

REPORT FROM: DIRECTOR OF PLACE
TO: COLNE AND DISTRICT COMMITTEE
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LAND AND GARAGE SITE AT ESSEX STREET/COLNE LANE, COLNE

PURPOSE OF REPORT

To respond to Members' concerns over site safety and the potential for the transfer of the above land to a residents' group to develop the land as a "pocket park".

RECOMMENDATION

That Members note the content of this report and estimates for clearance, and that a further report will be brought to this Committee in relation to a potential transfer of the land for community benefit.

REASON FOR RECOMMENDATION

To inform Members of works undertaken to secure and clear the site and to enable discussions to be held with a resident's group to develop proposals for use as a "pocket park".

BACKGROUND

1. The above grassed, sloping site operated for many years as a Council let garage colony, providing off-street, undercover parking, generating income for the Borough Council. The area shown on the attached plan comprises 0.24 acres of land and is designated as Public Open Space. The six garages present are of reinforced concrete panel construction with up and over doors. The roof panels are profiled cement sheets, which may contain asbestos due to the age of construction. Testing for presence of asbestos has been commissioned. The garage site suffered to some extent from flooding.
2. The Executive, at its meeting held 23rd October 2014, resolved to declare the land surplus to requirements, agreeing to a recommendation from Members of the Colne and District Committee. At its meeting held 14th December 2019, it resolved to dispose of the site to Together Housing for residential development, on terms delegated to the then CEO.
3. Terms were agreed and planning consent was granted on the 14th January 2019 for the erection of 15 housing units. A report to the Policy and Resources Committee on the 22nd

January 2019 updated Members as to the disposal, but was subsequently “called in” following the receipt of a request from local residents’ to develop the site as a “pocket park”.

4. On the 8th March 2019, the Policy and Resources Committee reaffirmed its decision to dispose of the land for residential development, however on the 28th May 2019 the Policy and Resources Committee resolved to remove the site from the disposal’s register and not to proceed with proposals to develop the site for housing use.
5. A further report was requested in relation to the potential for use as a “pocket park” and in December 2019 the then Green Spaces Manager met with Councillor Greaves to assist him and residents with the park proposals. After this date nothing further can be found with regards to moving the matter forward. This may have been as a result of the impact of Covid-19.

ISSUE

6. Members of Colne and District Committee held 8th June, 2023 requested an urgent inspection of the garages, following concerns over reports of children climbing on the roofs of the garages and asked for a “report to be provided on proposed actions to make it safe and to develop the area and, in the meantime, an Essex Street residents’ group consider how the existing Essex Street local green space and the garage space could be used for the benefit of the community in the future”.
7. Inspections of the site were carried out by Liberata’s Senior Surveyor and Pendle’s Building Control Manager who noted damage to two garage doors with debris being thrown on to the roof panels. The roof materials are still intact, and tests have been commissioned to ascertain if asbestos is present. The garage doors have been secured and signs are being attached to the garages warning of the dangers of climbing onto fragile roofing. To secure the garage block with Heras fencing will cost the Council £1,345 (plus VAT). A budget has been identified to cover this cost.
8. Estimates have been sought as to the cost of demolition as follows:
 - Demolition with concrete slabs left in situ (assuming asbestos in roof sheeting) – £8,765 (plus VAT) - inclusive of Heras fencing for the duration of the works.
 - Demolition of garage structure/grub up concrete slabs, import top soil, re-grade into existing banking and grass seed - £14,415 (plus VAT) - again assuming the presence of asbestos in roof sheeting and inclusive of Heras fencing for the duration of the works.
9. The Green Spaces Manager has been asked to contact the Essex Street residents’ group to to re-open discussions as to how the space can be developed for the benefit of the community in the future and to offer assistance if required.
10. As a budget for the demolition has yet to be identified and as discussions have not yet taken place with the residents’ group, it would appear prudent to await the outcome of these discussions before demolition so that if the “pocket park” proposal does not take place for any reason the Council could consider bringing the garage site back into beneficial use.
11. A further report will be brought to this Committee following discussions with the residents’.

IMPLICATIONS

Policy: The Council holds land for operational use and disposes of land it declares surplus. The Council engages with community groups in terms of potential uses which benefit the local community.

Financial: The site has development value which may be lost (temporarily or long term) if it is transferred to a resident's group for green space use. A budget will have to be identified in relation to the demolition of the garages and grubbing up of the concrete bases.

Legal: A management agreement will be required to be drafted by the Council's Property Lawyer. The residents' group will have to be established as a legal and responsible entity before it can enter into such an agreement.

Risk Management: Risks associated with the current use lie with Pendle Borough Council but can be transferred within a management agreement.

Health and Safety: The Council is currently responsible for the safety of the site. A budget to complete further security works will be pursued until the future of the site has been determined.

Climate Change: None

Community Safety: See Health and Safety above.

Equality and Diversity: None

APPENDICES – Location plan as marked.

LIST OF BACKGROUND PAPERS

None