








EXECUTIVE SUMMARY – Land exchange with Hampshire County Council

Summary of Purpose and Recommendations: To consider proposal for an exchange of land with Hampshire County Council, relinquishing a shared interest of land at Pennington in return acquiring the freehold interest of land at Ashley New Milton and Bartley Avenue Totton. It is recommended that Members approve the proposed land exchange

Cost to Council: £ (1,250) loss of annual revenue **Within existing budget?** Yes

Contribution to Corporate Plan (Minor/Moderate/Major/Neutral):

| | + |  | - | | + |  | - |
|---|----------|---|---|--------------------------------|-------|---|---|
|  | | Neutral | | Priorities | | | |
|  | Moderate | | | Clean Streets and Public Space | Minor | | |
|  | | Neutral | | Crime and Disorder | | Neutral | |
|  | Minor | | | Housing | | Neutral | |
|  | Majors | | | Managing our Finances | | Neutral | |

Comments on Impacts on Corporate Objectives and Priorities:
 The proposal will achieve the objectives of improving the public open space provision in New Milton and Totton and will assist the County Council with the management of a very significant area of environmental importance

LAND EXCHANGE WITH HAMPSHIRE COUNTY COUNCIL

1. 8 ACRE POND PENNINGTON

- 1.1 New Forest District Council and Hampshire County Council are the joint freeholders of land at, Pennington edged red on the plan at Appendix 1. The site forms part of the Lymington Nature Reserve and is very heavily designated for environmental purposes. The designations include:
 - The Hurst Castle to Lymington River Estuary S.S.S.I under the Wildlife and Countryside Act 1981.
 - The Solent and Southampton Water Special Protection Area (S.P.A) and Solent and Isle of Wight Lagoons Special Area of Conservation (S.A.C) under the Conservation (Natural Habitats) Regulations 1994.
 - Solent and Southampton Water, Wetlands of International Importance under the Ramsar Convention 1971.
 - The site is also immediately adjacent to the Solent Maritime S.A.C.
- 1.2 Being such a heavily designated site places considerable obligations on landowners to ensure that the environment is protected as well as restricting the uses to which the land can be put.
- 1.3 Notwithstanding the above, the site of 8-Acre Pond and immediately adjoining land as outlined blue on Appendix 1 is leased to Salterns Sailing Club. The Club has been in existence for a significant number of years and is solely aimed at teaching young children to sail. Due to the environmental importance of the site the Club's membership numbers are restricted to 200 children and the sailing season controlled between April and November.
- 1.4 After a number of years of difficult negotiations a new lease has just been agreed and completed with Salterns Sailing Club for a further ten years.
- 1.5 Hampshire County Council as joint freeholder also has a presence on the land providing accommodation for their Coastal Warden and Countryside Officer and his family. In the last two years the premises have been rebuilt entirely at Hampshire County Council's expense.
- 1.6 As a direct consequence of the capital outlay by Hampshire County Council on re-providing the accommodation for their Countryside Officer, Hampshire County Council have asked New Forest District Council to consider a transfer of its half ownership to the County.
- 1.7 Hampshire County Council recognise that there is "value" that could be ascribed to this interest albeit it would be difficult to ascertain the exact benefit in owning a half share of land over which there are so many restrictive controls.
- 1.8 Notwithstanding the above Hampshire County Council have offered in lieu of a cash payment, two areas of land within their ownership as a land exchange.

2. LAND AT BARTLEY WATER

- 2.1 Since 1998 New Forest District Council has been trying to acquire 0.5 acres of land at Bartley Avenue, Totton for inclusion within the Bartley Water Public Open Spaces.
- 2.2 The land (edged red in appendix 2) has been designated as public open space in the District Local Plan. Due to Hampshire County Council's insistence that had it not been designated as open space the site would have significant value as residential land, we have been unable to reach an agreement for its acquisition.
- 2.3 Hampshire County Council would be prepared to transfer this area of land as part of the land exchange deal.

3. LAND AT ASHLEY JUNIOR SCHOOL

- 3.1 Again negotiations have been taking place with Hampshire County Council for the acquisition of the land shown in Appendix 3 for a considerable number of years. The land extends to approximately 4.25 acres and in the late 1990's Hampshire County Council had granted an option to purchase to A E Lewis & Sons (Hampshire) should planning consent for residential development be forthcoming. The designation of the site as amenity land was considered at the review of the New Forest District Local Plan in 1996 and the Inspector concluded at that time that it should remain allocated for amenity purposes. The option to purchase granted to A E Lewis has now lapsed.
- 3.2 In 2001 a "without prejudice" agreement was reached that the County would grant a 125-year lease to the District Council for the land at a nil annual rental but for an initial premium of £30,000.
- 3.3 The area of land in question forms a strategic part of New Milton Town Council's aspirations for improving playing field and recreation provision within the town and they have been actively seeking for some years to lease the land from the District should it ever be acquired. There would therefore be significant benefit in its acquisition and onward lease to the Town Council.
- 3.4 This land is also proposed to be transferred to New Forest District Council as part of the land exchange deal for the land at Pennington.

4. OVERVIEW

- 4.1 The proposals now set forward are a significant step in meeting the District Council's aspirations for improving public open space in areas where negotiations have proved difficult in the past. The areas of land proposed to be transferred to New Forest District Council would cater for significant sectors of the community and enhance existing open space provision.
- 4.2 The land at 8 Acre Pond meets the requirements of only a small sector of the local community and that use would not be affected by a transfer to Hampshire County Council. Indeed part of the proposals for the new lease recently agreed with Salterns Sailing Club provides for a greater working partnership between the two organisations, with the County Council making use of the sailing club premises on an occasional basis for Countryside education and contributing towards the running cost of the premises.

5. ENVIRONMENTAL IMPLICATIONS

- 5.1 There are no direct environmental implications arising from this report, however it is the considered view that the increased awareness of the environmental importance for this area of the coastline is likely to impose greater and greater management burdens on landowners.
- 5.2 Hampshire County Council already has a significant land holding in the area and the expertise to manage that most effectively. A transfer of this area of land to the County will assist in its future management and protection.
- 5.3 The land at Ashley Junior School is currently under utilised and is not being managed or maintained and a transfer to the Council and onward lease to the Town Council would improve this situation.
- 5.4 Similarly the land at Bartley Avenue is not maintained at all and a transfer to the District would greatly benefit the opportunity for further development of this area of important recreation land in the future.

6. CRIME AND DISORDER IMPLICATIONS

- 6.1 There are no direct crime and disorder implications arising directly from this report. The acquisition of additional areas of land will in the short term increase the District Council's land management burden, but neither of the sites proposed to be acquired are known to be troublesome in this respect.

7. FINANCIAL IMPLICATIONS

- 7.1 The only direct financial implication out of this report arises from the loss of rental income from the lease at 8 Acre Pond to the Sailing Club. Under the new lease the rental has been agreed at £2,500 per annum, which is shared equally between the District Council and Hampshire County Council. There would, therefore, be a loss in revenue of £1,250.00 per annum increasing by RPI in five years.

8. PORTFOLIO HOLDER COMMENTS

- 8.1 The Portfolio Holder supports the recommendation contained in this report.

9. CONCLUSIONS

- 9.1 If the land exchange concludes it would;
 - Allow the District Council to realise two aspirations for Public Open Space, which it has otherwise been unable to achieve for many years,
 - Enable Hampshire County Council to manage more beneficially an area of significant local recreational and environmental importance, and
 - Developing a greater working partnership between the County and Salterns Sailing Club.

10. RECOMMENDATION

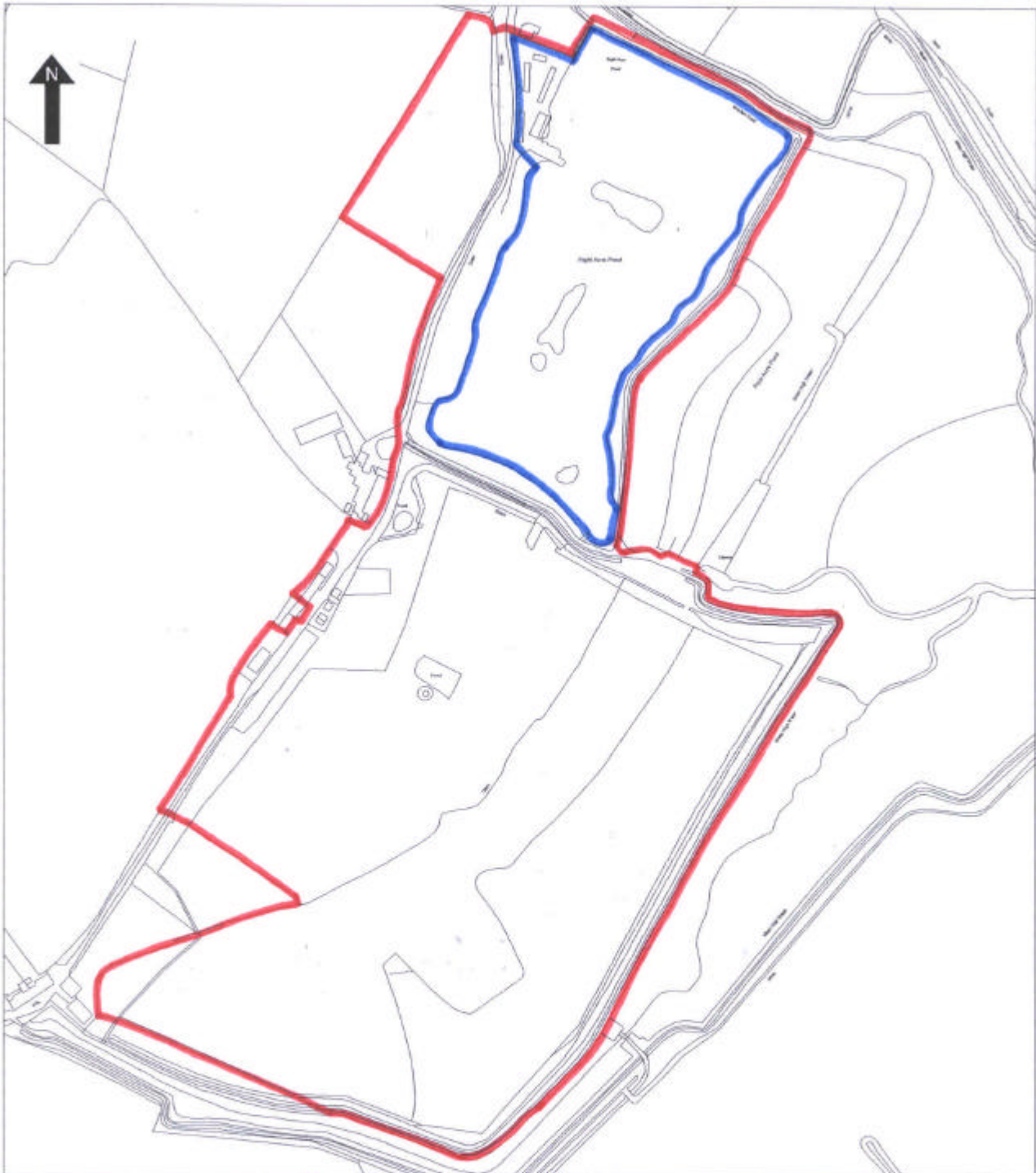
- 10.1 It is therefore recommended that the proposals for a transfer of the District Council's interest in land at Pennington in exchange for the freehold title of the County Council's land at Bartley Avenue and Ashley Junior School be approved.

Further information:

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Background Papers:

None.



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Appendix 1

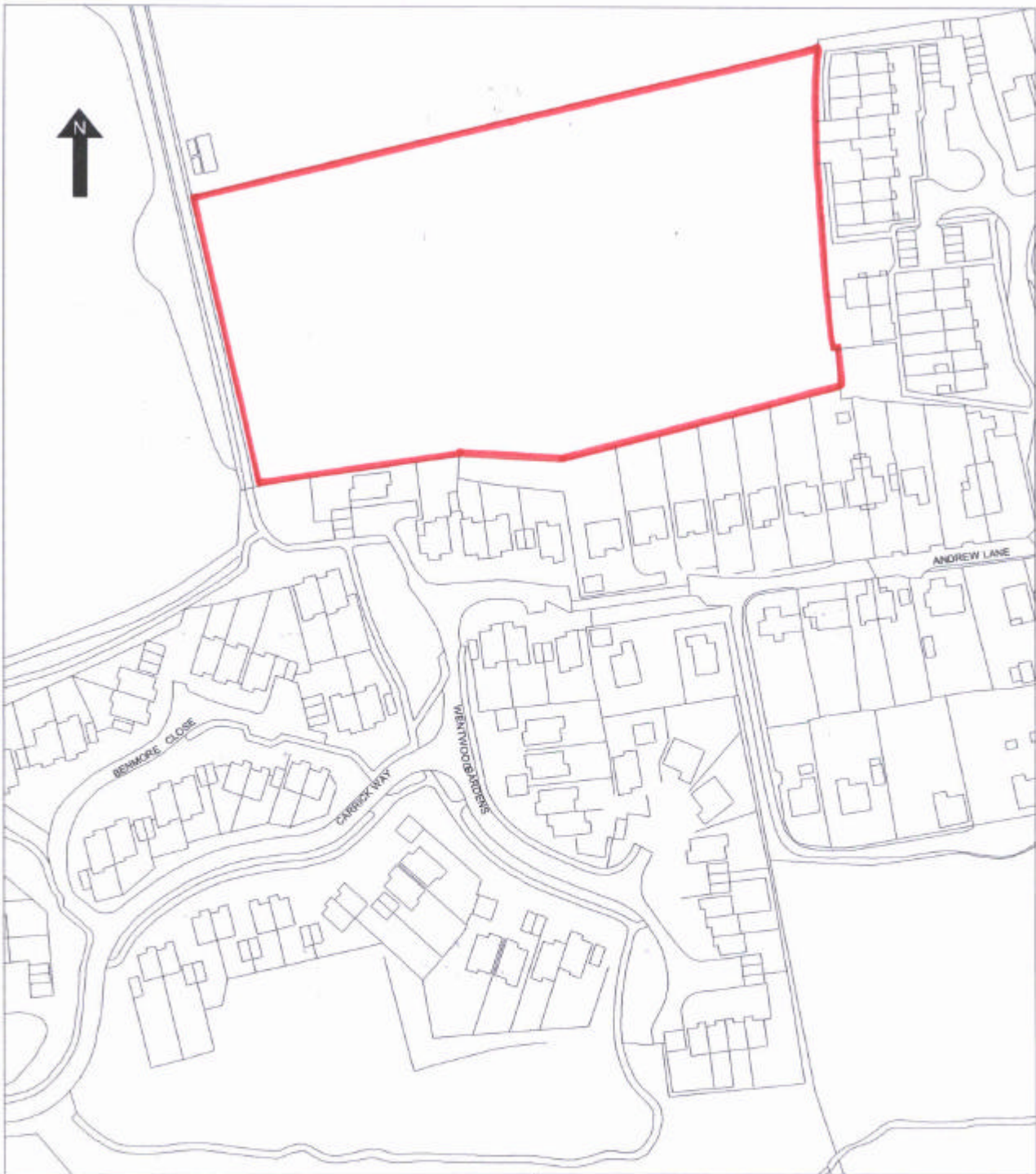
Title

8 Acre Pond
Pennington
For identification only

Date 21/04/04

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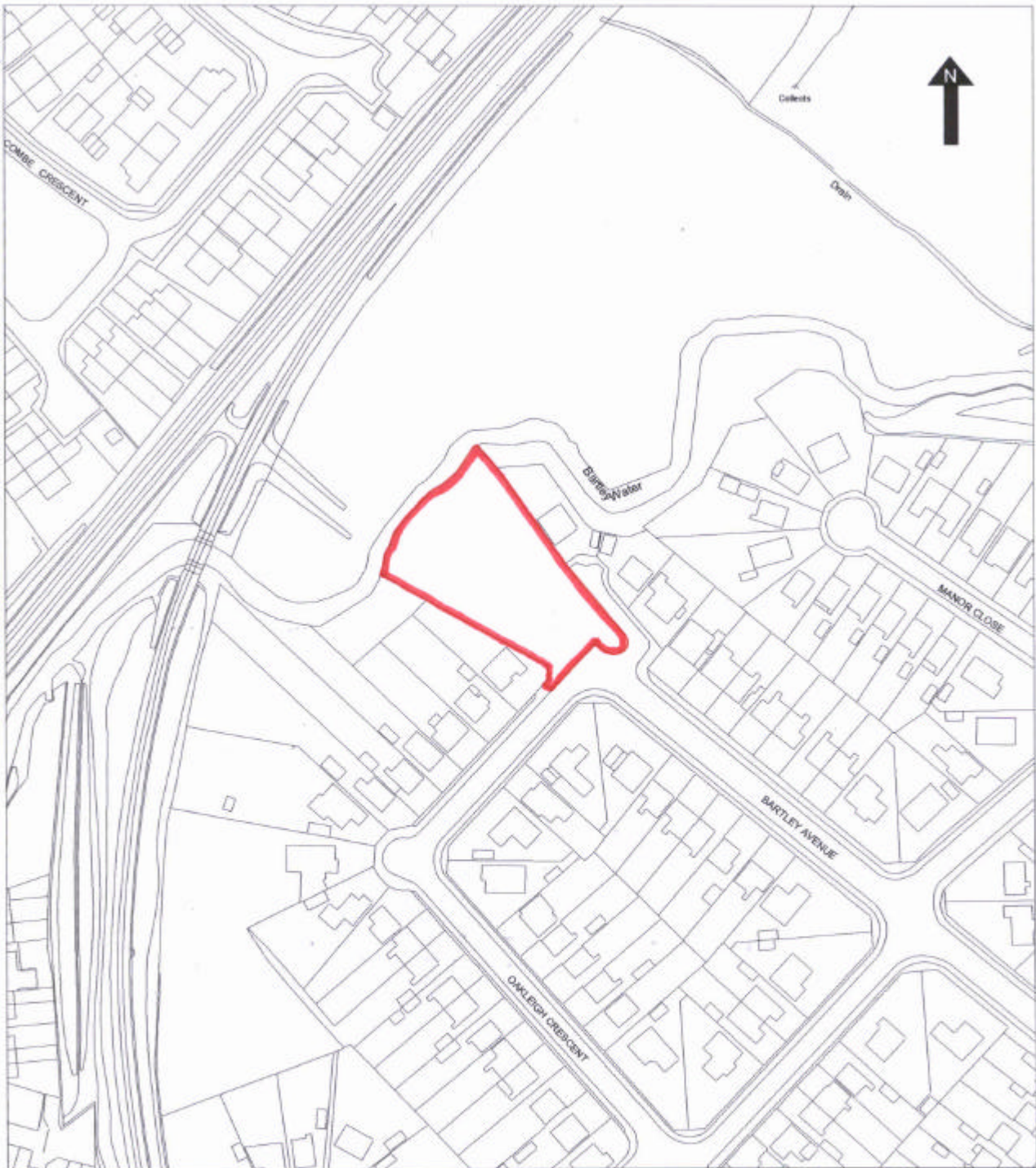
Appendix 3

Title
 Ashley Junior School
 New Milton
 For identification only

Date 21/04/04

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Appendix 2

Title
 Bartley Ave
 Totton
 For identification only

Date 21/04/04

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