

WIRRAL COUNCIL

DELEGATED DECISION

SUBJECT:	<i>LAND AT THE OVAL, BEBINGTON</i>
WARD/S AFFECTED:	<i>BEBINGTON</i>
REPORT OF:	<i>HEAD OF UNIVERSAL & INFRASTRUCTURE SERVICES</i>
RESPONSIBLE PORTFOLIO HOLDER:	<i>COUNCILLOR ADRIAN JONES</i>
KEY DECISION?	<i>NO</i>

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to seek permission to transfer land currently forming part of the Oval recreation ground to educational use by way of a 7 year less, one-day, lease.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 Bebington High Sports College have expressed a wish to extend the operational land used by the school to accommodate additional horticultural areas.
- 2.2 Bebington High Sports College operates a small farm with a horticultural area within the school grounds for educational purposes and now wishes to extend the area set aside for this use. A section of the Oval, which adjoins the school, has been identified as an appropriate location. This area has limited use for recreational activities due to its size and is separated from the rest of the recreational area by a footpath. It is therefore, considered appropriate to lease the land to Bebington High Sports College for educational use. The site is shown edged red on the attached plan and extends to approximately 2900 sq.m.
- 2.3 As the school is subject to a PFI agreement it is proposed that the land be excluded from this agreement and transferred direct to the school by way of a seven year, less a day lease, at a nominal peppercorn rental. The length of term permits the nominal rental without the consent of the Secretary of State. The lease will be excluded from the provisions of the Landlord and Tenant Act, in order for the Council to retain a degree of control over the land. The school will be required to fund any works to the land, including erecting a fence along the new boundary with the recreational area and also creating a gate within the existing boundary fence to access it.
- 2.4 The Head of Sport and Recreation has been consulted and is agreeable for the transfer to proceed.

3.0 RELEVANT RISKS

- 3.1 There are no risks arising out of this report.

4.0 OTHER OPTIONS CONSIDERED

- 4.1 As the property is to be retained in Council ownership, no other options have been considered.

5.0 CONSULTATION

5.1 No formal consultation has been undertaken however, the land to be transferred is classified as public open space and the necessary advertisements have been placed in the local press inviting objections to its closure as public open space with a closing date of 31st January 2014. No objections have been received.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

6.1 The property is not considered to be suitable for transfer or disposal to voluntary, community or faith groups.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

7.1 Should the land be transferred, the school will undertake the necessary works to realign the boundary and to the land to create horticultural areas, which is currently budgeted for.

8.0 LEGAL IMPLICATIONS

8.1 There are no legal implications arising directly out of this report.

9.0 EQUALITIES IMPLICATIONS

9.1 Has the potential impact of your proposal been reviewed with regard to equality?

No because there is no relevance to equality.

10.0 CARBON REDUCTION IMPLICATIONS

10.1 There are no carbon reduction implications arising directly from this report.

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

11.1 The site is designated as Urban Greenspace and is subject to Policy GR1 in the Unitary Development Plan, which makes provision for visitor facilities, sport or play where continued use for open air recreation would not be prejudiced, unless alternative benefit of equivalent community benefit is made available.

11.2 In the absence of equivalent alternative community benefit, any future planning application would need to demonstrate that material planning considerations weigh in favour of the proposed use. This may include educational benefits from the proposed horticultural use and the limited value of the site for other permitted recreational activities.

12.0 RECOMMENDATION

12.1 That the asset be transferred from recreational to educational purposes on the terms outlined in this report.

13.0 REASON FOR RECOMMENDATION

13.1 To make the best use of the Council's property assets by maximising the use of the land.

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APPENDICES

Location plan.

REFERENCE MATERIAL

No reference material has been used in the preparation of this report.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date