

Information bulletin from the
Legal and Property Services Department

February 2006

There follows some items from the Department's workload which may be of interest to Members:-

Conveyancing

Contracts have been exchanged for sale of land at the Platt Bridge Inn, Platt Bridge and Blacksmiths Fold, Atherton.

Sale of land at Hemfield Road/Makerfield Way Ince has been completed.

The sale of a freehold interest at 3 Coniston Road Tyldesley has also been finalised.

Completion of a Wayleave Agreement with United Utilities at Beech Hill Lane has also been completed.

During January/February – 21 Right to Buy properties have been sold.

Common Law

Prosecutions

A number of successful Benefit Fraud, Fly Tipping and School Attendance prosecutions have recently been completed.

A prosecution which resulted in the defendant being sentenced to 36 days intermittent custody and ordered to pay £600 costs was achieved in conjunction with the Trading Standards Department. The defendant had been stopped by the Police who discovered a large number of counterfeit CDs in his possession. A search of his home found a further number of copied CDs and DVDs. The defendant pleaded guilty to 10 specimen offences under the Trade Marks Act. All of the copied discs were made subject to a forfeiture order so that they could be destroyed.

A local farmer was sentenced to 3 months imprisonment suspended for 2 years, given a supervision order for 6 months and ordered to pay costs of just under £1,100 after pleading guilty to a number of animal related offences. He was convicted of cruelty to a calf due to failing to exercise care and supervision, failing to properly dispose of 41 cattle carcasses and failing to keep proper records in relation to his livestock. The prosecution was brought after an investigation by officers from Lancashire County Council.

Travellers

We have secured Possession Orders in respect of a number of unauthorised encampments in the Borough on land at Platt Bridge, Poolstock and Marus Bridge. We have experienced particular difficulties with a group travelling from one area of open space to another within the Platt Bridge area.

Traffic Orders

Work is progressing on a number of permanent traffic orders throughout the Borough.

A number of temporary orders to enable sewer works and carriageway resurfacing works have been made.

Trees

Orders protecting trees at various sites throughout the Borough have been made including:-

Rough Wood, Hawkley Hall
Bartons Wood, Winstanley
Strickland Farm, Standish
Douglas Road, Atherton
Morris Fold Cottage, Aspull
Ribbesford Road/Billinge Road, Highfield
Ross Close, Whelley, Wigan
Slag Lane, Lowton
Tan House Drive, Winstanley
Stone Cross Lane North, Lowton

Contracts

Work is progressing on a number of schemes including –

Meadowbank Junior and Infant School, Atherton
External refurbishment of Council dwellings
Westleigh Methodist Primary School – Sure Start Centre

Ombudsman

8 complaints are currently being investigated by the Ombudsman. 4 are being dealt with under the Council's own Complaints Procedure. The Ombudsman has notified us of 13 complaints which she does not intend to pursue because they (a) fall outside her jurisdiction (b) local settlements have been reached or (c) the Ombudsman is satisfied with the Council's response and decided that no further investigation is necessary.

Asset Management Service

Sites agreed by Cabinet for disposal since December 2005.
Cabinet declared the following sites surplus to requirements:

- Scot Lane Primary School, Pemberton
- Pemberton Primary and Nursery School sites following closure.
- Former Atherton Baths – original sale did not proceed – offer from reserve bidder accepted.
- Sale of New Lodge, Atherton to adjacent owner for use as ‘Care Village’.
- Kay and Windmill Close, Scholes surplus to requirements and authorised an outline planning application to be submitted for residential development.
- Printshop Lane, Tyldesley, sold by Private Treaty to adjoining landowner.
- Land at Martland Park, Wigan and Golborne Road, Ashton to be sold by Private Treaty to the adjoining landowner.

The following land and property will be sold at Auction in February.

- Land at Meadowvale Road, Pemberton
- Land at Linden Avenue, Orrell
- 378 Leigh Road, Hindley Green

ENERGY MANAGEMENT

We are considering the appointment of external consultants to assist in identifying energy efficiency, cost saving and environmental improvement initiatives in the use of energy throughout the Council’s Operational Property Portfolio. The matter is to be reported through the Corporate Delivery Team.

PLATT BRIDGE PROJECT

Council approved the lease of the proposed Clinic site to the PCT on 2nd February 2006.

It is intended that development will commence next month on completion of the legal formalities.

BORSDANE PRECINCT

The head lessee has now provided a report on the extent of works needed to return the site to an acceptable condition. It is intended that the identified costs will be translated into a facilitating budget for the redevelopment of the whole site to provide more appropriate shopping facilities combined with residential development.