

17 November 2014

Agenda Item: 6a

**REPORT OF SERVICE DIRECTOR TRANSPORT, PROPERTY &
ENVIRONMENT**

**TRANSFER OF PART OF THE FORMER SHIREOAKS COLLIERY,
SHIREOAKS**

Purpose of the Report

1. To seek the approval of the Finance & Property Committee to transfer 5 Hectares of land at the former Shireoaks Colliery to the Friends of Woodlands & Coachwood Green Ltd (FWCG).

Information and Advice

2. Some information relating to this report is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972. Having regard to the circumstances, on balance the public interest in disclosing the information does not outweigh the reason for exemption because divulging the information would significantly damage the Council's commercial position. The exempt information is set out in the exempt appendix.
3. FWCG set up a community interest company in 2013 as a vehicle to protect and promote the Shireoaks area for the benefit of the whole community via the Neighbourhood Plan.
4. In connection with their strategy, the Company wish to acquire 5 hectares of former mixed development land at Shireoaks with a long term proposal to manage and develop the site as a local nature reserve / community asset.

Site History

5. Shireoaks Colliery closed in 1990 and was sold to the County Council in 1997 by British Coal.
6. A reclamation scheme of works was then carried out by the Council, funded by English Partnerships. This resulted in twenty six hectares of green space and five hectares of development land being reclaimed.
7. The works included demolition of the colliery infrastructure, construction of a service road (not built to adoptable standards) with car parking, a re-profiled canal basin and restoration of the colliery tip to woodland/grasslands with a network of public tracks and trails.

8. The Council, British Coal and EMDA (East Midlands Development Agency, now HCA) also entered into a separate agreement relating to grant funding and future claw back arrangements for the 5 Hectare development site. Detail of the claw-back arrangement is included in the exempt appendix annexed to the report.

Planning History

9. A review of the planning history of this site provides a useful indicator of the potential use for the land.

1995: The site was allocated in the Bassetlaw Local Plan for mixed use, with limited housing, a marina and a public house.

2005 – 2007: The site was marketed by the Council, and two prospective developers submitted applications to the local planning authority. However, both applications were withdrawn as no consensus or agreement was reached on the site layout or design.

2009: The site was identified as a possible development area in the Bassetlaw five year SHLAA, however due to market uncertainty and local opposition it was not promoted by the Council.

2010: Following the local planning authority review, the site was removed from the Bassetlaw SHLAA, hence losing its 1995 mixed use allocation.

2011: Feedback from consultation with local residents suggested that residents opposed housing, but supported community, recreational and potential education uses. Following this, the Local Core Strategy was adopted which placed the site outside the development boundary.

Early 2012: Further consultation took place between local residents and Bassetlaw, and part of the site was designated as a Local Wildlife Site.

10. Since May 2012: A Vision for the Community document has been drawn up by the local planning authority, the local community and FWCG.
11. In accordance with Financial Regulations, in order to ensure compliance with the Council's obligations under s123 of the Local Government Act 1972 to ensure "best consideration", the proposed terms for the sale have been reviewed by the Council's Group Manager (Legal Services) and the "Section 151 Officer" (Service Director, Finance and Procurement).

Other Options considered

12. Retention of the property for continued Council use. This has been considered but no on-going use requirement exists. There are no resources to include this land in the Green Estates stewardship which relies heavily on volunteers to manage the existing land.

Reason/s for Recommendation/s

13. To secure the disposal of the former mixed development site (5Ha) to FWCG and safeguard its long term future as a community asset.

Statutory and Policy Implications

14. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That approval is given to transfer ownership of approximately 12 acres (5 hectares) of the former Shireoaks Colliery site to The Friends of Woodlands and Coachwood Green Group Ltd.

Jas Hundal

Service Director, Transport, Property and Environment

For any enquiries about this report please contact: Gael Gamble 0115 977 2083

Constitutional Comments (CEH 22.10.14)

15. The recommendation falls within the remit of the Finance and Property Committee by virtue of its terms of reference.

Financial Comments (TR 21.10.14)

16. The financial implications are set out in the exempt appendix to the report.

Background Papers and Published Documents

17. None

Electoral Division(s) and Member(s) Affected

18. Ward(s): Worksop North
Member(s): Councillor Sybil Fielding