

## **REPORT TO PLACE SCRUTINY AND EXECUTIVE**

**Date of Meeting: 17 January 2019 and 12 February 2019**

**Report of: City Surveyor**

**Title: Bull Meadow Recreation Ground**

### **Is this a Key Decision?**

No

\* One that affects finances over £1m or significantly affects two or more wards. If this is a key decision then the item must be on the appropriate forward plan of key decisions.

### **Is this an Executive or Council Function? Executive**

#### **1. What is the report about?**

This report follows the request by Exeter Homes Trust Ltd to purchase an area of Bull Meadow Park at the end of Temple Road to enable the redevelopment of the existing scheme of 12 almshouses dating from 1928 to provide 31 almshouses. The land to be purchased is shown edged and hatched black on the plans one showing the detail of the proposed turning head and one showing its location within Bull Meadow Park. All requests of this nature are handled by the Corporate Property Section who check amongst other things that there are not any strategic or operational reasons for retaining the land and that the proposed use is acceptable.

#### **2. Recommendations:**

That Place Scrutiny Committee advise and Executive decide whether, subject to planning consent, the land may be disposed of to create an extension to the highway.

#### **3. Reasons for the recommendation:**

Although disposals of non-strategic land holdings are delegated to the City Surveyor in consultation with the Chief Finance Officer it is considered in this instance, with the high volume of interest from local residents, that Members should be consulted and Executive decide on the principle of disposal.

#### **4. What are the resource implications including non financial resources.**

The only financial aspect would be a capital receipt of £25,000 for land plus £5,000 towards mitigation works being tree planting and marginal revenue saving would be made on park maintenance.

#### **5. Section 151 Officer comments:**

The report is noted. There is a small financial benefit contained in the offer, which could be used to support the funding of additional assets or used to reduce debt.

#### **6. What are the legal aspects?**

Please see the detail of S.123 of the Local Government Act set out below.

**7. Monitoring Officer's comments:**

The provision of S.123 of the Local Government Act 1972 are relevant and explained in paragraph 8 below. When making a decision as to whether to sell the land in question, Members must consider the detail of any objection to such sale as identified in paragraph 8 below.

**8. Report details:**

Exeter Homes Trust provides accommodation only for people who are aged 55 or over, have a low income which is currently limited £330 per week, have connections to the city of Exeter and are capable of independent living.

The land requested comprises 130sq metres and would be used only for highway purposes to form part of a new vehicle turning head. The transaction would only proceed if planning consent was granted for the scheme and there would be a condition requiring completion of the turning head. Approximately half of the new turning head would be constructed on land already owned by Exeter Homes Trust.

The terms provisionally agreed with Exeter Homes Trust include consideration for the land, a budget for new tree planting in the park and appropriate accommodation works.

Disposal of public open space by a local authority is governed by the Local Government Act 1972. Under this Act before disposing of any land a Council must place notice of their intention specifying the land in question to be advertised in two consecutive weeks in a local newspaper and consider any objections to the proposed disposal which may be made to them. Following this notice in the Express & Echo, 207 representations have been received plus a petition of 327 signatures.

Of the 207 replies, 191 objected to the disposal of this piece of land with 85 indicating a principle reason was increased danger resulting from an increase in traffic. 47 also mentioned additional pollution, 37 increased parking problems, 33 considered it would create a precedent to encourage further disposal, and 27 thought an alternative access should be created off Fairpark Road.

15 of the objectors thought that the proposal was to build on or sell the entire park and objected to this.

One of the replies was in favour of the scheme.

All the letters and e-mails, plus the petition, are available for inspection in the Members Room.

**9. How does the decision contribute to the Council's Corporate Plan?**

Members must weigh up the relative merits of retention of Public Open Space against the almshouses re-development and associated receipt.

**10. What risks are there and how can they be reduced?**

There are not any risks to the Council.

**11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?**

The use of the park is already affected by a collapsed culverted watercourse near the subject area. This is securely fenced for safety reasons. This part of the park is therefore isolated at the moment and consequently underused. It is managed as a meadow. Exeter Homes Trust would not be doing any landscaping on the park, this corner of the park would continue to be managed as meadow with additional tree planting.

The Parks & Open Spaces Manager is agreeable to the disposal of the area coupled with the planting of new trees. The area of 130sq metres is approximately 1% of the area of the park and although the proposal would lead to a modest increase in traffic on Temple Road, a new turning head would mean that traffic can turn rather than reverse out as is currently the practice. The Waste Collections Manager has said that a turning head would be a useful improvement.

**12. Are there any other options?**

The other method of developing this area of land would be by taking access off Fairfield Road however verbal advice from both Exeter Homes Trust and the Planning Section was that this would be an inferior access and was dismissed at an early stage in the consideration.

**Michael Carson**  
**City Surveyor**

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

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