



Lewes District Council

To all Members of the Devolution Committee

A meeting of the **Devolution Committee** will be held in the **Telscombe Room, Southover House, Southover Road, Lewes** on **Tuesday, 02 February 2016** at **10:00** which you are requested to attend.

Please note the venue for this meeting which is wheelchair accessible and has an induction loop to help people who are hearing impaired.

This meeting may be filmed, recorded or broadcast by any person or organisation. Anyone wishing to film or record must notify the Chair prior to the start of the meeting. Members of the public attending the meeting are deemed to have consented to be filmed or recorded, as liability for this is not within the Council's control.

20/01/2016

Catherine Knight
Assistant Director - Corporate Services

Agenda

- 1 Election of Chair**
To elect a Chair of the Devolution Committee for the remainder of the municipal year
- 2 Minutes**
To confirm and sign the Minutes of the Meeting of the Devolution Committee dated 26 October 2015 (copy previously circulated).
- 3 Apologies for Absence**
- 4 Declarations of Interest**
Disclosure by councillors of personal interests in matters on the agenda, the nature of any interest and whether the councillor regards the interest as prejudicial under the terms of the Code of Conduct
- 5 Urgent Items**
Items not on the agenda which the Chair of the meeting is of the opinion should be considered as a matter of urgency by reason of special

circumstances as defined in Section 100B(4)(b) of the Local Government Act 1972

6 Written Questions from Councillors

To deal with written questions which councillors may wish to put to the Chair of the Council, a Lead Councillor on the Cabinet or the Chair of any committee or sub-committee in accordance with Council Procedure Rule 12 (if any).

7 Devolution of Open Spaces to Town and Parish Councils (page 3)

To consider the Report of the Director of Service Delivery (Report No 20/16 herewith)

8 Any other business

Discussion of any other business not on the agenda.

9 Date of Next Meeting

To agree the date of the next meeting of the Devolution Committee

For further information about items appearing on this Agenda, please contact:

Clerk Name: Michaela Frost

Clerk Telephone: 01273 471600

Clerk Email:

Distribution: Councillors T Nicholson, B Giles, G Amy, J Carter, D Cooper, P Franklin, P Gander, J Harrison-Hicks

Agenda Item No: 7

**Report No:
20/16**

Report Title: Devolution of Open Spaces to Town and Parish Councils

Report To: Devolution Committee Date: 2 February 2016

Cabinet Member: Cllr Bill Giles

Ward(s) Affected: All

Report By: Gillian Marston, Director of Service Delivery

Contact Officer(s)-

Name(s): Bee Lewis
Post Title(s): Head of Property & Facilities
E-mail(s): Bee.lewis@lewes.gov.uk
Tel No(s): 01273 661101

Purpose of Report:

To provide an update on progress against the Project Plan for devolving a number of open space assets to Town and Parish Councils

Officers Recommendation(s):

- 1** That the Devolution Committee notes the report and agrees the Project Plan, timescales and next steps.
 - 2** That the Devolution Committee makes a recommendation to Cabinet to approve the transfer of land to Newhaven Town Council as detailed within this report.
-

Reasons for Recommendations

- 1** At the meeting on 26 October 2015, Devolution Committee agreed to receive formal updates on the project progress.

Information

2

- 2.1** Special Expense charges for open spaces and recreation areas have been a key driver generating discussions on the devolution of open space assets with Town and Parish Councils.

- 2.2** When a Town or Parish Council takes on a devolved asset, it will include the running and administrative costs within its own precept (budget). This means that the cost is included in the local town or parish council tax. Because Lewes District Council no longer owns the asset, it incurs no cost of ownership and the Special Expenses charge will end.

Project Update

- 2.3** To enable the land transfers, there is a considerable amount of background work involving Legal Services, Property, Finance, and Parks which must take place prior to the drafting of agreements between the parties. Appendix A sets out the steps which must be followed for each transfer.
- 2.4** Negotiations with Newhaven Town Council (NTC) are progressing and it is proposed that the following sites are transferred to NTC by April 2016:
- (a)** Eastside Rec & Allotments
 - (b)** Riverside Park
 - (c)** Valley Road Play Area
 - (d)** Avis Road Rec
 - (e)** Drove Park
 - (f)** Denton Rec/Cricket Club
- 2.5** Additionally, it is proposed to transfer the play area known as the Maltings, Cooksbridge, to Hamsey Parish Council by April 2016.
- 2.6** The Project Activity Progress Sheet (Appendix A) sets out the current position of each asset to be transferred.
- 2.7** Each party to the transfer will undertake its own diligence to ensure that all facts are established and understood prior to concluding the transaction.
- 2.8** The sites proposed for transfer will be advertised as a disposal under Section 123 of the Local Government Act 2000. The transfers will only take place if no objections are received.
- 2.9** It is recommended that Devolution Committee approves the transfer of the land, subject to approval by Cabinet in March 2016.

Financial Appraisal

- 3.1** When an asset is devolved, the cost of ownership passes from this Council to the local Town or Parish Council.
- 3.2** NTC currently maintains the area known as Riverside Park/Lewes Rd rec.
- 3.3** The following financial information will be presented at the meeting:
 - (a)** A statement of the revenue/capital financial impact of the transfer;
 - (b)** A list of any associated reserves/balances that could be considered for transfer, including Developer contributions (s106 deposits) that are held;
 - (c)** A statement of the asset values (existing use) being transferred.

Legal Implications

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- 4.1** There are no additional legal implications arising as a result of this report.

Risk Management Implications

5

- 5.1** There are no risks arising as a result of this report.

Equality Screening

6

- 6.1** I have carried out an Equality Impact Assessment. There are no equality implications as a result of this report as the land will be transferred on an existing use basis and the report relates to a change of ownership only.

Background Papers

7 None

Appendices

PROJECT ACTIVITY SHEET - Key Sites

Appendix A

Lewes	Town/Parish Authority	Agree Demise	Review Reports on Title	Finalise Plan	Contamination Y/N/Possible	Advertise Disposal	Objections to Disposal?	Determine GM Costs	Information Pack Sent	Draft Transfer Docs	Approval for Transfer	Completion Estimate
Landport Bottom	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	01/02/2016
Malling Recreation Ground	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	01/02/2016
Barons Down					N							
Bell Lane					N							
Grange Road												
Lansdown Place												
Lewes Railway Land					P							
Malling Railway Cutting					P							
Southover Grange Gardens					N							
The Gallops Lewes					N							
Timberyard Lane					P							
Valence Road					N							
Waite Close					P							
Stanley Turner Rec					N							
Convent Field					N							
The Paddock (leased from ESCC)					P							

Newhaven	Town/Parish Authority	Agree Demise	Review Reports on Title	Finalise Plan	Contamination	Advertise Disposal	Objections to Disposal?	Determine GM Costs	Information Pack Sent	Draft Transfer Docs	Approval for Transfer	Completion Estimate
Eastside Rec & Allotments	Y	Y	Y		N	Y	N	Y				01/04/2016
Riverside Park	Y	Y	Y		P			Y				01/04/2016
Valley Road Play Area	Y	Y	Y		N			Y				01/04/2016
Avis Road Rec	Y	Y	Y		P			Y				01/04/2016
Drove Park	Y	Y	Y					Y				01/04/2016
Denton Rec/Cricket Club	Y	Y	Y					Y				01/04/2016
West Quay/Hugget's Green	Y				P							01/04/2017
Fort Road Rec, Court Farm Rd	Y				N							01/04/2017
Castle Hill					N							
Meeching Down												

Peacehaven	Town/Parish Authority	Agree Demise	Review Reports on Title	Finalise Plan	Contamination	Advertise Disposal	Objections to Disposal?	Determine GM Costs	Information Pack Sent	Draft Transfer Docs	Approval for Transfer	Completion Estimate
Firle Road Walkway					N							
Lake Park					N							
Meridian Park					N							
Peacehaven Cliff Tops					N							

Chailey, Hamsey, Telscombe & Ringmer	Town/Parish Authority	Agree Demise	Review Reports on Title	Finalise Plan	Contamination	Advertise Disposal	Objections to Disposal?	Determine GM Costs	Information Pack Sent	Draft Transfer Docs	Approval for Transfer	Completion Estimate
The Martlets, Chailey					N							
The Malthouse, Cooksbridge	Y	Y	Y	Y	N	Y	N	Y				01/04/2016
Telscombe Cliff, Tops					N							
The Forges, Ringmer	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	01/02/2016

Key

Complete	
Next Step	
Delayed	