



Lewes District Council

Devolution Committee recommendations for consideration by Cabinet at the meeting of the Cabinet on Monday, 2 July 2018

Devolution Committee – 7 June 2018

6 Devolution of open spaces to town and parish councils

The Committee received the report of the Head of Property & Facilities (HPF) which provided an update on the progress of devolution requests from town and parish councils within the District, and to confirm the next sites that it was proposed were transferred.

The Assistant Director of Legal and Democratic Services (ADLDS) informed the Committee that on 18 April 2018, two separate meetings were held between members of Lewes District Council (LDC)'s Devolution Committee and the clerk/members of Lewes Town Council (LTC) and the clerk/members of Newhaven Town Council (NTC), respectively.

The ADLDS reported that both meetings were felt to have been constructive and helpful. It had been two years since the last meeting of LDC's Devolution Committee on 15 June 2016. Work on the devolution of sites had been proceeding during this period, albeit slowly.

The meeting with the clerk and members of LTC had provided an opportunity for the district council to explain its reasons for deciding to postpone the devolution of the Malling site, pending development of the North Street Quarter.

The ADLDS confirmed that progress on the devolution of the Landport Bottom site had now progressed to a stage where LDC was holding signed documentation from LTC and was only awaiting final sign-off from the relevant Cabinet portfolio holder.

In light of the devolution of the Malling site being postponed, LDC officers had written to LTC offering certain other open space sites (already approved by the district council's Cabinet for devolution back in 2014) which could be brought forward for early devolution. These were Timberyard Play area, the Paddock play area (including public toilets) and Bell Lane. A response from the Town Council was not expected until after its next meeting on 21 June 2018.

The ADLDS highlighted that Lewes Road Recreation Ground needed to be included on the list of sites in paragraph 2.6 on page 6 of the report,

as the site was discussed at the meeting with NTC on 18 April 2018. The devolution of Lewes Road Recreation Ground might take some time to sort because there was an issue of land contamination and the potential of indemnities which had yet to be resolved. Further, this was not a matter that could be sorted by the town and district council alone; there were third party interests. Solicitors for the town and the district were working together to progress these.

The ADLDS provided a progress update on the Newhaven sites listed under paragraph 2.6:

- **Eastside Recreation Ground** was an exception to the usual overage position as explained in paragraph 2.4 on page 6 of the report, For that reason LDC would need to refer the matter back to Cabinet to obtain approval to proceed with an amended overage provision;
- **Avis Road Recreation Ground** needed a licence from East Sussex County Council in order to access the site;
- **Drove Park** required a right of way over the industrial estate, which required a third party consent; and
- **Valley Road Recreation Ground** contained a strip of land that was not owned by LDC. The Council was in the process of completing the purchase of the strip of land in order for the devolution of the site to go forward.

The ADLDS explained that NTC had asked for the devolution of Meeching Down to come forward as soon as possible. The HPF confirmed that there was no reason why this could not now be brought forward. The Chair requested an update on other devolution projects, as set out in paragraphs 2.14 and 2.15 on page 7 the report:

- The Council's Solicitor confirmed that the site at Hollycroft in East Chiltington was still at an early stage in the process of potential devolution; and
- The HPF clarified that LDC had contacted the Peacehaven Town Council Clerk for a list of possible sites for devolution, but LDC had not yet received a response.

Resolved:

- 1) To note that Lewes District Council had written to Lewes Town Council offering early devolution of the following sites: Timberyard Play Area, the Paddock Play Area (including public toilets) and Bell Lane;
- 2) To note the progress regarding the devolution of open spaces by Lewes District Council to Lewes Town Council and Newhaven Town

Council, as set out in the report;

- 3) To note the inadvertent omission of Lewes Road Recreation Ground from paragraph 2.6 of the report and to note that the devolution of this site is still being actively pursued by both Newhaven Town Council and the district council; and
- 4) To agree that the Castle Hill be programmed for early devolution to Newhaven Town Council, together with Meeching Down providing devolution of the latter is agreed by Cabinet.

Recommended to Cabinet:

- 1) That the devolution of the Meeching Down site in Newhaven to Newhaven Town Council, be agreed; and
- 2) That the variation of the standard from of overage provision to allow certain development to take place at Eastside Recreation Ground in Newhaven as outlined in paragraph 2.7 on pages 6 and 7 of the report, be agreed.

Reason for decisions:

To note the progress of the devolution of open spaces within the District and to agree the next steps for further progress.

(Note: Cllr Giles declared his non-prejudicial interest in this item as his home was adjacent to the site Meeching Down, Newhaven. He therefore took part in the consideration, discussion and voting thereon.)