

**REPORT FROM:** CHIEF EXECUTIVE

**TO:** POLICY AND RESOURCES COMMITTEE

**DATE:** 15<sup>th</sup> JULY, 2021

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**LAND AT OAKLAND STREET, NELSON  
(OPPOSITE ST. PHILIP'S C.E. PRIMARY SCHOOL)**

**PURPOSE OF REPORT**

The report is presented in order to give background information regarding a site which St Philip's has been looking at and working on a 'building project'. The report seeks to obtain the Council's support in principle or otherwise to the proposal, if supported then further detailed discussions will take place and reported to Committee for a decision.

**RECOMMENDATIONS**

That Committee consider the issues involved in the request from St. Philip's and if the proposal is supported by the Council that further discussions take place in order to try resolve issues and find solutions to bring the project forward.

If supported the discussions may bring about agreement that is acceptable to all parties, however it should be noted that the practicalities of the proposal may mean that agreement cannot be reached which may result in the project not progressing.

It is intended to report the result of the discussions to a future Committee to seek instructions/approval.

**REASONS FOR RECOMMENDATION**

That discussions are opened regarding the details of the building project. If negotiations and terms are acceptable to the Council and also subject to agreement by Pendle Leisure Trust surrendering the area in question an Agreement is drawn up for the use of the site by the school. This will be reported to Committee to seek approval.

**BACKGROUND**

The site in question forms part of the area Leased to Pendle Leisure Trust under a 28 year lease from 01/10/2000. (See plan attached – site identified hatched entrance from Oakland Street). The Council has been contacted by the Chair of Governors seeking support for a Transfer of the site to Blackburn Diocese for the St. Philip's C.E. Primary School building project.

**ISSUE**

- Currently the site is within the Lease to PLT and would require their agreement to a variation of the demised area.
- PLT currently store Trade Waste Bins on the area. It is also use by school buses as the drop off for swimming lessons – barrier entry from Oakland Street.  
(This may require a shared access and retention of part of the site for PLT).
- The site is included in the Nelson Town Deal Plan for an extension to Wavelengths with a proposal for a new building.
- There is currently an issue with the retaining wall on the Northerly boundary rear of 62 – 72 Leeds Road. (Estimated repair £30 -£40K)
- The request refers to a Transfer, but would a Lease for example 30 years be more appropriate.
- Land value and Fees
- Planning Permission associated with the proposed Building project use may be required.
- Any part of the site Transferred or Leased to the Diocese/school would become subject to Education Act Legislation.

## **IMPLICATIONS**

**Policy:** No policy implications

**Financial:** Any change to the existing use by PLT may result in a small rental or Capital Receipt.

**Legal:** If a scheme progresses then Title documentation and Legal Services would be required.

**Risk Management:** N/a

**Health and Safety:** Action required for repair to the retaining Wall.

**Climate Change:** N/a

**Community Safety:** N/a

**Equality and Diversity:** N/a

## **APPENDICES**

**Appendix 1** - Plan showing site within Leased area to PLT.

## **LIST OF BACKGROUND PAPERS**