

**REPORT FROM:** DIRECTOR OF PLACE

**TO:** NELSON, BRIERFIELD AND REEDLEY COMMITTEE

**DATE:** 25<sup>TH</sup> MARCH 2024

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## LAND ADJOINING 67 VERNON STREET, NELSON

### PURPOSE OF REPORT

To provide additional information to Members for consideration on a proposal for the land edged black (Appendix 1).

### RECOMMENDATION

That Members agree to recommend acceptance of the proposal to the Executive based on the additional information provided by Naik Trust.

### REASONS FOR RECOMMENDATION

Requests from two independent parties were received in 2023 to purchase the land or to enter a lease agreement. These options were reported to this Committee on 30<sup>th</sup> October 2023

The recommendations were that the Council Executive agree to grant a lease to one of the interested parties following the consideration of further additional information on the proposed use of the land, and that the Director of Place then be authorised to negotiate the terms of that lease.

### BACKGROUND

1. The land adjoins the gable of 67 Vernon Street and is a paved area with planted trees and concrete bollards to the perimeter. It is managed and maintained by the Council's Operational Services and classed as a problem site due to issues with fly tipping and the trees.
2. Originally there were two requests to develop the land, where one option was to purchase the land to build a residential property and the other option from a local tuition centre to lease the land as car parking. The Tuition Centre which is operated by Naik Trust is adjoining the land and they provide after school classes and tuition to the local community. Since then the party wanting to build a residential property has withdrawn their interest.

### ISSUES

3. The land has been classed as a problem site for many years and the Council's Operational

Services do not have any objections to the land being sold. A lease of the land would result in the Council's maintenance liabilities being transferred to Naik Trust whilst the Council would retain some control through lease covenants which could be enforced in the event of them being breached.

4. Naik Trust have provided further information on their proposal which has changed from the original request. Their current proposal which is subject to Planning Permission is to create a safe outdoor space for children attending the after-school club and the wider community. This would include enclosing the land with a safety fence, creating a sheltered seating area, replacing the paving with tarmac and creating a garden area.

## **IMPLICATIONS**

**Policy:** It is proposed that a lease be negotiated for the proposed use subject to Planning Permission.

**Financial:** A lease being granted would result in the Council's liabilities being transferred to Naik Trust and a rental income for the Council.

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

**Risk Management:** There will be a reduction in risks and liabilities for the Council on a lease being granted.

**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**

Appendix 1 - Location Plan

**LIST OF BACKGROUND PAPERS:** None.