

AGENDA ITEM NO: 5

CABINET
2nd September 2008

DIRECTORATE OF
COMMUNITY & ENVIRONMENT
COMMUNITY REPORT NO. COMM0813

AVENUE FARM – TRANSFER OF OPEN SPACE

1 INTRODUCTION

- 1.1 This paper seeks approval to transfer the ownership of four tarmac areas of open space in Avenue Farm to adjacent residents to use as gardens.

2 BACKGROUND

- 2.1 The Council owns the four tarmac areas of open space in Avenue Farm (plan attached), which are in poor condition, costly to maintain and, given their secluded locations, are subject to regular anti-social behaviour and are difficult to keep clean due to fly-tipping, dog-fouling, weeds and general litter.
- 2.2 Hampshire County Council are responsible for the main alleyway and two other similar areas of open space on the site are privately owned.
- 2.3 The areas have been inspected in line with Planning Policy Guidance 17. They are considered of limited amenity value given the poor condition, secluded location and the levels of anti-social behaviour.
- 2.4 Children and young people prefer to use the more attractive facilities at the nearby King George V Playing Fields and Rectory Road Recreation Ground. These areas provide good facilities for sport and recreation, dog walking and children's playgrounds.
- 2.5 Residents have been consulted via a self-completion questionnaire on the transfer of ownership of the open spaces to adjacent residents for gardens. Of the 188 surveys distributed 113 (60%) were returned, of which 87% (98 respondents) were in favour, 7% (8 respondents) had no opinion and 6% (7 respondents) were against.
- 2.6 Whilst the overwhelming majority of residents are in favour of the transfer of ownership a number wanted controls placed on major building extensions to the properties. On the basis that planning permission is required each application would be determined on its own merits.

2.7 The transfer of ownership will require a statutory public notice of disposal to be published and that no successful objections are raised. We will need to achieve disposal of all the parcels of land, as we cannot be left with any residual parcels.

2.8 In the Rushmoor Local Plan the Council would not permit the loss of recreational space unless, as in this instance, the facilities are not required to meet demand in the long-term or replacement provision is made elsewhere to provide an equivalent community benefit, which would include the major investment in play facilities at the King George V Playing Fields.

3 FINANCIAL IMPLICATIONS

3.1 The cost of retaining the four areas of open space over the next 10 years is estimated at £100,000. This comprises £40,000 revenue (general cleansing and maintenance), £35,000 capital (reconstruction of tarmac areas) and £25,000 staff time dealing with maintenance and anti-social behaviour issues.

3.2 The Council will need to ensure it achieves best consideration and cover its legal costs in transferring ownership and will require the residents to cover the costs of removing the tarmac and fencing their gardens.

4 RECOMMENDATION

4.1 Cabinet is recommended to give authority:

- To dispose of the areas of open space on terms to be agreed by the Solicitor to the Council in consultation with the Portfolio holder for Corporate Services, which will include the application by any buyer for planning permission for change of use and covenants to fence, and,
- To advertise disposal of the open space, with any objections being dealt with by the Solicitor to the Council in consultation with the portfolio holder for Corporate Services.

PETER AMIES
HEAD OF COMMUNITY

Contact: Peter Amies, Head of Community - 01252 398750



Area 1 - RBC owned
Footpaths side 13 & rear 2 to 8
Private rear garden access.
(appear unused, overgrown)



Area 2 - RBC owned
Footpaths rear 9 to 13 Upton Close
Private rear garden access.
(appear unused, overgrown)



Area 3 - RBC owned
Footpaths side 4 & 5 Upton Close
Private rear garden access.
Note: Brick wall on N & E boundary with
weld mesh additional height.
Garden fencing on S boundary



Area 4 - RBC owned
Footpaths front/side 6 Wilton Court
Private rear garden access.
Note: Brick wall E & S boundary
garden fencing N boundary

RUSHMOOR
BOROUGH COUNCIL

Andy Ford - Community Services

Date: 25th January 2008
SCALE: 1:2,500

Woburn Avenue / Ashdown Avenue, Farnborough

Hard Play / Open Spaces
Options for future use or disposal
Appendix 1 - Plan

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