

**REPORT FROM:** DIRECTOR OF PLACE

**TO:** COLNE AND DISTRICT COMMITTEE

**DATE:** 8<sup>TH</sup> FEBRUARY 2024

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## **LAND FRONTING 6-22 PATTEN STREET, COLNE**

### **PURPOSE OF REPORT**

To update Members on the position with the land shown edged black on the plan and to request approval for action to be taken if this is required.

### **RECOMMENDATIONS**

That letters be sent to residents fronting on to the garden plots requesting them within a set time limit to remove all garden enclosures and reinstate the land including the removal of all items.

If residents do not reinstate the land within the requested time limit that the Council carry out the required works and pursue them for all associated costs.

### **REASONS FOR RECOMMENDATIONS**

The land has been used by residents without permission for some time and it is not being maintained.

### **BACKGROUND**

1. The land is part of a larger area of Council owned land fronting No's 6 to 44 Patten Street which is maintained by the Council's Operational Services, and comprises grassed and woodland areas. Garden enclosures were created in early 2020 to the front of No's 6 to 22 Patten Street by residents without permission.
2. Reports were submitted to Colne and District Committee on 9<sup>th</sup> July 2020, 10<sup>th</sup> September 2020 and 7<sup>th</sup> January 2021 requesting Members to consider granting garden tenancies further to a request from residents. A decision was deferred to a time when Covid restrictions would allow for a meeting with residents and Councillors to take place, but no meetings have been held.

### **ISSUES**

3. The land fronting No's 6 to 22 Patten Street is still being used, but the fencing is in disrepair and the gardens which were created are not being maintained. In addition, there are garden waste items on the land which have been reported to the Council's Waste Services as fly tipping.
4. It is proposed that letters be sent to the residents fronting on to the land requesting them in a set time limit to remove all garden enclosures, but it is unknown which of the residents created the gardens and if the Council has to reinstate the land it may not be possible to recover the cost of the works.

## **IMPLICATIONS**

**Policy:** The use of the land as gardens does not have Planning Permission for change of use so does not comply with Planning Policy.

**Financial:** If the Council has to reinstate the land it may not be possible to recover the costs.

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

**Risk Management:** Reinstatement of the land will reduce the risks of fly tipping and vermin.

**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:** See risk management

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

## **APPENDICES**

### **LIST OF BACKGROUND PAPERS**

None