

REPORT FROM: CHIEF EXECUTIVE

TO: POLICY AND RESOURCES COMMITTEE

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LAND AT BAILEY STREET, EARBY

PURPOSE OF REPORT

To consider objections made in response to statutory notice of the Council's intention to dispose of this open space land.

RECOMMENDATION

That the objections be noted and the decision to sell the land for residential development be reaffirmed.

REASON FOR RECOMMENDATION

The main objections to the open space notice are in relation to deficit of open space in Earby, but the Council's new open space audit which is due to be published shortly concludes that there is a surplus of amenity greenspace in Earby. There are also other objections, but these would be dealt with in the planning application process.

ISSUE

1. The Executive resolved on 24th August 2017 that a meeting be held with West Craven Committee to discuss possible disposal of the land at Bailey Street for development. On 3rd October 2017 it was resolved by West Craven Committee that the Executive be requested to reconsider the disposal. The Executive resolved on 14th December 2017 that the land be declared surplus to requirements and it be disposed of to support the Council's growth objectives.
2. It was reported to the Policy and Resources Committee on 24th July 2018 by the Housing, Health and Economic Development Manager that the site was being considered for development by the PEARL Together Joint Venture, and a further report was submitted setting out the development Programme for the PEARL Joint Venture companies for 2018/19. Within the report it stated that over the coming year that PEARL Together would agree the housing mix, carry out a financial appraisal and submit a planning application for this site.

3. PEARL Together have subsequently drawn up a scheme and commissioned a range of studies to allow for a planning application to be submitted. This was programmed to form the first scheme that would be delivered through the new Joint Venture. The site is also included in the list of Surplus Assets Held for Sale in the Land & Property Asset Management Strategy which was approved by Policy & Resources Committee on 28th May 2019.
4. S.123 (2A) of the Local Government Act 1972 requires the Council to give notice of its intention to dispose of land considered to be open space in the local press for two consecutive weeks with the intended use set out and to consider any objections made. It was notified in the local press on 10th and 17th May 2019 with the deadline for objections being 31st May 2019. Nine objections were submitted and these are set out in the Appendix.
5. Members will see that the objections relate to a deficit of open space, and also drainage, flooding and the loss of a public footpath.
6. The existing open space audit has identified Earby as having a lack of amenity greenspace, but the Council's new open space audit which was approved by the Policy and Resources Committee on 28th May 2019 concludes that there is a surplus of amenity greenspace in Earby. The objections on other grounds would be dealt with in the planning application process.

IMPLICATIONS

Policy: The Council seeks to identify surplus property for inclusion in its disposal programme in order to achieve capital receipts

Financial: A sale of the land for development would result in a capital receipt for the Council and there will be no further liabilities.

Legal: No legal implications are considered to arise directly from this report.

Risk Management: On disposal of the property the risks and liabilities will cease for the Council

Health and Safety: See Risk Management

Sustainability: No implications are considered to arise directly from this report

Community Safety: Disposal of the land will reduce all risks.

Equality and Diversity: No implications are considered to arise directly from this report

APPENDICES

Location plan
Objections received.

LIST OF BACKGROUND PAPERS

None