

13 October 2014

Agenda Item: 5c

REPORT OF SERVICE DIRECTOR TRANSPORT, PROPERTY & ENVIRONMENT

TRANSFER OF GREENSPACE AND STONEY LANE FOOTPATH AT BILSTHORPE

Purpose of the Report

1. To seek approval to a 50 year lease of greenspace land to Bilsthorpe Parish Council on Earkring Road and Kirklington Road in Bilsthorpe.

Information and Advice

2. This land was initially purchased in parcels throughout the 1960's, 70's, and 80's for a road improvement scheme.
3. The subject land was considered as surplus to the scheme and became greenspace for the village.
4. It has been identified as a potential Centenary Field (see paragraph 6 below) within Nottinghamshire. The land is a recreational area that is already the site for Bilsthorpe War Memorial. During the past several years the land has been maintained by Bilsthorpe Parish Council.
5. The land has been identified as not needed for any operational purposes of the Council, therefore NCC Conservation Team would like to gift the land to the Bilsthorpe Parish Council for the sole purpose of a Centenary Field for Nottinghamshire.

Centenary Fields

6. The Royal British Legion has teamed up with Fields in Trust to launch Centenary Fields. This nationwide initiative aims to secure recreational spaces to honour the memory of all those who lost their lives in World War 1.

Fields in Trust

7. The Fields in Trust was founded in 1925 as the National Playing Fields Association by King George V. Its mission is the same now as it was then: to ensure that everyone young or old, able or disabled and wherever they live – should have access to free, local outdoor space for sport, play and recreation. These spaces are vital to building happy and healthy communities.

8. Each Local Authority within the UK is being encouraged to nominate at least one piece of recreational land to be dedicated as a Centenary Field, to commemorate the 100th anniversary of the outbreak of World War 1.
9. A one off contribution of £1,000 from the Countryside Services Team has been offered with land for the ongoing maintenance of the site.
10. The land has no operational purposes to the Council and has been identified by NCC Highways, Conservation and Countryside Teams as land which Bilsthorpe Parish Council may wish to take over. This includes the footpath on Stoney Field Lane, which runs from Eakring Road, west to Crompton View Primary School.
11. Each Centenary Field will be provided with a sign, indicating its designation.
12. The various pieces of land are shown hatched black on the attached plans and are currently being maintained by Bilsthorpe Parish Council. The total area of land comprised in the proposed transaction is approximately 1.06 hectares (2.68 acres).
13. The subject land is currently comprised of unadopted highway verge and as a public footpath. As such it has an open market value in existing use of £0. It is difficult to envisage, given the nature of the land, how it would be capable of further development, so the £0 valuation remains appropriate. Under the proposed lease, the land will be subject to a covenant limiting use to recreational purposes.

Grant of 50 Year Lease

14. It is recommended that a 50 year lease on the following terms to be approved by the Committee.

Parties	The parties to this agreement are Nottinghamshire County Council and Bilsthorpe Parish Council.
Property	Nottinghamshire County Council is the freehold owner of the land outlined on the attached plans.
Term	The County Council will grant a lease of the land to the Parish Council for 50 years.
Rent	1 Peppercorn per annum (if requested)
Tenure	The lease will not be contracted out of the 1954 Landlord and Tenant Act.
Use	The site is to be used for the purposes of recreational areas. The use of the land for any other purpose will require the consent of the Landlord.
Alienation	No Assignment
Maintenance	The Parish Council to keep the whole of the premises in good condition throughout the term of the lease.
Costs	Each party will bear their own legal costs for preparation of the lease.

Nuisance	The Parish Council shall not cause any nuisance, inconvenience, interference or disturbance to any neighbouring or adjoining property.
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Other Options considered

15. A sale of the land was not considered as the land has no development potential and is unlikely to produce a Capital Receipt.

Reason/s for Recommendation/s

16. This land has been largely maintained by Bilsthorpe Parish Council for several years and so the proposed lease simply seeks to regularise that position. The land is mostly public open space and also comprises a public footpath which runs west to the nearby Primary School. The proposal will clarify maintenance responsibilities. A lease is proposed, rather than outright disposal, because the former will allow the County Council to enforce the obligations of the Parish Council more effectively.
17. To commemorate a significant milestone in our history whilst creating a tangible local legacy that will be valued by communities for generations to come.

Statutory and Policy Implications

18. 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 granting of 50 year lease to Bilsthorpe Parish Council.

Jas Hundal

Service Director – Transport, Property & Environment

For any enquiries about this report please contact:

Constitutional Comments (CEH 17.09.14)

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

Financial Comments (TR 23.09.14)

20. The financial implications are set out in the report

Background Papers and Published Documents

21. None.

Electoral Division(s) and Member(s) Affected

22. Ward(s): Rufford
Member(s): Councillor John Peck

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SP: 2727

Properties affected: 70167 - Vacant land at Bilsthorpe