

**OPEN SPACE AND RECREATION LAND, ST NEOTS
(Report by the Head of Legal & Estates)**

1. PURPOSE

- 1.1 To consider a request from St Neots Town Council for the District Council to transfer to it areas of land held for local open space and recreational purposes in the Town.

2. BACKGROUND

- 2.1 An earlier request to transfer land at Riversmead, St Neots was considered by Cabinet on 25th November 2004. The report, a copy of which is appended, was deferred for further information. In that respect Members' attention is drawn to the contents of paragraphs 3.2 and 3.3 post, which outline the agreement reached between the District Council and St Neots Town Council in 1974 with regard to ownership of and responsibility for maintenance of the areas of land in question.

- 2.2 The Town Council have now identified four further areas which they have been maintaining since 1974 as follows:-

Shady Walk recreation area (4562 sq m)
Dukes Road/Kings Road play area (3020 sq m)
Brickhills open space (19,500 sq m)
Garden of Rest, New Street/Tan Yard. (684 sq m)

- 2.3 These parcels of land are shown edged black on the appended plans. All the areas of land referred to are used as open space and there are no proposals for any changes.

3. RESPONSIBILITY FOR OWNERSHIP OF LAND

- 3.1 In conjunction with the reorganisation of local government in 1974, discussions took place between the District Council and successor Town Councils to consider the discharge of concurrent leisure functions, ie functions which would be discharged by both tiers of authority, and the distribution of assets.

- 3.2 In the Transfer of Property Order associated with that reorganisation, legal provision was made for assets to be distributed according to the functions of the successor authorities. Thus, for example, in St Neots, Council housing previously owned by the Urban District Council transferred to Huntingdonshire District Council and the (then) allotments on Huntingdon Road to the Town Council. Where concurrent (leisure) functions were concerned, authorities were expected to agree transfer arrangements based on their expectations with regard to future responsibilities for the discharge of those

functions and, with them, responsibility for the ownership and maintenance of assets. The conclusion then reached sought to reflect the local affinity of (smaller) recreational areas within the Towns in which they were located in contrast with facilities that were regarded as of District-wide significance.

- 3.3 As a consequence of the aforementioned discussions, the Riverside Park and Priory Park were accorded District-wide status and a list of other local parks, recreation grounds and open spaces was identified as the responsibility of the Town Council. These included the land at Riversmead and the sites referred to in paragraph 2.2 ante.
- 3.4 The Parks Section of the District Council's Community Services Division acknowledges that the Town Council has been responsible for these areas of land for many years and has no objections to the transfer request.

4. IMPLICATIONS

- 4.1 There would appear to have been a clear intention in 1974 to transfer responsibility for these areas of land to the Town Council.
- 4.2 The Town Council has confirmed that it will accept restrictions on the use of the land as set out in 5.1 below.

5. CONCLUSION

- 5.1 By way of confirmation of the arrangements agreed in 1974, it is proposed that the areas of land referred to in 2.1 and 2.2 above be transferred to the Town Council on the following terms:—

In the case of the Riversmead land —

- for the sum of £1;
- on the basis that it will be used for recreational and amenities purposes only; and
- subject to consent for the grant of a lease of part to the Reserve Forces and Cadets Association for East Anglia for the construction of a headquarters building.

In the case of each of the four further areas of land —

- for the sum of £1 each; and
- on the basis that the sites will be used for open space purposes only.

6. RECOMMENDATIONS

- 6.1 Cabinet is invited to approve the disposal of the land referred to above on the terms and conditions outlined in this report.

BACKGROUND INFORMATION

Estates File ref: Gen.42

Contact Officer: Keith Phillips, Estates & Property Manager ☎ (01480) 388260