

**REPORT FROM:** Strategic Director

**TO:** Brierfield and Reedley Committee

**DATE:** 9<sup>th</sup> January, 2018

**Report Author:** Jen Rawsthorne

**Tel. No:** 01282 878934

**E-mail:** Jennifer.rawsthorne@liberata.com

## **LAND AT CHURCHILL WAY, LOMESHAYE**

### **PURPOSE OF REPORT**

Following recent works by Lancashire County Council to improve the highway by installing a cycle way, the report is to request that land adjacent to Perrys Peugeot, Churchill Way, Lomeshaye is declared surplus in order that it can be dedicated to Lancashire County Council as a Public Highway.

### **RECOMMENDATIONS**

That this Committee recommends the Executive to declare the land identified on the plan at Appendix I as surplus to requirements in order to release the land for future use as part of the Public Highway.

### **REASONS FOR RECOMMENDATIONS**

- (1) In order that the land can be released.
- (2) In order that the land can be dedicated as a Public Highway.

### **ISSUE**

Lancashire County Council has recently carried out improvement works to the Highway in the vicinity of Junction 12 of the M65. The works were carried out as a part of the Burnley – Pendle Growth Corridor works and involved the instatement of a cycle way on Churchill Way.

One section of the cycle way has been created alongside Churchill Way opposite the junction with Kenyon Road: The subject land is shown coloured pink and blue on the plan at Appendix I.

The creation of this section involved the use of part of the grassed landscaping surrounding Perrys Peugeot dealership. Part of the grassed area was excavated and a supporting structure (on land coloured blue on the plan at Appendix I) was constructed before the cycle way (on land coloured pink on the plan at Appendix I) was instated.

The subject land is owned Freehold by Borough of Pendle and is leased for a term of 125 years to Perrys Peugeot at nil rental. Perrys Peugeot is in agreement with the recommendation to dedicate the land as Public Highway.

The dedication as Public Highway will allow the subject land to be designated as part of the existing Public Highway of Churchill Way and for the highway and retaining structure to be maintained accordingly in the future by Lancashire County Council as Highways Authority.

Lancashire County Council will bear the Council's reasonable legal fees incurred.

## **IMPLICATIONS**

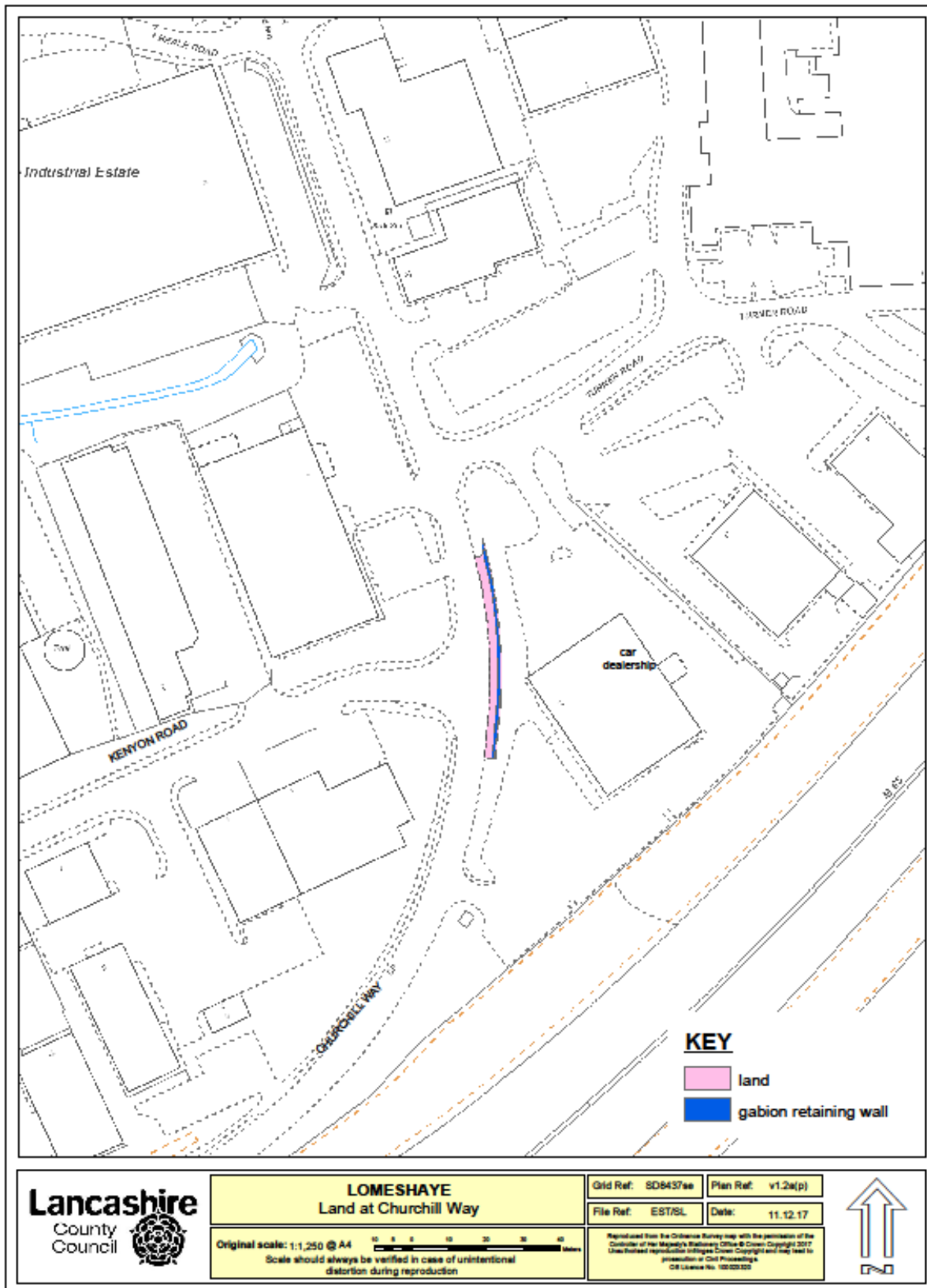
<b>Policy:</b>	None directly arising from this report
<b>Financial:</b>	None directly arising from this report
<b>Legal:</b>	None directly arising from this report
<b>Risk Management:</b>	The dedication of the land will confer future maintenance obligations on to Lancashire County Council.
<b>Health and Safety:</b>	None directly arising from this report
<b>Sustainability:</b>	Meets the Council's policy of increasing cycling participation within the Borough.
<b>Community Safety:</b>	None directly arising from this report
<b>Equality and Diversity:</b>	None directly arising from this report

# APPENDICES

## Appendix I – Subject land at Churchill Way (not to scale)

Land coloured Blue – retaining structure

Land coloured pick – cycle way



## LIST OF BACKGROUND PAPERS

None