

REPORT FROM: CHIEF EXECUTIVE

TO: POLICY AND RESOURCES COMMITTEE

DATE: 26th NOVEMBER, 2020

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LAND ADJACENT TO 4 PENDLESIDE, LOMESHAYE INDUSTRIAL ESTATE

PURPOSE OF REPORT

To seek approval to the grant of a lease of additional land adjacent to 4 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 the rear to allow the occupier of 4 Pendleside to create an additional parking area.
- (2) To regularise the registered title by including a small area of land adjacent to the entrance of 4 Pendleside in the lease.
- (3) To comply with the public open space requirements of section 123 of the Local Government Act 1972 (as amended).

ISSUE

1. The Council owns land at Lomeshaye Industrial Estate, most of which is leased and occupied by individual companies 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 has previously resolved on 16th March 2017 to declare land edged in black on the plan at Appendix A surplus. In addition, Policy and Resources Committee resolved on 28th August 2018 to declare land hatched in black on the plan at Appendix A surplus.

3. Subsequently the loss of Public Open Space was advertised with no objections and a lease of both areas of land was offered to the occupier of 4 Pendleside at nil rental to facilitate their expansion on the site. However the costs of development were found to be prohibitively high and this is not now progressing.
4. As an alternative means of increasing the usability of 4 Pendleside and reducing the number of vehicles parking on adjacent highways, the occupier has instead now proposed to create a further parking area to the rear of the Unit on land owned by the Council. Please see this land identified by a thick black line on the plan at Appendix B.
5. The subject land is of negligible value, being sloped and naturalised in nature, and in view of the investment required to develop the car park, it is proposed that a lease at nil rental is granted to facilitate the development.
6. In addition, during the course of discussions it has become apparent that the entrance of 4 Pendleside was originally proposed to be in a slightly different location, therefore a small area of land is in the occupation of 4 Pendleside, but lies outside the lease. Please see this land identified by black hatching on the plan at Appendix B. It is proposed to regularise this situation to ensure that the lease correctly reflects the occupation on site.
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 and any other permissions 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 land previously declared surplus

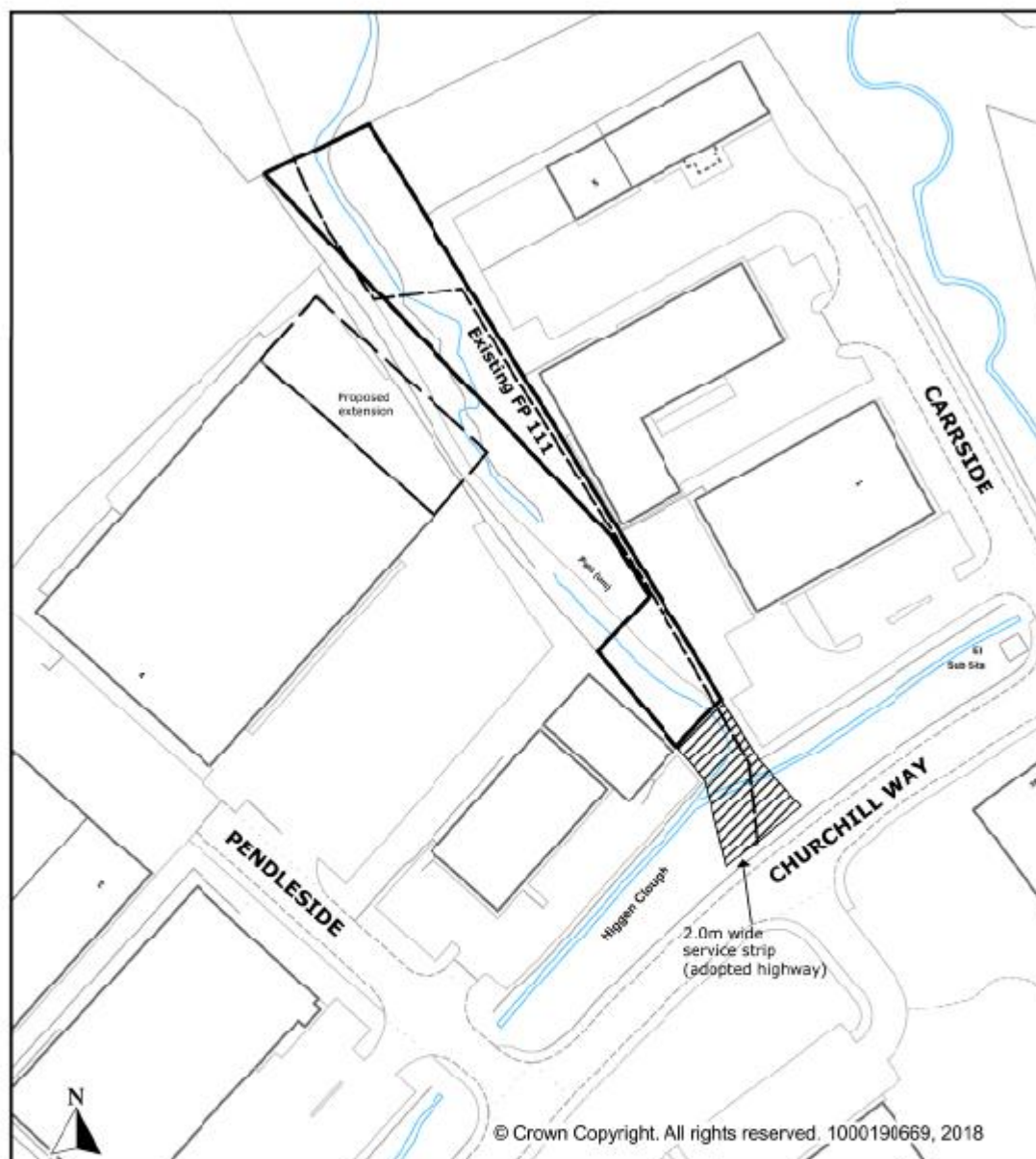
Appendix B – Plan showing the two areas under consideration in this report



LIST OF BACKGROUND PAPERS

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

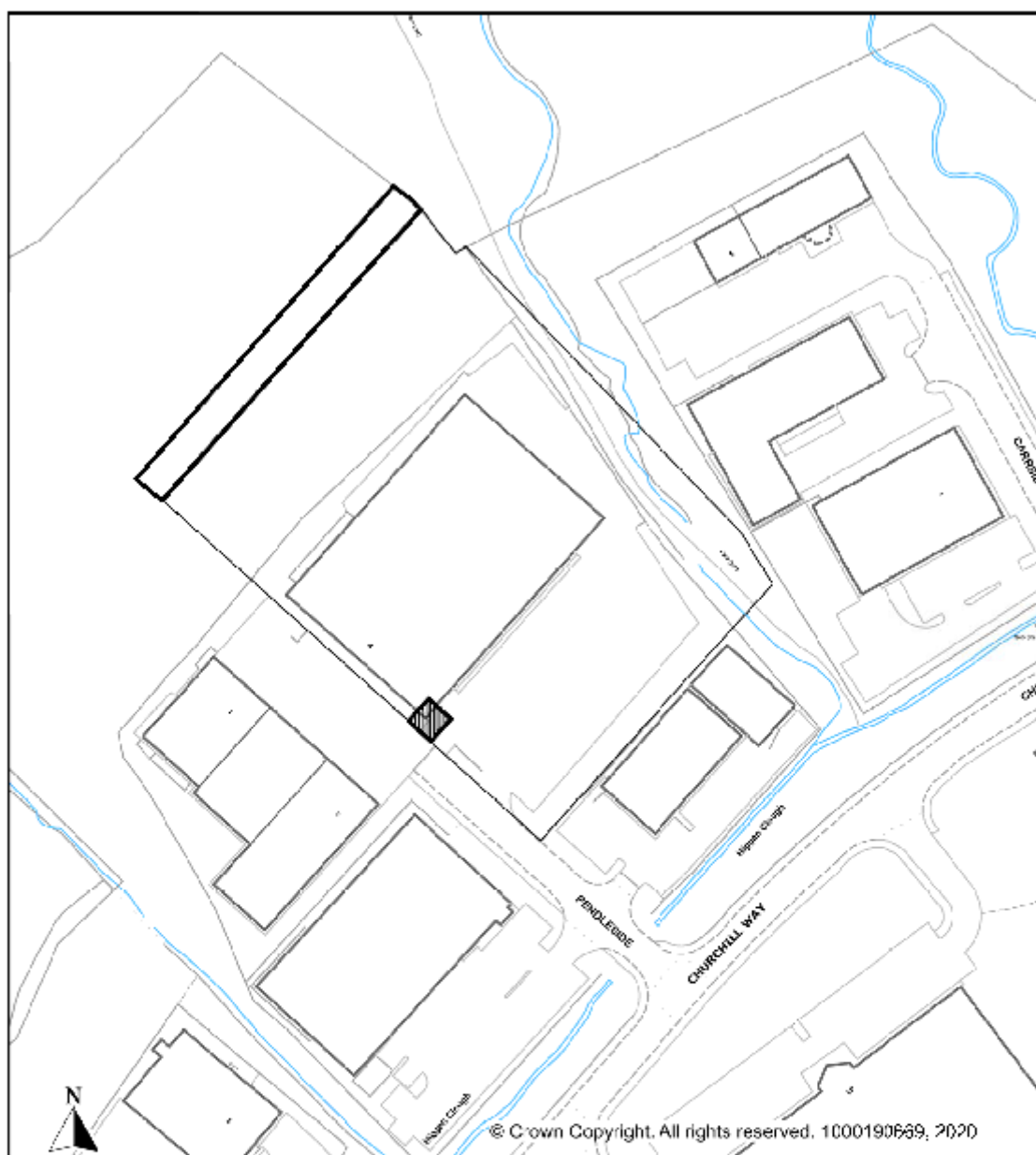
Report to the Policy and Resources Committee dated 28th August 2018 – Land adjacent to 4 Pendleside, Lomeshaye

Appendix A – Plan showing land previously declared surplus (not to scale)



Description			 Borough of Pendle Liberata  Property Services No. 1 Market Street, Nelson BB9 7LJ Tel: 01282 878787 Fax: 01282 878993
ADDITIONAL LAND ADJ. 4 PENDLESIDE, LOMESHAYE INDUSTRIAL ESTATE Area edged black approx. 0.14 ha. Area hatched black approx. 0.03 ha.			
Scale 1:1000		Drawing No. LOM/WEL/3	
Drawn By L.G.	Date AUG. 2018	CAD Reference	

Appendix B – Plan showing the two areas under consideration in this report (not to scale)



Description

**LAND ADJOINING 4 PENDLESIDE,
LOMESHAYE INDUSTRIAL ESTATE, NELSON**

Scale 1:1250

Drawing No.
NE/PS/A2

Drawn By
..G. Date
NOV 2020

CAD Reference

Borough of
Pendle
Liberata

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