

## **BRECKLAND COUNCIL**

### **Report of Mark Kiddle-Morris, the Executive Member for Economic and Commercial to the CABINET – 5 April 2011**

**(Author: Zoe Footer, Land Management Officer)**

#### **PROPOSED TRANSFER OF THE FORMER MULTI-USE GAMES AREA, TRAFALGAR WOOD AND RIVERSIDE AREA AT KILVERSTONE PARK IN THETFORD**

##### **1. Purpose of Report**

Members of the Breckland Cabinet are requested to approve the transfer of the former multi-use games area, Trafalgar Wood and the Riverside Area at Kilverstone Park in Thetford to Thetford Town Council.

##### **2. Recommendation(s)**

It is recommended that the Cabinet

- 2.1 agree to transfer the following areas of land to Thetford Town Council at nil consideration to be retained as public open space:
  1. the former Multi-Use Games Area at Kilverstone Park in Thetford together with the commuted sum of £34,473.00;
  2. Trafalgar Wood at Kilverstone Park in Thetford; and
  3. the Riverside Area at Kilverstone Park in Thetford together with the commuted sum of £163,845.00.

**Note:** In preparing this report, due regard has been had to equality of opportunity, human rights, prevention of crime and disorder, environmental and risk management considerations as appropriate. Relevant officers have been consulted in relation to any legal, financial or human resources implications and comments received are reflected in the report.

##### **3. Information, Issues and Options**

###### **3.1 Background**

- 3.1.1 Under the terms of a S106 Agreement, Breckland Council was to acquire five areas of open space on the Kilverstone Park development in Thetford to be retained as public open space for the benefit of the community.
- 3.1.2 In April 2009 Breckland acquired the Multi-Use Games Area at Kilverstone Park in Thetford together with a commuted sum of £34,473.00. Upon transfer, Breckland Council removed the equipment on this land.
- 3.1.3 Subsequently, Breckland Council acquired the further four areas in October 2010 namely Northern Shelter Belt, Green Lane, Trafalgar Wood and the Riverside Area at Kilverstone Park in Thetford. At the time of transfer, Breckland Council received the following commuted sums from the developer to be used for future maintenance of these areas of land:
  1. Northern Shelter Belt - £48,326.00;
  2. Green Lane - £31,260.00; and
  3. Riverside Area - £163,845.00.

###### **3.2 Issues**

- 3.2.1 Following discussions with the Clerk to Thetford Town Council, they have formally requested that Breckland Council transfer the former Multi-Use Games Area (area edged in red on the attached plan marked 'Plan1'), Trafalgar Wood (area edged in red on the attached plan marked 'Plan 2') and the Riverside Area (area edged in red on the attached plan marked

'Plan 3') together with the commuted sums received from the developer to be used for future maintenance of these public open space areas.

### 3.3 Options

3.3.1 To agree to transfer the following areas of land to Thetford Town Council at nil consideration to be retained as public open space:

1. the former Multi-Use Games Area at Kilverstone Park in Thetford together with the commuted sum of £34,473.00;
2. Trafalgar Wood at Kilverstone Park in Thetford; and
3. the Riverside Area at Kilverstone Park in Thetford together with the commuted sum of £163,845.00.

3.3.2 To refuse to transfer these areas of land.

### 3.4 Reasons for Recommendations

3.4.1 To ensure the open space areas are kept to a standard acceptable by the Town Council and the facilities available could be changed in response to the town appraisals.

## 4. Risk and Financial Implications

### 4.1 Risk

4.1.1 I have completed the Risk Management questionnaire and this report does not require a risk assessment because the changes/issues covered by the recommendations are not significant in terms of risk.

### 4.2 Financial

4.2.1 Proforma B attached.

## 5. Legal Implications

5.1 There are no specific legal issues that require special comment here.

## 6. Other Implications

- (a) Equalities – no, implicit within process.
- (b) Section 17, Crime and Disorder 1998 – implicit within process.
- (c) Section 40, Natural Environmental and Rural Communities Act 2006 – implicit within process.
- (d) Human Resources – none.
- (e) Human Rights – implicit within process.

## 7. Alignment to Council Priorities

7.1 The matter raised in this report falls within the following council aim and associated priority:

- Building Safer and Stronger Communities – Promote a sense of community belonging and pride.

## 8. Wards/Communities Affected

8.1 Guildhall.

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Key Decision

*This is not a key decision.*

Appendices attached to this report:

Site plans

Proforma B