
REPORT TO:	COUNCIL	AGENDA ITEM: 17
DATE OF MEETING:	1ST OCTOBER 2009	CATEGORY: DELEGATED
REPORT FROM:	DIRECTOR OF COMMUNITY SERVICES	OPEN
MEMBERS' CONTACT POINT:	CHRIS MASON, EXT 5794, chris.mason@south-derbys.gov.uk	DOC:
SUBJECT:	TRANSFER OF LAND ADJACENT TO HILTON VILLAGE HALL	REF:
WARD(S) AFFECTED:	HILTON	TERMS OF REFERENCE:

1.0 Reason for Exempt

- 1.1 Not applicable.

2.0 Recommendations

- 2.1 That the area of land identified in the report be disposed of for no consideration, on a freehold basis, to the trustees of Hilton Village Hall.
- 2.2 That any objections received following the statutory advertising of the proposed disposal are referred to the Director of Community Services, in consultation with the Chairman of the Finance & Management Committee to be determined.

3.0 Purpose of Report

- 3.1 To provide background information to support the above recommendation.

4.0 Executive Summary

- 4.1 The District Council own a parcel of land around Hilton Village Hall, which it acquired as part of the significant development that has taken place in the Village. Finance & Management Committee, at their meeting on 30th April 2009, approved the transfer of the whole of this area of land, on a long-term lease, to Hilton Parish Council. For sometime now the local community have been developing a project to extend the Village Hall. It is anticipated that part of the funding for this will come from the Big Lottery with a key condition being that applicants have security of tenure over the land they are seeking to enhance. The direct disposal of the freehold of the land on this occasion is the most appropriate way to achieve this objective.

5.0 Detail

- 5.1 The land, off Peacroft Lane, Hilton, that forms the whole of the Village Hall Recreation Area comprises land that is owned by three organisations. The Parish Council, own a significant part of the site, Hilton Village Hall, a registered charity, own an area immediately adjacent to the Village Hall and this Council own an area that

has been developed as community space. Partly to try and normalise arrangements at the site Finance & Management Committee, at their meeting on 30th April 2009, agreed to transfer the Council's land to the Parish Council on a long-term lease. Negotiations have commenced with the Parish Council on the details of the lease.

- 5.2** For sometime members of the Hilton Village Hall Management Committee, supported by officers of the Council, have been engaging the community on ideas to extend the Village Hall. This work has reached a stage where priorities have been identified, design principles agreed and the project developed to a sufficient level to support a bid for Big Lottery funding. One of the key requirements for this funding is that applicants demonstrate long term security of tenure over the asset and the land on which the asset is located.
- 5.3** The proposed extension to the Village Hall would though impinge on land that is currently in the Council's ownership. To address this issue it is proposed to dispose of the freehold of the land, identified on the plan at Annexe A, to the Hilton Village Hall. Transfer on a long-term lease was considered but given that the Village Hall is on land in the ownership of Hilton Village Hall, it would result in two separate legal arrangements for the building, which would be totally impractical.
- 5.4** Hilton Parish Council have been consulted on the principles of the proposal and the Chairman has indicated, verbally, his agreement in principle to the disposal. However, the Parish Council can't give their formal support to this proposal until the matter has been considered at a meeting at the end of September 2009. Members, will be updated verbally as to the outcome of this meeting.

6.0 Financial Implications

- 6.1** The Council will meet its own legal and surveyors' costs and the cost of producing the agreement and any newspaper advertising that may be required to inform about the disposal. Any other costs that may be associated with concluding the disposal to be met by Hilton Village Hall.

7.0 Corporate Implications

- 7.1** The actions identified in the report contribute to the 'Rural South Derbyshire' theme and specifically to investing in rural community and recreational facilities.
- 7.2** In this instance, if Members approve the recommendation, the Council is disposing of land at less than best consideration. In cases such as this the Local Government Act 1972: Disposal Consent (England) 2003 identified specific criteria on which this could be justified. In this particular case the recommendation is made to Members on the basis of the social well-being that will be generated in the area by the extension to the Village Hall.
- 7.3** Legal implications - Section 123(2)(A) of the Local Government Act 1972 requires the Council to advertise the proposed disposal in the local newspaper and consider any objections.
- 7.4** Employment Implications – None

8.0 Community Implications

- 8.1 The subject of the report is essential community facilities and the most appropriate way of managing and maintaining these facilities for the benefit of the people who use them.

9.0 Conclusions

- 9.1 Members & officers continue to work with the local community in Hilton to support their aspirations for meeting the social & leisure needs of the developing Village

10.0 Background Papers

- 10.1 Minutes of F&M Committee on 30th April 2009