

MAIDSTONE BOROUGH COUNCIL

RECORD OF DECISION OF THE CABINET MEMBER FOR CORPORATE SERVICES

Decision Made: 14 August 2009

Disposal of Land at Luck's Way, Marden

Issue for Decision

To consider the Decision of the Cabinet Member for Leisure and Culture Services dated 18th July 2008, to declare the parcel of land at Luck's Way Marden surplus to operational requirements and the request to dispose of the land to Marden Parish Council.

Decision Made

1. That the Leasehold disposal of the land at Luck's Way Marden, for a term of 125 years, to Marden Parish Council, be approved.
2. That the Head of Corporate Law and Legal Services enter into a contract with Marden Parish Council to transfer the Leasehold interest in the land (plan attached as Appendix A to the Report of the Head of Business Improvement) to the Parish Council for a term of 125 years at a peppercorn rent, for use as a play area.

Reasons for Decision

The Assistant Director of Regulatory and Environmental Services recommended in a report to the Cabinet Member for Leisure and Culture Services that the parcel of land at Luck's Way, Marden was of no strategic value to the Council and would benefit from being locally managed by the Parish Council.

The Cabinet Member for Leisure and Culture Services declared the land surplus on 18th July 2008 and authorized the publication of a S123 Notice in accordance with the Local Government Act 1972.

No responses to the advertisement were received during the statutory period allowed for comments. As a result the Decision of the Cabinet Member for Leisure and Culture Services to dispose should be considered on terms agreed between the Parish and Borough Council.

The Parish Council are keen to take on responsibility for the site. They have identified it for use as a children's play area. The Parish Council will be able to bid for external funding (which the Borough Council is unable to access) to purchase play equipment for the site.

The playground is one of the few open spaces within this part of Marden owned by the Borough and suitable for use as a play area.

The Borough Council is keen to see the land transferred to local Parish management as it reduces the Council's land management costs by approximately £1,000 per year.

Alternatives considered and why rejected

I could consider retaining the land under management by the Borough Council, however this would, in all likelihood mean that the site could not benefit from new play equipment for children.

Background Papers

Report to the Cabinet Member for leisure and Culture Services dated 10th July 2008

Decision of the Cabinet Member for Leisure and Culture Services dated 18th July 2008

Background documents can be viewed at the Council offices

Should you be concerned about this decision and wish to call it in, please submit a call in form signed by any two Non-Executive Members to the Scrutiny Manager by: 21 August 2009.
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