

COMMITTEE:	Cabinet
DATE:	13th March 2003
SUBJECT:	Transfer of Land at North Langney
REPORT OF:	Director of Tourism and Leisure
Ward(s):	Langney
Purpose:	To authorise the transfer of open space land to Eastbourne Borough Council
Contact:	Gareth Williams, Parks and Gardens Manager, Tel: 01323 415281 or internally an extension 5281.
Recommendations:	That the land situated between Sheffield Park Way and Hassocks Close located adjacent to the Willingdon and West Langney Sewer is transferred to Eastbourne Borough Council from Abbey Developments Ltd. subject to the payment of an agreed commuted sum.

1.0	<u>Introduction</u>
1.1	Abbey Developments Ltd. wish to transfer land to Eastbourne Borough Council as shown on the attached plan.
1.2	They are willing to provide a financial contribution of £12,000 towards the cost of maintenance and £500 towards the cost of legal fees.
1.3	This figure assumes transfer prior to the 31 st March 2003 and will need to be uplifted by the retail price index increase as defined within the grounds maintenance contracts and applied to all these contracts on the 1 st April of each year.

2.0	<u>Background</u>
2.1	The land being offered for transfer includes the bank of the Willingdon and West Langney Sewer and a strip of open grassland between the sewer and the existing footpath. There is an existing post and wire fence segregating the footpath from the open water.
2.2	The land being offered for transfer comprises of rough grassland and also the riparian ownership of the northern bank along with 360 m length of post and wire fence.
2.3	The Environment Agency will require periodic access to carry out essential maintenance to the Willingdon and West Langney Sewer.
2.4	The land adjoins an area of land previously transferred to the Council and approved at Cabinet (5/07/00) under the title Transfer of Amenity Land in Sheffield Park Way. This is currently being maintained within the Parks Ground Maintenance Contract.
3.0	<u>Consultations</u>
3.1	The provision of a new, more robust fence and a long term native hedgeline has been agreed in principle with the Environment Agency with the objective of creating a physical barrier between the footpath and the open water.
4.0	<u>Financial Implications</u>
4.1	The commuted sum figure for maintenance has been calculated using current ground maintenance rates and will pay for the first fifteen years of minimal routine maintenance.
4.2	Abbey Developments Limited have accepted the estimated cost and offered a financial contribution of £12,000 plus £500 towards the cost of legal fees for the transfer.

5.0	<u>Environmental implications</u>
5.1	The site will be managed sensitively as it forms part of the periphery of Shinewater Park.
6.0	<u>Human Resource Implications</u>
6.1	The ongoing management of the area can be carried out within existing resources and included within the Parks Ground Maintenance Contract.
7.0	<u>Youth Implications</u>
7.1	The land adjoins a footpath which children use to travel to and from nearby schools and will benefit from regular maintenance and inspection by Council Officers.
8.0	<u>Conclusion</u>
8.1	The land outlined on the attached plan should be accepted and transferred to Eastbourne Borough Council subject to the payment of £12,500 for ongoing maintenance and legal fees.
Gareth Williams Parks and Gardens Manager	
Background Papers: The Background Papers used in compiling this report are as follows: (1) Correspondence with Abbey Developments Limited (2) Correspondence with the Environment Agency To inspect or obtain copies of background papers please refer to the contact officer listed above.	