

REPORT FROM: Chief Executive
TO: Policy & Resources Committee
DATE: 28th August 2018

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Land adjacent to Pendleside, Lomeshaye

PURPOSE OF REPORT

1. To seek approval to the grant of a lease of additional land adjacent to Pendleside, Lomeshaye

RECOMMENDATIONS

- (1) That the additional land is declared surplus in order that it can be leased to the adjacent 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 to allow the adjoining occupier to create a permanent access from Churchill Way.
- (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, with plans to expand further in the future.
2. The Executive Committee resolved on 16th March 2017 to declare the land edged with a thick black line on the plan at Appendix A surplus, and to advertise the loss of Public Open Space. Subsequently a lease of this land has been offered to the occupier of 4 Pendleside to facilitate their expansion on the site.

3. The hard standing and building extension proposed on the land released in March 2017 will represent a substantial investment for the occupying company. Planning permission has now been granted for the required works and applications for the footpath and stream diversions are in progress.
4. In order for the occupying company to fully benefit from the investment, it is proposed that an additional permanent access is put in place. This would enable traffic to access 4 Pendleside from Churchill Way via the additional land shown hatched on the plan at Appendix A.
5. The matter has not been referred to Area Committee due to the timescales involved and the requirement for early approval to the proposal to enable the matter to progress.
6. The subject land is of negligible value, being naturalised in nature, and in view of the investment required it is proposed that the lease at nil rental, referred to at point 2 above, is granted to include the additional land.
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 full Planning Permission as well as all Permissions required in connection with the alteration of the watercourse, footpath and Highways as applicable

IMPLICATIONS

Policy: None arising directly from the report

Financial: None arising directly from the report

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

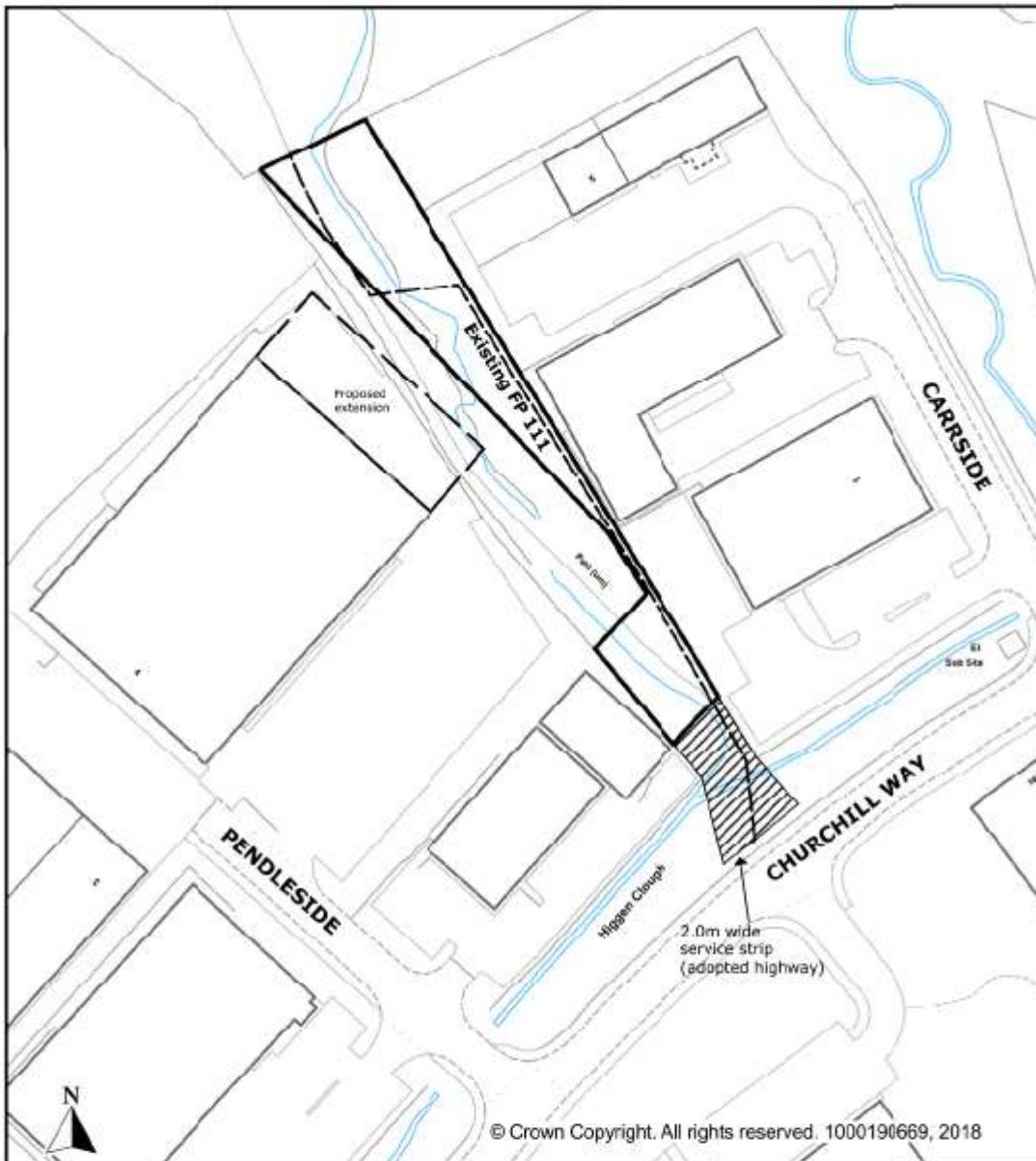
APPENDICES


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

LIST OF BACKGROUND PAPERS

Report to the Executive Committee dated 16th March 2017 – Land adjacent to 4 Pendleside, Lomeshaye

Appendix A – Plan (not to scale)



<p>Description</p> <p>ADDITIONAL LAND ADJ. 4 PENDLESIDE, LOMESHAYE INDUSTRIAL ESTATE</p> <p>Area edged black approx. 0.14 ha. Area hatched black approx. 0.03 ha.</p>			<p>Borough of</p>  <p>Pendle</p> <p>Liberata</p> <p>Property Services</p> <p>No. 1 Market Street, Nelson BB9 7LJ Tel: 01282 678787 Fax: 01282 878993</p>
<p>Scale 1:1000</p>		<p>Drawing No. LOM/WEL/3</p>	
<p>Drawn By L.G.</p>	<p>Date AUG. 2018</p>	<p>CAD Reference</p>	