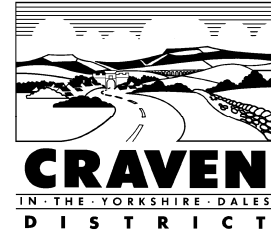


Policy Committee 22 July 2014

Gift of Land at Main Street, Cross Hills, to the Parish Council.



Report of the Director of Services

Ward affected: Glusburn

1. Purpose of Report

- 1.1 To seek approval for land at Main Street, Cross Hills, to be gifted to Glusburn and Cross Hills Parish Council, to enable the creation of a War Memorial and Memorial Garden.

2. Recommendations

- 2.1 Members are recommended to authorise the Director of Services to gift the land at Main Street, Cross Hills, to Glusburn and Cross Hills Parish Council, to enable the creation of a War Memorial and Memorial Garden.

3. Report

- 3.1 Glusburn and Cross Hills Parish Council is wanting to create a Memorial Garden and War Memorial, to mark the 100th Anniversary of the outbreak of the Great War.
- 3.2 We understand that there isn't currently a war memorial in the Parish, although some of the fallen are commemorated at Sutton-in-Craven and Kildwick.
- 3.3 The Parish Council has identified a Council owned amenity/garden area on Main Street as being the best site and have enquired whether they could be gifted the land for this purpose.
- 3.4 We understand that the Memorial would possibly take the form of a modest plinth with a bronze plaque for around fifty names. It is understood that much of the work on research into the listing of eligible names from the Great War, has already been done. If possible the Parish Council would like to unveil the Memorial on Remembrance Day, 11 November 2014.
- 3.5 The proposed site is known as Rye Ghyl and fronts the northern side of Main Street (A6068) opposite its junction with Beech Street, Crosshills, BD20 8TQ.
- 3.6 The site is of rectangular shape and extends to around 180 m². The land currently forms an amenity garden including a couple of small trees.

- 3.7 The land is within the Development Limits and Core Retail Area for the village, on the current Local Plan. The land is also allocated as being an existing recreation/amenity space.
- 3.8 The District Valuation Service has recently assessed the market value of the land to be £2,000.
- 4 **Implications**
- 4.1 **Financial Implications**
- 4.2 The Council currently pays to maintain the land, including the grass cutting, plants/trees and boundaries etc.
- 4.3 Transferring the freehold interest in the land to the Parish Council will take away future maintenance liability from the Council.
- 4.4 **Legal Implications**
- 4.5 The property is held by the Council for the purposes of the Local Government Act 1972. The Council has the power to dispose of land, for the best price that can reasonably be obtained, under section 123 of the Local Government Act 1972 and the General Consents issued by the Secretary of State in support of that section. The Council can dispose of land at an undervalue, under the General Disposal Consent 2003 where it considers that it will help to secure the promotion or improvement of the economic, social or environmental well-being of its area.
- 4.6 A restriction would be placed on the legal title, to prevent the Parish Council disposing of the land in the future, without the Council's consent.
- 4.7 A positive covenant would also be inserted into the title saying that the Parish Council would have to pay 50% of the value of the land, to the Council, in the unlikely event that they did ever propose development or sale of the land.
- 4.8 **Contribution to Corporate Priorities**
- 4.9 Transferring the land to the Parish Council for them to create the War Memorial would fall within the Corporate Priorities of Working with Communities and also Financial Resilience.
- 4.10 **Risk Management**
- 4.11 Transferring the land to the Parish Council will remove the liability for future maintenance and insurance liability on site, from the Council.
- 4.12 The site is valued locally as a public green space and is allocated as being an existing recreation/amenity space on the current Local Plan. There is however a chance that it could have some development potential in the long term and transferring the site will mean that this option would no longer be available to the Council.

- 4.13 In the unlikely event that the Parish Council ever propose disposal or development of the War Memorial site in the future, points 4.7 and 4.8 above would mean that the Council would have to be approached for approval and could share in any uplift in value.

5 **Consultations with Others**

- 5.1 Legal Services, Financial Management and Risk/Procurement & Insurance have been consulted.

6. **Access to Information : Background Documents** –

- 6.1 None

7. **Author of the Report**

- 7.1 Andrew Whelan, Estates Surveyor; telephone 01756 706485;
email awhelan@cravenc.gov.uk

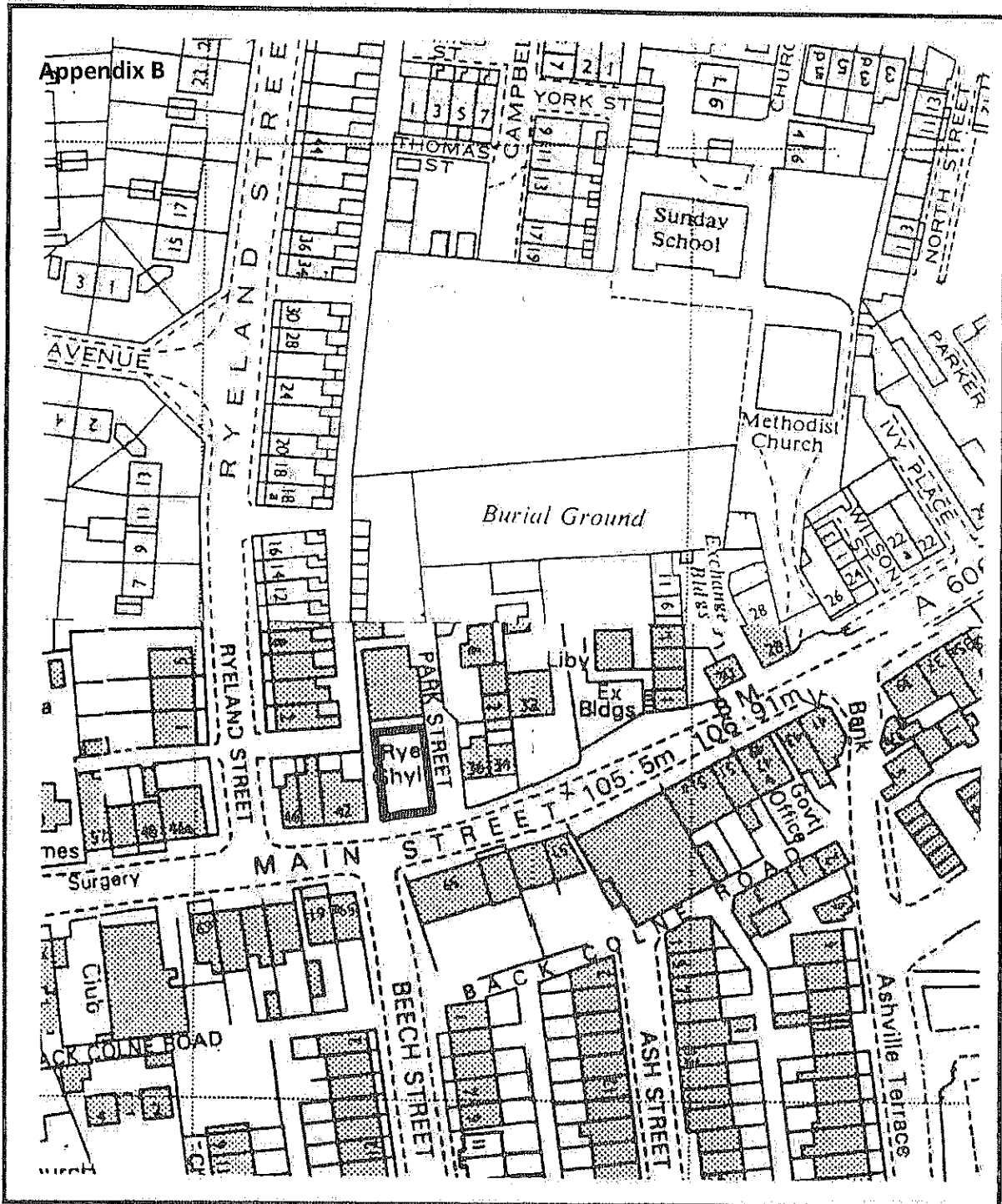
Note : Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

8. **Appendices**

- 8.1 Appendix A photographs
- 8.2 Appendix B location plan

Appendix A





Address: Main Street, Cross Hills

Description: Public garden

Site Area: 180 m²

Scale: 1:1250