

**REPORT FROM: DIRECTOR OF RESOURCES**

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

**DATE: 6<sup>TH</sup> MAY 2025**

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## **LAND TO THE REAR OF 17 BOULSWORTH CRESCENT, NELSON**

### **PURPOSE OF REPORT**

To consider a request to declare the land to the rear of No. 17 Boulsworth Crescent, Nelson as surplus with the purpose of selling the land to the adjoining resident.

### **RECOMMENDATIONS**

- (1) That Members recommend to the Executive Committee that the land to the rear of No.17 Boulsworth Crescent be declared surplus to requirements and that it approves a sale to the adjoining owner.
- (2) That Members delegate approval to the Director of Resources to agree a sale price for the land.

### **REASONS FOR RECOMMENDATIONS**

- (1) To allow Members to decide whether the land should be retained within the Council's ownership on a garden tenancy or declared surplus and to ensure that the Council receives the market value for the land and relevant use to assure best value is maintained.
- (2) To achieve a capital receipt and remove any future liability for maintenance.

### **BACKGROUND**

1. The parcel of land to the rear of No.17 Boulsworth Crescent is currently subject to a garden tenancy to the adjoining resident.
2. Interest from the aforementioned resident has been received as to whether the land could be purchased from the Council with a view to extend their garden.
3. The Council has previously disposed of 7 garden plots at the rear of Boulsworth Crescent to the adjoining residents. There are 13 garden plots remaining, which are occupied on annual garden tenancies by the respective adjoining residents. It is unlikely that the

tenancies would be terminated unless the properties are sold, however the new owners of the properties are most likely to take a tenancy of the land to extend their garden area.

## ISSUE

1. To ensure that the land is not used for any purpose other than garden land, a covenant will be included in the disposal to ensure the land remains as garden land and cannot be developed upon.
2. As the subject land is adjacent to Marsden Park Golf Course, the purchaser would be required to maintain the subject land and its boundary in good repair and condition.
3. There are a number of large mature trees on the land held on garden tenancies to the rear of the properties on Boulsworth Crescent which are subject to a TPO. The purchaser will need to comply with the TPO requirements and be liable for any trees situated upon the subject land.

## IMPLICATIONS

**Policy:** The Council seeks to identify surplus land and property for inclusion within its disposal programme in order to receive capital receipts and relieve the Council of any liability for costly maintenance.

**Financial:** The Council would receive a capital receipt for the disposal of the land.

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

**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.

**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

Appendix 1 - Location Plan

**LIST OF BACKGROUND PAPERS:** None.