

SUPPLEMENTARY INFORMATION TO SUPPORT THE FEBRUARY 2024 AGENDA:

Agenda item: East Quarry

“The multiagency Operational Water Safety Meetings for East Quarry will recommence in spring to discuss developments etc. The group and its partners is committed to doing what it can. We can offer advice and encouragement to the land owner, but if we have no appropriate legal tools, we cannot legally require the land owner to take specific courses of action.

As previously set out, East Quarry presents a hugely complicated set of factors and so any dewatering must be carefully planned and managed so as not to create more or greater risks. It is up to the landowner to ensure their land is maintained in a safe way and in line with the legal requirements. It is also for the owner to determine what the future plans are for the site. The door remains open for them to seek specific advice from any of the multiagency partners including the Planning Teams at West Lancashire Borough Council and Lancashire Borough Council. Again we can give advice and encouragement but it is for the owner to determine the short, mid and long term development and management of the site. We will continue to monitor the site to ensure that the owner meets their legal obligations, but cannot require a higher standard.”

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“I write further to the Council's position statement dated 4th December 2023 to provide a further update on the matters relating to the enforcement investigations concerning West Quarry.

Given the continued levels of public interest, we wish to provide further reassurance that the points made previously by all parties raising their concerns continue to be taken very seriously.

The Council served a Temporary Stop Notice (TSN) at the above site including recorded and hand delivery to all those we believed to have an interest in the land (at the time) on the 20th December 2023. The TSN came into effect on the day it was served (20th December 2023) and expired on the 17th January 2024.

In the interim of the TSN, the Council's enforcement investigations have continued, and this includes the serving of a Section 330 Notice 'Power to require information as to interests in the land'. This was a necessary step which informs the formal action the Council will now take, ensuring that it is only served on those responsible for the works carried out. Discussions between interested parties and the Council's Legal team have been ongoing to establish the change of ownership in the land. The new access has also been raised direct with LCC Highways Authority, who are undertaking their own investigations in regards to if any agreement/permissions are in place which permitted works to be carried out within the highway as controlled by them.

We understand that works have stopped on site, and this has and is being monitored, but should they recommence, the Council retains the right to consider serving a Stop Notice subject to enforcement action and the undertaking of a liability assessment for compensation.

The Council is aware of the significant ongoing concern and interest within the community regarding this site and will keep residents and interested parties informed. As you will appreciate, this is a complicated and technical matter, and as such, updates will be provided when information is available. We would expect the next update by the beginning of February 2024, but an update will be provided sooner if further relevant information becomes available.”
