

Leicester
City Council

CABINET

**WARDS AFFECTED
SPINNEY HILL WARD**

15 DECEMBER 2003

SPINNEY HILL PARK – PROPOSED SITE FOR POLICE STATION

Report of the Corporate Director of Resources, Access and Diversity

1. Purpose of Report

- 1.1 This report outlines the results of a public consultation exercise undertaken into whether there is support for the construction of a Police Station on Spinney Hill Park.
- 1.2 In the light of the results Cabinet are asked to decide between selling the site on long lease to allow the Police Station to be built or withdrawing from sale.

2. Summary

- 2.1 At its meeting on 1st September 2003 Cabinet considered a report outlining the situation regarding the proposals for a Police Station to be constructed within Spinney Hill Park. The report outlined that planning permission was in place for the development, the Victorian Society had presented a 250 signature petition strongly objecting to the proposals and the Heritage Lottery Fund (HLF) have confirmed that any future bid by the Council to them for funding for improvements to the park will be expected to include evidence of broad based community support for the Police Station.
- 2.2 Cabinet determined that having regard to the potential for leveraging in lottery or similar funding, which cannot be achieved without community consultation, and the wishes of the local ward members for further consultation, a public consultation exercise be undertaken to seek the views of the community with regard to the proposals.
- 2.3 Under Section 123 of the Local Government Act 1972 the Council is legally required to advertise proposals for the disposal of public open space and invite objections.
- 2.4 The public consultation and statutory advertising have been undertaken, details of which are outlined in the Supporting Information to this report. The results will be provided in an addendum to this report.

- 2.5 Terms have been provisionally agreed with the Leicestershire Police Authority for the sale of the land by way of a long lease as outlined in Appendix A. Financial and confidential information relating to the terms is contained in Appendix A of the report which is marked NOT FOR PUBLICATION. Members of the Cabinet are reminded that this material must not be disclosed or discussed in public session.

3. Recommendations

- 3.1 Cabinet are asked to consider the results of the public consultation exercise and the response to the statutory advertising and approve either:-
- a) the withdrawal from negotiations and retention of the land as public park
or
 - b) the disposal of approximately 1590 square metres (1900 square yards) of land within Spinney Hill Park as indicated edged on plan no. 2002/124 to Leicestershire Police Authority upon terms outlined in Appendix A to this report.

and
 - c) that authority be delegated to the Town Clerk, in consultation with Cabinet Link for Regeneration and Culture to approve any further amendments to the terms of disposal.

4. Financial and legal Implications

4.1 Financial Implications (Nick Booth)

The sale of this plot of land within Spinney Hill Park would result in a capital receipt. There will be no loss of income from the sale.

4.2 Legal Implications (David Jones)

The land forms part of a public open space and any disposal must therefore be advertised in accordance with the provisions of s123 of the Local Government Act 1972 and any objections to the disposal considered by the City Council. This advertising procedure has been undertaken and the closing date for objections was 5th December 2003.

The land that comprises Spinney Hill Park was conveyed to the Council in 1885. There are covenants relating to the land that stipulate that it is set aside for "public walks or pleasure grounds". These covenants apply to the central part of the park in perpetuity. However, they only applied for a period of 15 years to a perimeter strip 150 ft (45.7 m) deep, this being thereafter free from restriction, other than that any buildings are set back a minimum of at least 10 ft (3.2 m) from the road. The proposed development comes within these parameters.

The proposed lease falls within the provisions of the General Disposal Consent 2003 which covers the disposal of interests in land which a local authority 'considers will help it secure the promotion or improvement of the economic, social or environmental well-being of its area.' No additional consent is therefore required from the Office of the Deputy Prime Minister.

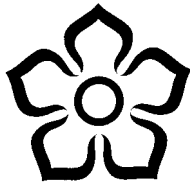
5. Officer to contact:

Neil Gamble
Valuation Services and Operational Property Manager
Extn. 5043

Richard Welburn
Head of Parks and Environmental Services
Extn. 7389

DECISION STATUS

Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Cabinet



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SUPPORTING INFORMATION

1. Report

- 1.1 The public consultation exercise has been achieved by the production of a leaflet which outlines the arguments for and against the proposal and asks respondents to choose between having no Police Station in the park or building the Police Station. The leaflet has been delivered to 16,000 homes within the beat boundary of the existing Asfordby Street Police Station, made available at the Customer Services Centre and via the Internet. In this way the focus is on the local community but as the park is enjoyed by the wider Leicester community people from outside the immediate area can still take part. A FREEPOST address was provided for return of replies.
- 1.2 Local groups have been targeted for their views and local Ward Members consulted. Press releases were issued to publicise the consultation.
- 1.3 Delivery of leaflets commenced on 10th November 2003 and the closing date for responses was 5th December 2003. To support the process an open day took place on 20th November 2003 at the Wesley Hall Community Centre, Hartington Road at which members of the public were able to view detailed plans and speak with representatives of the Council and the Police over the proposals. The proposed development site was cordoned on site to give a visual representation of the area of the park taken up.
- 1.4 The statutory adverts for the disposal of public open space were placed in the Leicester Mercury on 12th and 19th November 2003.
- 1.5 Cabinet are asked to consider the results of, and responses to, the public consultation and statutory advertisements and decide whether to approve disposal of the land to the Police or whether to withdraw from negotiations for disposal and retain the land as public park.
- 1.6 The consultation exercise has cost in the region of £5,000 to undertake and it is suggested that should disposal be pursued, that this is funded from the premium obtained. If not, the costs will have to be funded from elsewhere.

FINANCIAL, LEGAL AND OTHER IMPLICATIONS

1. Financial Implications

As set out in the Summary report.

2. Legal Implications

As set out in the Summary report.

3. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph Within Supporting information	References
Equal Opportunities	NO		
Policy	YES	Whole report	
Sustainable and Environmental	YES	Whole report	
Crime and Disorder	YES	Whole report	
Human Rights Act	NO		
Elderly/People on Low Income	NO		

4. Background Papers – Local Government Act 1972

None.

5. Consultations

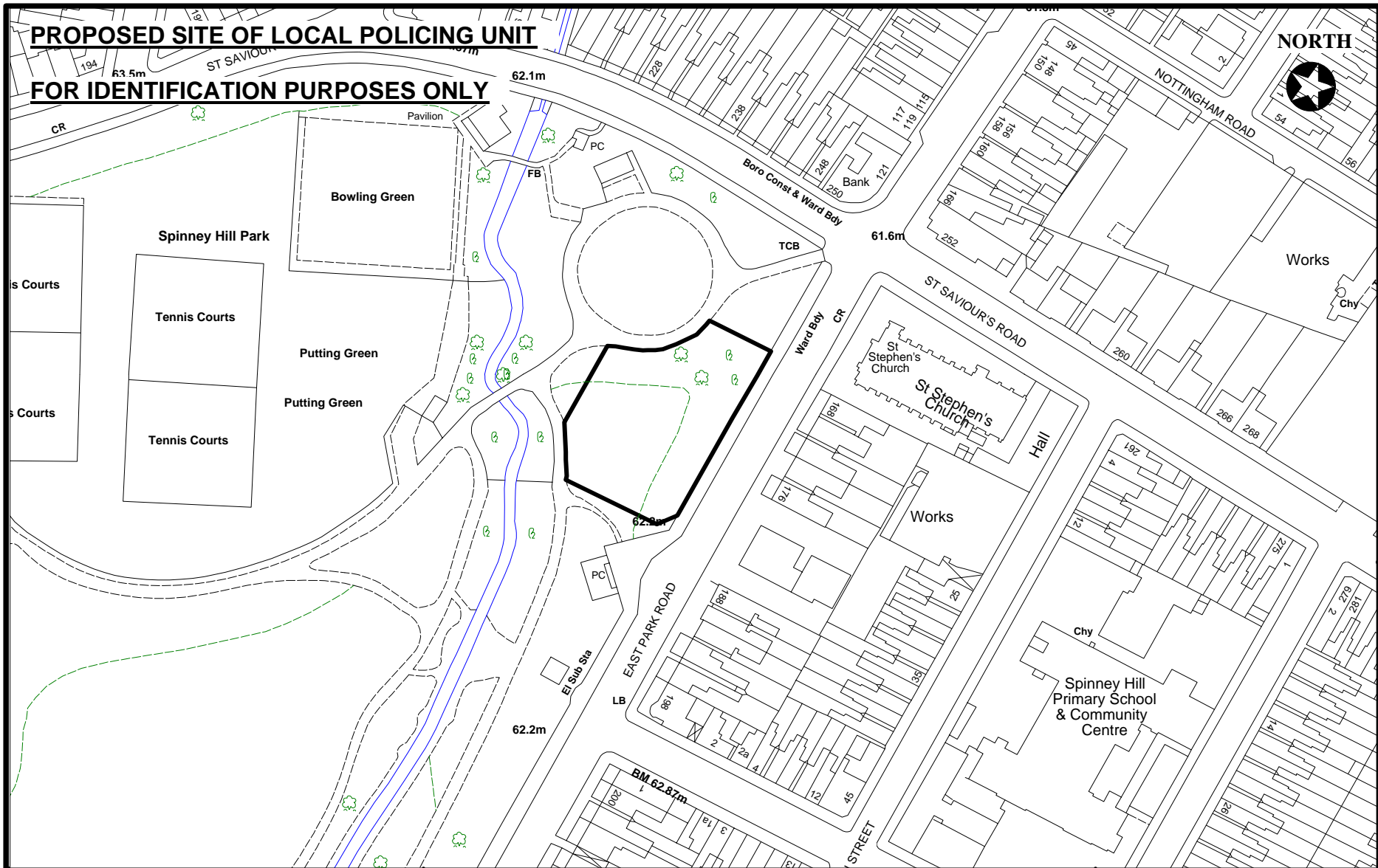
Regeneration and Culture.

6. Officer to contact:

Neil Gamble
Valuation Services & Operational Property Manager

Richard Welburn
Head of Parks and Environmental Services
Extn. 7389

Tom Stephenson
Corporate Director of Resources, Access and Diversity



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DRAWN BY RF PLAN No 2002/124
 CHECKED BY SCI DATE 21/06/2002

NOT TO SCALE

PETER CONNOLLY, DIRECTOR OF ENVIRONMENT, DEVELOPMENT AND COMMERCIAL SERVICES LEICESTER CITY COUNCIL

