

## **BRECKLAND DISTRICT COUNCIL**

### **Report of Mark Kiddle-Morris, Executive Member for Assets & Strategic Development**

**To: Cabinet – 19 June 2012**

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

**Subject: Transfer of equipped play areas in Dereham to Dereham Town Council**

#### **Purpose:**

This report seeks approval for the release of £121,700.00 to transfer 9 nine Breckland equipped play areas to Dereham Town Council

#### **Recommendations:**

Approve the release of £121,700.00 to transfer nine Breckland equipped play areas to Dereham Town Council

### **1. BACKGROUND**

- 1.1 The principle of this project was approved in 2001 whereby Breckland Cabinet Members adopted the following policies in respect of play areas:
  1. the Council will offer to transfer ownership of any area designated open space or play area that is of no strategic significance to Breckland Council to the Town or Parish Council in which the site is located.
  2. the Council will make available to the Town or Parish Council any commuted sum associated with any land transfer to their ownership.
- 1.2 Breckland Council has been in discussion with Dereham Town Council to support the Council's objective to transfer the equipped play areas in the Town.
- 1.3 Following negotiations with representatives of Dereham Town Council, Dereham Town Council will, subject to Cabinet's approval to the release of monies, agree to instruct our respective legal representatives to undertake the transfer of the nine equipped play areas in Dereham, namely:
  1. Moorgate Road;
  2. Cartledge Close;
  3. Girling Road;
  4. Sandy Lane;
  5. Recreation Road, Toftwood;
  6. Hillcrest Avenue, Toftwood;
  7. Old Hall Road, Toftwood;
  8. Middlemarch Road, Toftwood; and
  9. School Lane, Toftwood.
- 1.4 It is proposed that Breckland are to pay a one of sum of £121,700.00 to Dereham Town Council for future maintenance of these equipped play areas upon completion of the transfer(s).

- 1.5 Breckland continues to progress the legal Transfers of the equipped play areas in the Towns of Attleborough, Swaffham, and Watton. In regard to Thetford, unfortunately the Town Council has rejected the original offer and therefore negotiations continue.

## **2. OPTIONS**

- 2.1 Approve the release of £121,700.00
- 2.2 Not to approve the release of £121,700.00.

## **3. REASONS FOR RECOMMENDATION**

- 3.1 To ensure the facilities in these play areas are kept to a standard acceptable by Dereham Town Council and the facilities available could be changed in response to the town appraisal.

## **4. EXPECTED BENEFITS**

The Transfer(s) of the equipped play areas to the Town Council will benefit the local community and their needs.

## **5. IMPLICATIONS**

- 5.1 **Legal** - There are no specific legal issues that require special comment here.
- 5.2 **Risks** – no risks identified.
- 5.3 **Financial** – proforma B attached.
- 5.4 **Timescales**  
Our respective solicitors to be instructed to proceed with the legal Transfer(s) upon Breckland Council's approval to release the monies.
- 5.5 **Equality and Diversity** – implicit within process
- 5.6 **Stakeholders / Consultation**  
Negotiation with representatives of Dereham Town Council
- 5.7 **Contracts** – Breckland Council may be required to enter into a Contract with Dereham Town Council prior to Transfer.
- 5.8 **Section 17, Crime & Disorder Act 1998** – implicit with process.

## **6. WARDS/COMMUNITIES AFFECTED**

Dereham

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### **Appendices attached to this report:**

Proforma B