

PUBLIC OPEN SPACE LAND AND PLAY SPACE AREAS IN ROCHFORD DISTRICT OWNED BY THE COUNCIL

1 SUMMARY

- 1.1 This report reviews the arrangements as to how Public Open Space and recreational land is held by the Council and considers trust options that may help to safeguard these areas for the future.

2 BACKGROUND

Areas with Trust Status

- 2.1. Seven areas of Public Open Space land formerly owned by the Council have already been protected for the future by documentation. These areas are shown below:-
1. Turrett House Farm Public Open Space, Rayleigh
 2. Sweyne Park Public Open Space, Rayleigh
 3. Rochford Recreation Ground, Stambridge Road, Rochford
 4. Millview Meadows Public Open Space, Rochford
 5. Hollytree Gardens Public Open Space, Rayleigh
 6. Grove Play Space, Grove Road, Rayleigh.
 7. Woodland, Little Wheatleys
- 2.2. This was effected by a Transfer of the freehold of six sites to The National Playing Fields Association (NPFA) with simultaneous Leases back to the Council for a term of 999 years. The Council is now responsible for maintaining those sites as before, but the terms of the Leases are non-assignable and the freehold of the sites remain with the NPFA as Trustee. The other area of land was transferred to the Woodland Trust, together with a dowry payment which provided sufficient financial resource for future years' maintenance.

Sites still in Council Ownership but under Trust

- 2.3. Two sites are in Trust but without documentation. These are :
1. King George V Playing Field, Public Open Space, Ashingdon Road, Ashingdon.
This site is designated as Trust land but no documentation was completed.

2. Nursery Close Playground, Rayleigh.

This land is enrolled in the books of the Ministry of Education and also with the Charity Commission.

- 2.4. These two sites could also possibly be formally transferred to NPFA with leases back.

Public Open Space Sites with no Trust Status

- 2.5. The Council has a significant number of Open Space Land holdings which have no Trust status. Some of these have been leased to Parish Councils within the District.

Play Areas with No Trust Status

- 2.6. Similarly, there are a number of playspaces both within existing playing field areas and stand alone that have no trust status.

3 BENEFITS AND DISADVANTAGES OF TRUST STATUS

Benefits

- 3.1. The Council enjoys a good working relationship with NPFA.
- 3.2. The overwhelming benefit of Trust Status through NPFA supported by a 999 year Lease back to the Council, is that the land held in Trust by NPFA should for the foreseeable future stay as Public Open Space land, reasonably safe from the threat of development.
- 3.3. As seen from past experience, although NPFA owns the freehold of Trust land, the Council has not suffered any undue problems with its management. The land is managed by the Council in a good and husbandlike manner to the best of its ability. Any questions on use of the land not covered by ordinary usage needs to be referred back to NPFA for instruction, but no other difficulties appear to arise.

Disadvantages

- 3.4. The need to refer back to NPFA for instructions could be considered a disadvantage, but this is outweighed by the advantage of securing the land for the future as Open Space land.

4 OPTIONS

- 4.1. The Council's Open Space and Play Space land holding could be left as it is at present without trust status. In this case, should some Directive be given by Central Government to develop all or part of Open Space land in Rochford District, the land would be vulnerable and possibly the Green Belt of the District would be greatly diminished. Alternatively, if this Council should, at some future date, be the subject of amalgamation or assimilation into a much

larger entity, then the open space land might again be vulnerable for redevelopment.

- 4.2 The Council's Open Space and Play Space land holding could be transferred to NPFA with 999 year Leases back to the Council for the Council to continue to maintain the land as before. With Trust Status, the land should be safe for future generations to enjoy.
- 4.3 NPFA has been supplied with a list of the Public Open Space land and play areas owned by the Council, and has been asked whether they would consider taking over that land if the Council approves such a step. At present a response is still awaited.

5 WAY FORWARD

- 5.1 Provided that the NPFA, or indeed any other appropriate body, is agreeable, the principle of transferring open space land in order to safeguard its future should be supported. The proposed method would replicate the current system whereby the land is simultaneously leased back to the Council.
- 5.2 It is suggested that, in the first instance, consideration be given to the transfer of our major sites, these being:-

The Playing Field, Althorne Way, Canewdon
Cherry Orchard Jubilee Country Park
Playing Field, High Street, Great Wakering
Clements Hall Playing Field
Hawkwell Common
Hockley Woods
Playing Fields, Pooles Lane, Hullbridge
Playing Fields, Rawreth Lane, Rawreth
Fairview Playing Field, Rayleigh
Brooklands Gardens, Hockley Road, Rayleigh
Grove Road Public Open Space and Woods, Rayleigh
Kingley Wood Public Open Space, Rayleigh
St. John Fisher Playing Fields, Rayleigh
New Public Open Space at the former Park School site

- 5.3. The remaining sites will need further consideration, particularly those leased to Parish Councils and specific play areas before final decisions are made.

6 RESOURCE IMPLICATIONS

- 6.1 Officer time would be required in order to carry out the necessary conveyancing work.

7 PARISH IMPLICATIONS

- 7.1. Public open space land and playspaces are spread throughout the District

8 RECOMMENDATION

8.1 It is proposed that the Committee **RECOMMENDS**

- (1) That the principle of transferring Public Open Space Land to the National Playing Field Association or other appropriate trust body be agreed.
- (2) That officers be authorised to open negotiations with regard to the areas shown at paragraph 5.2 of this report.
- (3) That discussions take place with Parish Councils in respect of the play spaces currently leased to them
- (4) That a further report be made to Community Services Committee detailing:
 - Proposals following discussions with Parishes
 - Proposals for remaining land holdings.

Albert Bugeja

Head of Legal Services

Background Papers:

None

For further information please contact Albert Bugeja on:-

Tel:- 01702 318130

E-Mail:- albert.bugeja@rochford.gov.uk