

DECISION NOTICE

Notice is given that the following decision has been taken under the Provisions set out in the Council's Constitution

Decision maker: Cabinet Member for Regeneration

Date: 18 April 2017

Decision in the matter of: Cheshire Street Playing Fields Audlem

- Decision:**
1. That approval be given to the transfer of Cheshire Street Playing Fields, Audlem, shown edged red on the plan attached to the report, by way of a lease of up to 99 years for a peppercorn rent to Audlem Parish Council on terms and conditions to be determined by the Assets Manager in consultation with the Director of Legal Services.
 2. That approval be given for the Council to enter into a deed of dedication with Audlem Parish Council and Fields in Trust on terms and conditions to be determined by the Assets Manager in consultation with the Director of Legal Services.
 3. That Cheshire Street Playing Fields, Audlem, shown edged red on the plan attached to the report, 'the Land', be advertised as a disposal of public open space.
 4. That the Portfolio Holder for Regeneration be given delegated authority to determine whether to transfer the Land by way of a lease of up to 99 years to Audlem Parish Council following the statutory process and due consideration of the responses to the open space advertisements.
 5. The any leasehold transfer of the Land and deed of dedication shall be on the terms stated in the Report, or such other terms as the Portfolio Holder for Regeneration shall determine in consultation with the Assets Manager and the Director of Legal Services.
 6. That the Director of Legal Services be authorised to approve all legal documentation and proceed to practical completion of the lease, deed of dedication and any other legal documentation required ancillary to the lease and deed of dedication.

Background: Audlem Parish Council has approached the Council to transfer the Cheshire Street Playing Fields, Audlem to it by way of a 99 year lease, for a peppercorn rent, as part of the Local Service Delivery Transfer and Devolution to Town and Parish Councils process. The land is owned freehold by Cheshire East Borough Council and falls within the Green Spaces/Public Open Space Portfolio. The extent of the land to be leased by Audlem Parish Council is shown outlined in red on the plan attached to the report

The client service has confirmed that the land is not surplus to operational requirements. However, they have advised that the proposed will be beneficial as it will provide enhanced football, leisure and recreational opportunities for Audlem and the local community. Therefore, the Client Service supports the lease proposal and deed of dedication.

Audlem Parish Council have confirmed that it has no intention of this land being used for any other purpose than for the proposed use. The intention is that it will be protected for this use within the lease, and that a further protection will be put in place by entering into a deed of dedication with The National Playing Fields Association operating as Fields in Trust to restrict the use of the playing field as a public playing field and recreation ground only.

Background Documents: The background papers relating to this report can be inspected by contacting the report writer.

Approved:

Signed
Councillor Don Stockton (Cabinet Member for Regeneration)

Date: 18 April 2017

Advising Officer:

Signed
Paul Carter (Senior Valuer)