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**TITLE: LITTLE THETFORD PLAY PARK**

Committee: Asset Development Committee

Date: 27<sup>th</sup> March 2017

Author: Legal Services Manager

[R231]

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**1.0 ISSUE**

1.1 Members are requested to consider the transfer of the Council owned Play Area at The Wyches, Little Thetford to Little Thetford Parish Council.

**2.0 RECOMMENDATION(S)**

2.1 Members are requested to:

- (i) Authorise the Legal Services Manager to offer the play area to Little Thetford Parish Council for the sum of £5, subject to the transfer containing a restrictive covenant to use it as a children's' play area only and each party bearing its own legal costs.

**3.0 BACKGROUND/OPTIONS**

3.1 Little Thetford Parish Council wrote to the Legal Services Manager on 10<sup>th</sup> November 2016 to request that the District Council consider transferring the play area to the ownership of the Parish Council.

3.2 The Play Area is owned by the District Council but is currently licensed to the Parish Council on a yearly tenancy for the sum of £15 per annum.

3.3 Other public open space at The Wyches, Little Thetford was transferred to the Parish Council in 2008 for nil consideration but on the basis that this could only be used as public open space.

3.4 The Parish Council have confirmed that it values the public open space and wishes to ensure that this use continues.

**4.0 ARGUMENTS/CONCLUSIONS**

4.1 At present, the Parish Council hold the land on licence from the District Council and maintain the land themselves. Therefore if Members were minded to agree to the transfer, this would simply take the land off the Asset Register for the District Council. It would be advisable that restrictive covenants are put on the transfer which would mean the land could only ever be used as public open space.

4.2 If Members were not minded to allow the transfer of the land to the Parish Council, the current position would remain unchanged as it is currently licensed to the Parish Council. However, the licence does contain a provision that the licence can be terminated by either party giving 6 months previous notice in writing, meaning the District Council could take back the land at any time, subject to giving the

required notice. If the land is transferred to the Parish Council, the transfer is permanent.

## 5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

5.1 No additional financial implications arising from this report as the Parish Council currently maintain the land and therefore there are no savings for the Open Spaces & Facilities budget.

5.2 Equality Impact Assessment (INRA) not required.

## 6.0 APPENDICES

6.1 Copy letter from Little Thetford Parish Council dated 10<sup>th</sup> November 2016.

6.2 Copy Title Plan for CB343151 showing the play area which is proposed to be transferred to the Parish Council.

6.3 Copy Transfer plan from the Transfer of land at The Wyches, Little Thetford dated 17<sup>th</sup> September 2008 showing the surrounding land already transferred to the Parish Council.

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### **Background Documents**

Council Title Deeds

### **Location**

Room 112,  
The Grange,  
Ely

### **Contact Officer**

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