SERVICES MANAGER**

**TO: COLNE AND DISTRICT COMMITTEE**

**DATE: 9 NOVEMBER 2017**

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## **SKIPTON ROAD ROUNDABOUT, COLNE**

### **PURPOSE OF REPORT**

To inform members on the situation regarding land at Skipton Road roundabout in Colne and consider options for improvement of the site and future maintenance.

### **RECOMMENDATION**

(1) That members consider the proposals outlined in paragraph 25.

### **REASON FOR RECOMMENDATION**

(1) To ensure the land at Skipton Road roundabout is properly and efficiently maintained in the future.

### **BACKGROUND**

1. Minute 47 of the Colne and District Committee meeting on 6 July 2017 reads:

#### **“ENVIRONMENTAL BLIGHT**

The Neighbourhood Services Manager reported that there were no existing environmental blight sites in the area. Any new sites should be reported to Tricia Wilson (tricia.wilson@pendle.gov.uk) or Peter Atkinson (peter.atkinson@pendle.gov.uk).

Reference was made to the Skipton Road roundabout which had recently been subjected to fly tipping following improvements made to it via funding from the Horsfield Environmental Fund. This roundabout was in a prominent location and concerns were expressed that the County Council appeared reluctant to maintain the land within their ownership at this roundabout. There was uncertainty around ownership of the remaining land.”

2. In the Environmental Blight report on 5 October 2017 the following was noted:

Site	Owner	Issue	Area Committee Resolution	Current Position
a) Land off Skipton Road Roundabout	Part-LCC and part-unregistered	In March 2016 Horsfield ward councillors contacted Neighbourhood Services to establish what could be done about the land at Skipton Road roundabout as it looked untidy and yet was an important gateway into Colne	The site was cut back and tidied and it was agreed that Environmental Services would maintain the site under the County Highways Maintenance scheme	However, the unregistered part of the land is too steep for regular maintenance and so this has grown over with weeds again. There is a proposal to sow wildflower seeds on this section as it would only require one cut per annum and spot weed kill to keep tidy. However, there are issues with doing this on unregistered land that need to be looked into. See full report for more detail.

### **ISSUE**

3. In March 2016 Horsfield Ward councillors contacted Neighbourhood Services to establish what could be done about the land at Skipton Road roundabout.
4. The site was neglected and overgrown and there was a lot of fly tipping. The property owners adjacent to the site complained that it created a bad image for Colne as the roundabout was an important gateway into the town.
5. The site initially required cutting back, tidying up and tree pruning as well as removing litter and debris.
6. We established that most of the site belongs to Lancashire County Council (LCC) but the part in the worst condition was unregistered and had never been properly maintained (see plan at Appendix 1).
7. LCC has no funds for improvements (because it is not a road safety issue) but will allow Pendle to do the works.
8. Horsfield ward councillors agreed to pay for tidying up the site from the Horsfield Environmental Improvement Fund as long as it would be maintained in the future.
9. Neighbourhood Services discussed maintenance of the site with Environmental Services and they agreed to regularly maintain the site under the County Highways Maintenance scheme as long as it was left in a good enough condition for maintenance machinery.
10. Regular mowing of the grass started in April. However, Environmental Services pointed out that the unregistered section of land was too steep to get a mower onto and therefore this section of land would require further work before it could be regularly maintained.
11. Unique Clean, the contractors who did the initial tidying of the site, suggested we plant wildflowers on this banking as this would then only require one strim per year and minimal maintenance.
12. However, the site would have to be properly prepared with weed kill otherwise the existing brambles and weeds would take over again.

13. We received costings for this work from Unique Clean which came to £3,934.60, broken down as follows:
  - Strim the banking and clear of all litter and other foreign items – £518.40
  - Weed kill two to three times to make sure the weeds are dead – £336.00
  - Import soil to improve gradient of banking for maintenance – £1,291.20
  - Spread wildflower seed – £1,790
14. At the July meeting reference was made to the site being subject to fly-tipping following the improvements made and it was resolved that a report be submitted outlining options available to the Council with a view to ensuring future maintenance of the unregistered section of land.
15. We suggested the following options:
  - (a) Do nothing; the unregistered part of the land would become overgrown with brambles and weeds as it was in the past.
  - (b) Clear the site and weed kill this year; regrade the land and sow with grass seed next year so that the site could be regularly mown with the rest of the site.
  - (c) Clear the site and weed kill this year with some regrading of the land; sow with wildflowers with future maintenance of one cut per year and regular spot weed killing.
16. Our preferred option was (c).
17. However, also at the July meeting we ascertained that the following conditions would need to be met in order to go ahead with our preferred option:
  - (a) Although part of the land is unregistered, we would need to ascertain ownership and obtain permission to carry out work on the land.
  - (b) We would need to check that additional soiling would not overload North Valley culvert running through this area.
18. Legal Services has since advised that the Council has no right of entry to go on the unregistered land and carry out works as it could amount to trespass, especially if we intend to regrade the land.
19. In the past it had been suggested that a Section 215 notice under the Town and County Planning Act be served. This would be displayed on the land and the Council could then carry out the works in default and register a charge for the cost of the works on the Local Land Charges Register as this would be an authorised entry.
20. Following advice from our Structural Engineer about depositing additional soil onto the site to regrade it, we were advised that this would not be worth doing as it would require a lot of soil to make the site good enough. This means that Option 15(b) and part of Option 15(c) above are cost-prohibitive.
21. Since the last report, we have confirmed with our Environmental Services that they would take on the maintenance of the site if Unique Clean maintains the site for the first year to ensure that the wildflowers take, despite the site retaining its current steep gradient.
22. We would need to establish that Unique Clean is in agreement to continuing with maintenance for one year and to get a cost from them for this. Seeing as we would no longer

require additional soil for the site, this cost might be covered in this saving of £1,291.20 shown at paragraph 13 above.

23. Future maintenance should be minimal with one cut per year plus additional wildflower seed sowing plus spot weed kill during the growing season and litter picking.
24. Environmental Services recently reported that since they have been mowing and maintaining the rest of the site which is in LCC ownership, they have noticed that fly-tipping is the biggest problem on this site with people throwing rubbish out of car windows.
25. So we are now asking if members agree for us to serve a Section 215 notice through the Town and Country Planning Act to establish if there are any owners and if no owners come forward to:
  - (a) appoint Unique Clean to weed kill the site and sow wildflowers and maintain the site for one year;
  - (b) ask our Environmental Services to take on regular maintenance after one year once the wildflowers are established; and
  - (c) obtain firm costs and approval for the above.

## **IMPLICATIONS**

**Policy:** None arising from this report.

**Financial:** Funding would have to be allocated for any of the options if chosen.

**Legal:** Most of the land belongs to Lancashire County Council Highways with part unregistered and so the Council has no legal obligation to maintain the land.

**Risk Management:** The site has become safer to the public since the fencing has been repaired and fly-tipping removed.

**Health and Safety:** The unregistered land is very steep. Keeping maintenance to a minimum by planting wildflowers which only require one cut per annum will reduce the risk to the contractors carrying out maintenance.

**Climate Change:** None arising from this report.

**Community Safety:** The site is a safer place since it has been cleared of brambles and fly-tipping. A number of needles were also found on site. These were removed but contractors will need to be aware of this when doing further works to the site. The site is subject to fly-tipping with people throwing rubbish out of their car windows.

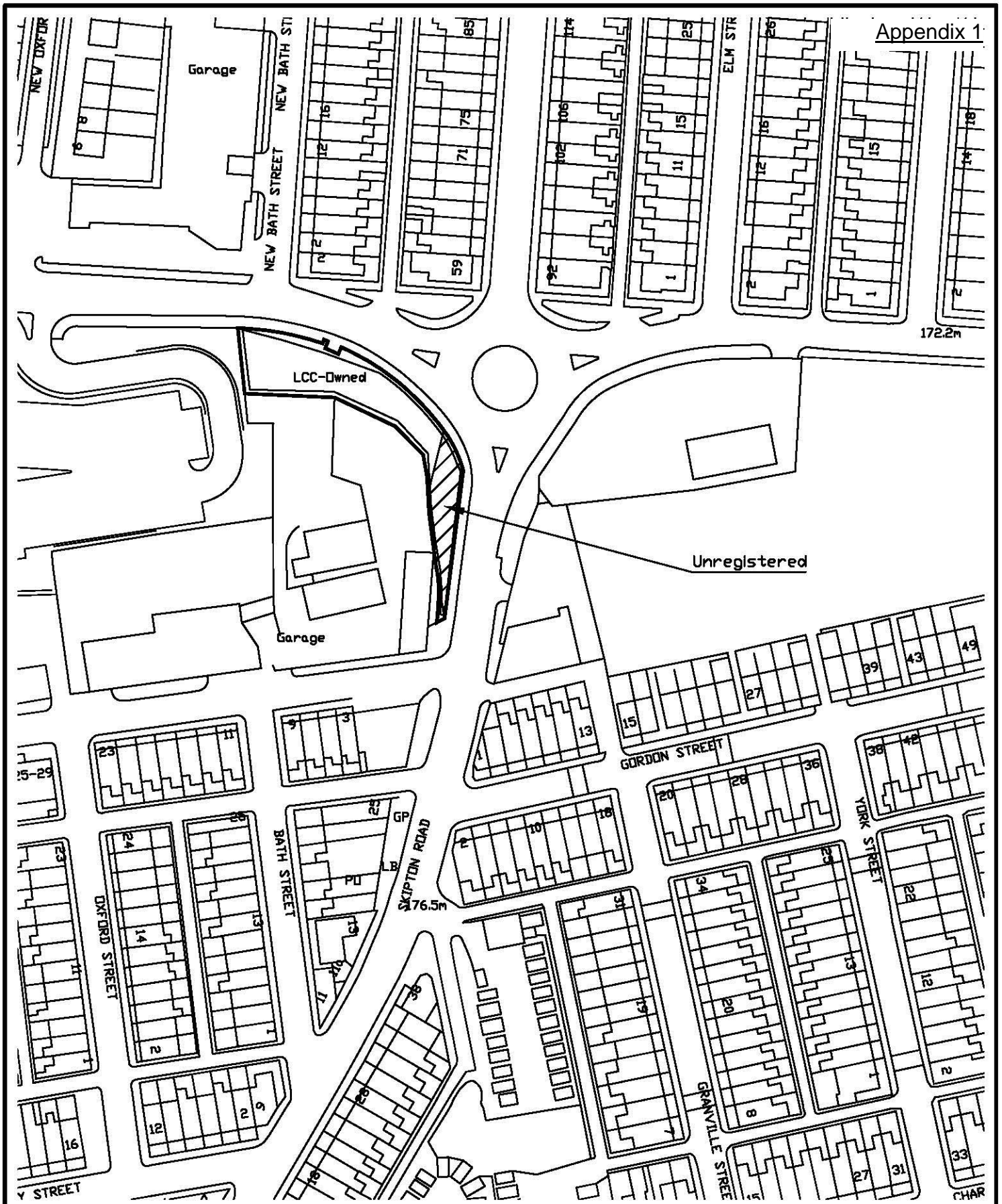
**Equality and Diversity:** None arising from this report.

## **APPENDICES**

Appendix 1: Location plan showing unregistered part of land.

## **LIST OF BACKGROUND PAPERS**

None.



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	<b>PROJECT</b> Skipton Road Roundabout, Colne	<b>DRAWN BY</b> MH	No.	Detail	Date
<b>DRAWING NO</b> /	<b>DESCRIPTION</b> Site Clearance	<b>DATE</b> 23 Aug 2017			