

## **MAIDSTONE BOROUGH COUNCIL**

### **RECORD OF DECISION OF THE CABINET MEMBER FOR COMMUNITY AND LEISURE SERVICES**

Decision Made: 03 October 2011

#### **DISPOSAL OF OPEN SPACE AT PENHURST CLOSE, GROVE GREEN**

##### **Issue for Decision**

To consider the leasing of public open space at Penhurst Close to Boxley Parish Council to enable them to plant a community orchard to celebrate Her Majesty Queen Elizabeth II Diamond Anniversary in 2012

##### **Decision Made**

1. That the open space at Penhurst Close, Grove Green, as shown edged red in Appendix 1 of the Report of Assistant Director of Regulatory and Environmental Services, be declared surplus to operational requirements.
2. That the Director of Change, Planning and the Environment be given delegated authority to place a public notice pursuant to Section 123 of the Local Government Act 1972 in respect of the disposal of open space as set out in 1 above.
3. That any objections and representations which might be received in response to the advert be considered by the Cabinet Member for Community and Leisure Services prior to a recommendation being made to the Cabinet Member for Corporate Services.
4. That the Cabinet Member for Corporate Services be informed of this decision.
5. That if no objections are received to the advertisement that the disposal be agreed and a recommendation made to the Cabinet Member for Corporate Services to lease the area shown edged in red in Appendix 1 to Boxley Parish Council.

##### **Reasons for Decision**

A working group has been set up by Boxley Parish Council to look into the planting of an orchard to celebrate Her Majesty Queen Elizabeth II Diamond Anniversary in 2012, and Boxley Parish Council felt that the Maidstone Borough Council land at Penhurst Close would be an ideal location. The proposed orchard would consist of a traditional mixed species Kentish orchard run on strictly organic principles and utilising

standard trees rather than the fashionable dwarf stock.

The Parish Councils key guiding theme would be re-enforcing a cultural and landscape character that has all but been lost from the Parish, introducing year round semi-natural beauty into an increasingly urbanised area, providing a refuge for quiet relaxation and re-connection with nature and provide a habitat for the increasingly rare wildlife associated with traditional orchards (there is a UK Biodiversity Action Plan for traditional orchards).

The Parish Council's working group has agreed that it will be an orchard to reflect/celebrate the history of what is now Grove Green residential area.

Should it be agreed to lease this land to Boxley Parish Council the site, including the new orchard and existing play area, would remain open to the public and be maintained as such by the Parish Council.

It was recommended that the land, including the play area, be leased to Boxley Parish Council at a peppercorn rent, with a lease covenant that the land will remain as publicly accessible open space and also that the play area must continue to be maintained to the current standard.

As the land is designated as open space it has to be advertised that a potential disposal is being considered.

### **Alternatives considered and why rejected**

An alternative option would be to not lease this land to the Parish Council. This was not recommended as Boxley Parish Council is proposing a good scheme which will enhance the local area and improve the open space for local residents.

### **Background Papers**

None

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 Head of Change and Scrutiny by: <b>10 October 2011</b>
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