



22 April 2013

Agenda Item: 7(g)

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

DEWBERRY HILL, RADCLIFFE ON TRENT

Purpose of the Report

1. The purpose of this report is to seek approval to a 50 year lease to Radcliffe on Trent Parish Council of Dewberry Hill, Radcliffe on Trent on terms as set out in this report.

Information and Advice

2. Nottinghamshire County Council acquired 61 Cropwell Road, Radcliffe on Trent from Ethel Kettleby in 1974 and the land behind Radcliffe on Trent Golf Club in 1971 along with adjacent land for a future by-pass scheme. The Department for Transport [DFT] have advised that they have no future requirement for the land.
3. The site comprises 7.8 hectares (19.32 acres) it is unlikely to have any development potential due to its topography and the ecological considerations.
4. The following apply to the site:
 - Conservation Area
 - Biological SINC (Site of Interest for Nature Conservation)
 - Registered footpath around the perimeter of the site together with a number of informal footpaths.
 - The land is mainly scrub so contains a wealth of natural wildlife etc
5. Radcliffe on Trent Parish Council have requested a 50 year lease of the above land to safeguard the valuable bio-diversity of the site.
6. The Land is as shown on the attached plan.

GRANT OF 50 YEAR LEASE

Parties	The parties to this agreement are Nottinghamshire County Council and Radcliffe on Trent Parish Council.
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Property	Nottinghamshire County Council is the freehold owner of approximately 19.32 acres of land known as Dewberry Hill, Radcliffe on Trent as outlined in red on the attached plan.
Term	The County Council will grant a lease of the land to the Parish Council for a term of 50 years.
Rent	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 a Community Nature Reserve. The use of the site 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 the preparation of the lease.
Nuisance	The Parish Council shall not cause any nuisance, inconvenience, interference or disturbance to any neighbouring or adjoining property.
Right of Way	The Rights of Ways section will be allowed access through the large 5 bar wooden gate on Cropwell Road for clearance duties of the circular registered perimeter footpath.
Special Conditions	1. Secure fencing, gate and stile on Cropwell Road will need to be maintained by the tenant to prevent unlawful access e.g. motorcycles. 2. Day to day management of the Nature Reserve should include appropriate professional advice from either a woodland management company or a wildlife trust, although volunteers are encouraged to assist in the work.

Other Options Considered

7. 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

8. The Lease enables Radcliffe on Trent Parish Council to preserve the valuable biodiversity of the site.

Statutory and Policy Implications

9. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder,

human rights, the safeguarding of children, sustainability and the environment and those using the service 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 the granting of a 50 year lease to Radcliffe on Trent Parish Council of Dewberry Hill, Radcliffe on Trent on terms as set out in this report.

Jas Hundal

Service Director - Transport, Property & Environment

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

Constitutional Comments (CEH 22-3-13)

10. The recommendation falls within the remit of the Finance and Property Committee.

Financial Comments (TR 26-3-13)

11. The land is of little financial value and has no development potential so the financial implications are minimal.

Background Papers and Published Documents

12. None.

Electoral Division(s) and Member(s) Affected

13. Ward(s):): Radcliffe on Trent
Member(s): Councillor Mrs Kay Cutts

File ref.: /GG/SL/70025

SP: 2420

Properties affected: 70025 - Land to South of A52 Grantham Road