

**REPORT FROM:** DIRECTOR OF PLACE  
**TO:** COLNE AND DISTRICT COMMITTEE  
**DATE:** 11<sup>TH</sup> MAY 2023

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## **LAND AT GREENFIELD ROAD, COLNE**

### **PURPOSE OF REPORT**

To recommend that this Committee request the Executive to agree to grant an easement over the land shown edged black on the plan.

### **RECOMMENDATIONS**

That this Committee recommends the Executive to agree to grant an easement to allow an adjoining owner to construct an underground drain and that the Chief Executive be authorised to agree the amount of premium.

### **REASONS FOR RECOMMENDATION**

The grant of an easement would result in the Council receiving a premium from the benefit to the owner.

### **BACKGROUND**

1. The land is located outside of Colne next to Greenfield Road Nature Reserve and is subject to a 364 day grazing licence from 1<sup>st</sup> April 2023 at a rent of £218. A new house is being constructed on the privately owned land shown hatched on the plan, and its owners were granted an easement in December 2022 to allow them to construct an underground drain across the Council owned roadway to the Western boundary to connect to a private drain.
2. It is no longer feasible for the owners to connect to drainage through the existing easement due to issues with the private drain, and a drain is required to complete construction of the house. The owners have requested permission to construct an underground drain from the property via a water treatment tank on their land and across the subject land to Colne water as shown on the plan. An easement is required for this purpose which would also be subject to the owner obtaining consent from the Environment Agency and there may be a requirement for other statutory consents.

## ISSUES

3. The land produces a rental income for the Council, but the grant of an easement for drainage would not affect the grazing tenancy and it would result in a premium being received by the Council. An easement would affect any redevelopment plans which the Council may have for the land in the future, but it is unlikely it could be developed as the land and the adjoining areas are designated Open Countryside and the only vehicle access is from a single track road.

## IMPLICATIONS

**Policy:** No policy implications are considered to arise from this report.

**Financial:** The grant of an easement would result in the Council receiving a premium which is estimated to in the region of £4,000.

**Legal:** An easement would grant the adjoining owners a right to enter on to the Councils land on prior notification to construct the drain and to carry out any future maintenance, and there would be a requirement for them to reinstate following any works.

**Risk Management:** No risk management implications are considered to arise directly from this report.

**Health and Safety:** No implications are considered to arise directly from this report.

**Climate Change:** No implications are considered to arise directly from this report

**Community Safety:** No implications are considered to arise directly from this report.

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

## APPENDICES

Location plan

## LIST OF BACKGROUND PAPERS

None