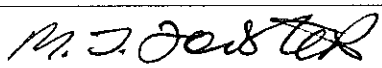


RECORD OF URGENT CABINET DECISION

The following is a record of an urgent cabinet decision which cannot be delayed until the next meeting of the Cabinet (as set out in Rule 12 of the Cabinet Procedure Rules):

Officer: MICHAEL FORSTER	Signature: 
I can confirm that consultation has taken place with the following:	
• Leader	Date Consulted: 20-9-2010
• Deputy Leader	Date Consulted: 23/09/2010
• Relevant Portfolio Holder plus one of the following:	Date Consulted: 24.9.10
• Chief Executive or	Date Consulted: 20/9/10.
• Deputy Chief Executive in the absence of the Chief Executive or if the Chief Executive is a decision taker	Date Consulted:
• Monitoring Officer in the absence of the Chief Executive and Deputy Chief Executive or if one is absent and the other is a decision taker	Date Consulted:
In the absence of the Leader, Deputy Leader or Portfolio Holder (if any) the consent of another Cabinet Member will be required. If so, please give details here:	N/A

Details of Decision and Reasoning:	Designation of land at Pine Street, Bacup, to allow environmental improvement works to proceed.
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Details of the reason for the use of the urgency procedure:	September 2010 Cabinet was cancelled.
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Decision to be taken by:	Leader
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Impact on Corporate Priorities:	Effective use of resources (providing value for money services)
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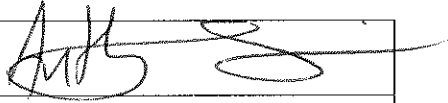
Consultees and Method(s) of Consultation:	Written reports
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Documents to be considered by the decision taker:	Original draft Cabinet report
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Implications:	Increasing Council resources
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<p>Status:</p> <p>Please indicate if this is "for publication" or "not for publication".</p> <p>For advice please contact the Committee and Member Services Manager</p>	For publication
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Leader of Council	
Date:	20-9-2010



Publication Date:

Subject: Designation of land at Pine Street, Bacup **Status:** For Publication

Report to: _____ **Date:** _____

Report of: Property Services Manager

Portfolio Holder: Finance and Resources

Key Decision: No

1. PURPOSE OF REPORT

- 1.1 To seek approval for the change of designation of land at Pine Street, Bacup, from Garden Lets and general amenity land to communal garden space and maintained parkland.

2. CORPORATE PRIORITIES

- 2.1 The matters discussed in this report impact directly on the following corporate priorities:-
- Delivering quality Services to our customers
 - Delivering regeneration across the Borough
 - Encouraging healthy and respectful communities
 - Keeping our Borough clean, green and safe
 - Providing value for money services

3. RISK ASSESSMENT IMPLICATIONS

- 3.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:
- **Residents fail to maintain the communal space.** A residents group land management licence will be established with residents, placing the responsibility for maintaining part of the site with them.
 - **One or two residents commandeer the space.** To be controlled through the licence agreement. The Bacup Area Team will monitor usage of the site, in conjunction with the existing monitoring carried out by the Estates Team.

4. BACKGROUND AND OPTIONS

- 4.1 As part of the Rossendale Housing Market Renewal Programme, Environmental Improvements can be carried out adjacent to housing works to complement the housing improvement works.
- 4.2 As part of the 2009/10 HMR Programme, properties at Pine Street, Bacup were subject to a comprehensive facelifting scheme. Works included re-rendering (including yard walls and painting of render), replacement of guttering, painting of rainwater goods, and replacement of yard gates.
- 4.3 The site is currently partially allocated as garden-let plots (3 out of 6 leased). Adjacent to the access track is a colony of 12 garages. The area surrounding this unmaintained scrubland.
- 4.4 The residents approached Rossendale Borough Council Communities Team about improvements to the land and are very keen to see the area cleared up and improved. The improvements will ensure that the area is easy to maintain. Funding approval for a scheme on this site (based on the attached drawings) has been secured from Regenerate Pennine Lancashire.
- 4.5 It is proposed that the area of land owned by Rossendale Borough Council adjacent to the back streets and properties be improved to include patio areas and a large lawned area for communal use by residents. This area will be maintained by residents through an agreement such as a residents group land management licence as suggested by Legal Services.
- 4.6 The area adjacent to Rockliffe Lane will also be improved through the treatment and eradication of the large patch of Japanese knotweed, creation of a wildflower meadow and planting of fruit trees (to replace those felled earlier). This would improve the appearance of the area from the adjacent properties and roads and also create useable space for residents. The project costs will allow for future maintenance of the site.
- 4.7 Groundwork along with Rossendale Borough Council Officers will obtain the necessary permissions from the residents regarding long term maintenance of the site and also giving up existing garden leases.
- 4.8 The funding deadline is the end of March 2011. The project will need to be delivered on the ground by this time. There is a partnering contractor already in place to deliver the work (Craig Hambling Ltd) so the tendering process is not needed).

COMMENTS FROM STATUTORY OFFICERS:

5. SECTION 151 OFFICER

- 5.1 Subject to final confirmation of the 2010/11 HMR Programme, funding has been allocated to finance the scheme. Should HMR final funding be less than

anticipated, the scheme, along with other projects, will be reviewed and possibly scaled down according to the resources made available.

- 5.2 The scheme does not involve the use of Council finances. However the land itself, currently used for garden tenancies, does have a potential development value of £90,000 on the assumption that planning permission would be granted for residential development of not less than 6 plots. The transfer to community use effectively means a disposal of an asset worth £90k at nil value.

6. MONITORING OFFICER

- 6.1 Legal Services advise that a community land agreement should be completed to clearly set out the obligations of each party in order that the land is adequately maintained.

7. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)

- 7.1 There are no specific human resource implications.

8. CONCLUSION

- 8.1 The Communities Team has a successful track record in delivering Environmental Schemes in the area. Approval of the re-designation of the land would allow a scheme to be delivered to improve a currently un-maintained parcel of land, and provide a real opportunity to improve the quality of life for local residents.

9. RECOMMENDATION(S)

- 9.1 That the land at Pine Street indicated on the attached plans be re-designated as a Community Garden and maintained parkland to enable the environmental improvement works to proceed. The situation to be reviewed at 5 yearly intervals to ensure the scheme is working. If not, it will revert back to the current use.
- 9.2 That the Assistant Head of Legal be asked to prepare a suitable community land agreement to ensure maintenance of the area.
- 9.3 That the agreement be reviewed at 5 yearly intervals to ensure that the scheme is working and the site is maintained.

10. CONSULTATION CARRIED OUT

- 10.1 Residents of Pine Street, Ward Members (Irwell, Greensclough & Stacksteads wards), Regenerate Pennine Lancashire. Some of the residents have been in touch with RBC and Groundwork regularly and are very keen for the work to proceed. Tree felling has already taken place by RBC Parks Dept and the Japanese knotweed is being treated as a first stage of work and the residents were very supportive of this.

11. COMMUNITY IMPACT ASSESSMENT

Is a Community Impact Assessment required No

Is a Community Impact Assessment attached No

12. BIODIVERSITY IMPACT ASSESSMENT

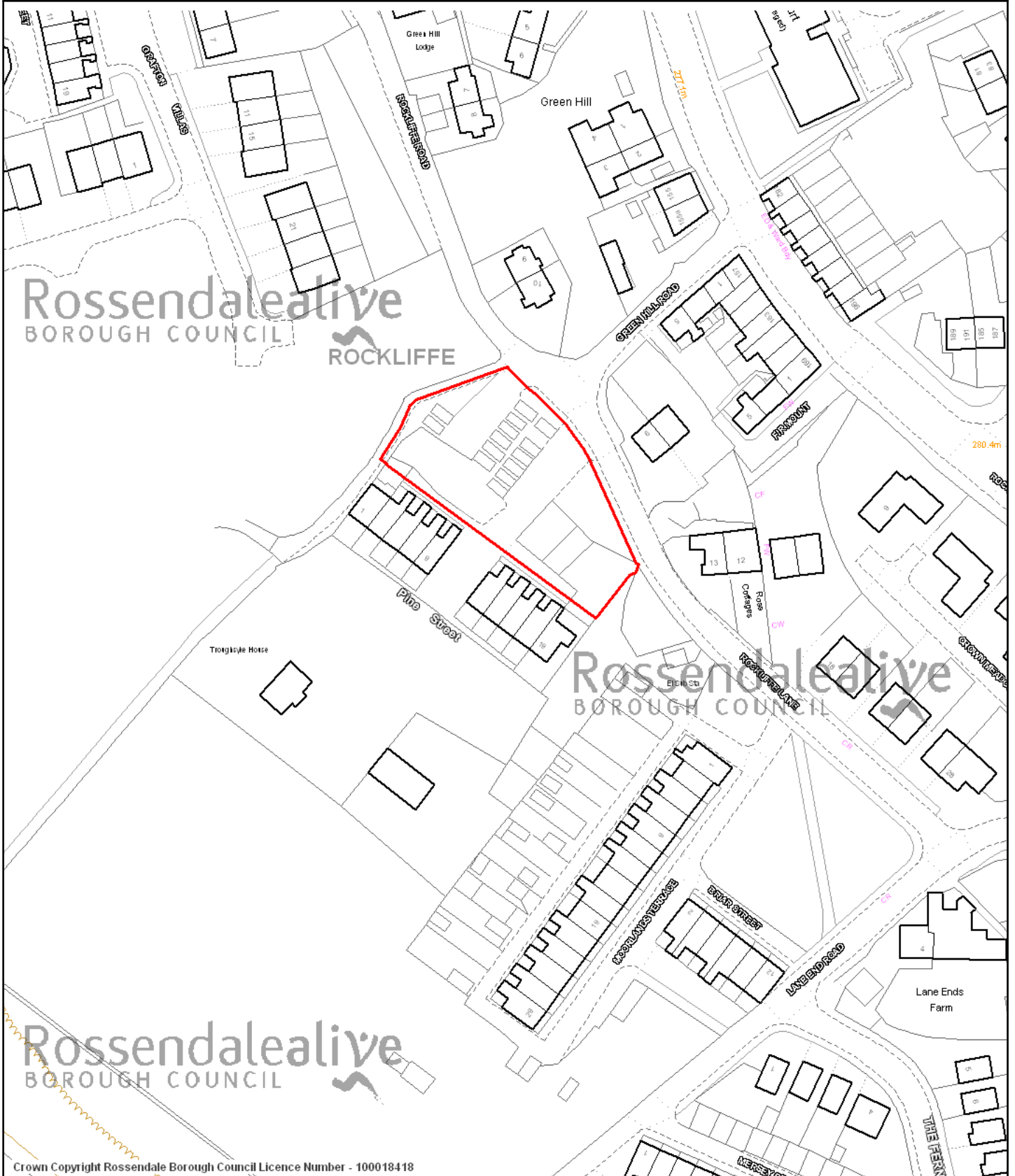
Is a Biodiversity Impact Assessment required No

Is a Biodiversity Impact Assessment attached No

Contact Officer	
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Service / Team	Finance /Property
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Background Papers	
Document	Place of Inspection
Cabinet Report – Housing Market Renewal Programme 2010-11 (17 th March 2010)	Democratic Services/Regeneration Team/Internet
Site Plans	File, Bacup Area Manager, Stubbylee Hall

Land at Pine St



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BOROUGH COUNCIL

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Property Services

Date 28/6/2010