

Protection of land at Tenter Hill Meadow, Stanground, Peterborough

COUNCILLOR HILLER CABINET MEMBER FOR STRATEGIC PLANNING AND COMMERCIAL STRATEGY AND INVESTMENTS

December 2020

Deadline date: N/A

Cabinet portfolio holder:	Peter Hiller: Cabinet Member for Strategic Planning and Commercial Strategy and Investments
Responsible Director:	Peter Carpenter: Acting corporate director of resources
Is this a Key Decision?	YES Has it been included on the Forward Plan: YES Unique Key decision Reference from Forward Plan: KEY/31AUG20/01
Is this decision eligible for call-in?	YES
Does this Public report have any annex that contains exempt information?	NO
Is this a project and if so has it been registered on Verto?	NO

R E C O M M E N D A T I O N S

The Cabinet Member is recommended to:

1. Approve a long lease to Nene Park Trust of Tenter Hill Meadow, Stanground for a term of 999 years, to protect it for the residents of Peterborough in perpetuity.

1. PURPOSE OF THIS REPORT

- 1.1 This report is for Cllr Hiller to consider exercising delegated authority under paragraph 3.2.2 of Part 3 of the constitution in accordance with the terms of their portfolio at paragraph (q).

2. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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3. BACKGROUND AND KEY ISSUES

- 3.1 In October 2019, Council agreed a motion for Tenter Hill Meadow, Stanground to be protected in perpetuity as follows:

“This council, therefore, resolves to: consider all suitable mechanisms, such as designation as a town / village green or as an area of local green space, which would protect this land from development in order to ensure that the residents of Peterborough are able to enjoy the open space provided by the land for all generations to come.”

Since then the Council has looked at what options there are to protect the land. The options considered were as follows.

Option 1 - do nothing

The planning authority’s view is that as the land has recently had a refusal both by the Council, and on appeal, and the recently adopted Local Plan presumes against the development, there is almost no possibility of any developer being able to secure a planning permission for residential development. However, it was considered that the Council (as landowner), or a successor in title to the landowner, could submit a scheme with fewer units which might then find favour with the Local Planning Authority (LPA), or the Local Plan might be reviewed in 5 years’ time.

Option 2 – Asset of Community Value

This option would be open to a community group to apply to the LPA to register the land as an Asset of Community Value. It was considered that the limitation of this option is that the registration would only last for 5 years and it could only delay a sale to a developer, not prevent it.

Option 3 - Voluntary registration of Village Green

There is a statutory mechanism [Section 15 (8) Commons Act 2006] whereby a landowner (with the consent of any lessees/mortgagees) can voluntarily register land as a village green. This is in practice an irreversible step, and it would be almost impossible to release the land once registered. Further, it would be most difficult to permit even modest sized buildings on the land.

Option 4 - long lease

A long lease to a non-profit organisation with a covenant for the land to remain as public open space. It has been considered that there is the possibility that the lessee could seek to have such covenants released after 25 years, but it would still be an uphill task as the Council could no doubt then still demonstrate that the covenants served a useful purpose.

Recommendation

Having reviewed the options, the Council has opted to pursue a lease with Nene Park Trust for a term of 999 years; the lease will be subject to a covenant for the land to remain as Public Open Space. The Council will continue to be responsible for the grounds maintenance for the first three years with the responsibility passing to Nene Park Trust in the fourth year.

4. CONSULTATION

- 4.1 Consultation has taken place with Cabinet, the leader of the Council and Councillor Christian Hogg.

5. ANTICIPATED OUTCOMES OR IMPACT

- 5.1 A new lease to Nene Park Trust will be granted which will enable this land to be managed for the residents of Peterborough for the foreseeable future and protected as Public Open Space.

6. REASON FOR THE RECOMMENDATION

- 6.1 A long lease to a non-profit organisation is considered a good way to protect this land from development but with more flexibility than adopting village green status

7. ALTERNATIVE OPTIONS CONSIDERED

- 7.1 (As above)
1. Do nothing
 2. Making the land an Asset of Community Value
 3. Registration as village green

8. IMPLICATIONS

Financial Implications

- 8.1 Nene Park Trust will take on the responsibility for ground works to this area of land. The current budget is minor and less than £5k per annum.

Legal Implications

- 8.2 A covenant will be put in place to ensure the land is protected as Public Open Space.

Equalities Implications

- 8.3 There are no equalities implications arising from this decision.

Carbon Impact Assessment

- 8.4 *[Include summary of approved Carbon Impact Assessment]*

9. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED

- 9.1 None.

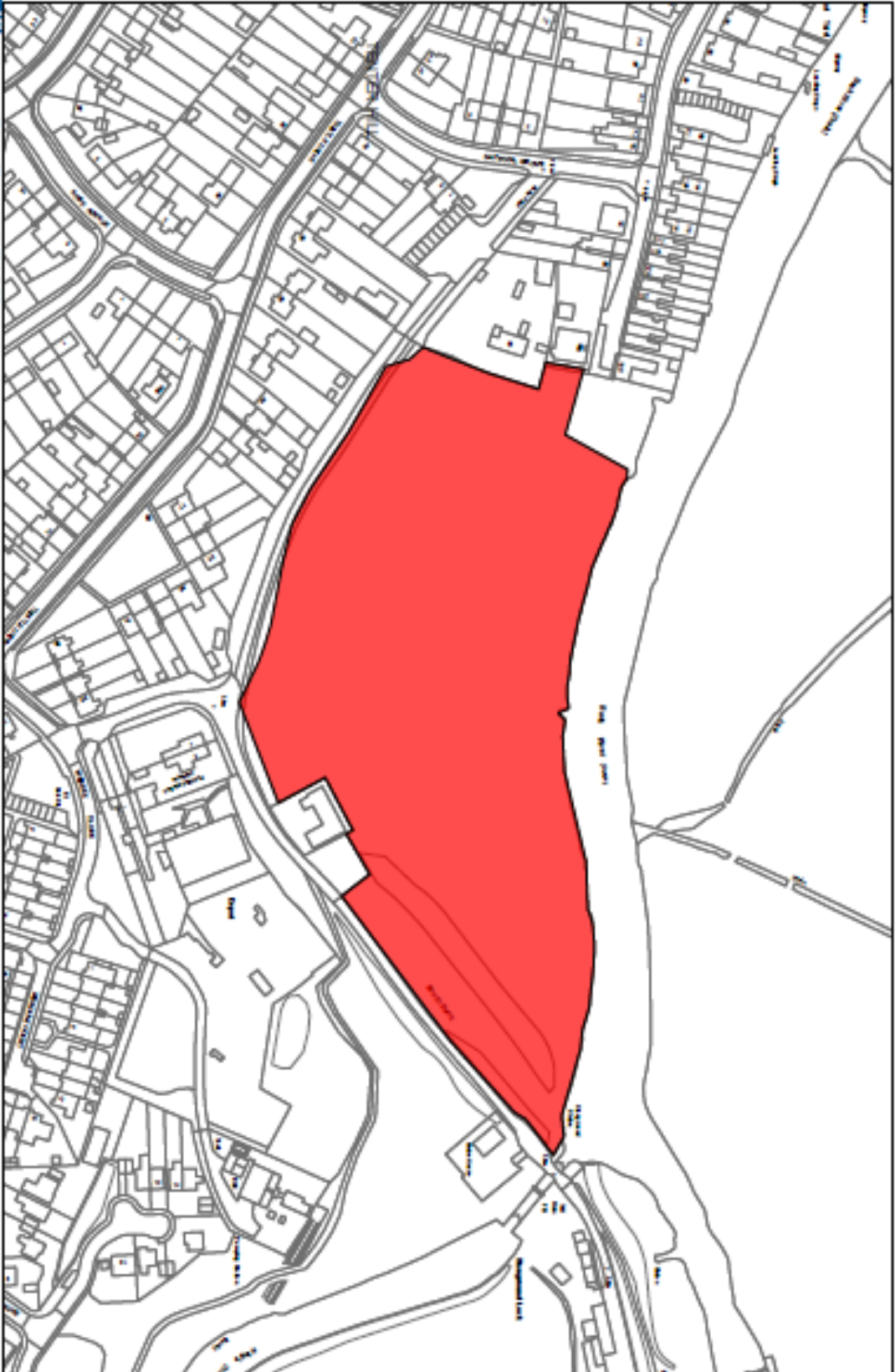
10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985) and The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

- 10.1 None.

11. APPENDICES

- 11.1 Appendix 1 - Map - Tenter Hill Meadow Plan



The Lease Plan Terrent Hill E1033

Scale 1:1,250 Filepath: S:\AssetManagement Properties E1033 Plans\Leaseplan Sept 2020 V1 E1033 Terrent Hill.sxd

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