

Taunton Deane Borough Council

Executive: 18 June 2008

Report of the Legal and Democratic Services Manager

Applications to register land as “Town Greens”

(This matter is the responsibility of Councillor Richard Lees)

1 Purpose of the Report

- 1.1 Notification has been received from Somerset County Council that applications have been received for the registration of two areas of open space within Taunton and in the ownership of the Council to be registered as “Town Greens”.
- 1.2 The two areas in question are an area of land at Holway known as Holway Green, and an area of open space at Enmore Road, Taunton. Both areas are shown on the attached plans.
- 1.3 The applications seek to have both areas of land registered as Town Greens on the basis that “a significant number of local inhabitants have indulged in lawful sports and pastimes on the land for at least twenty years”.
- 1.4 The effect of registration would be to protect the land from future development, although it is possible to apply to “de-register” in certain circumstances.

2 Background

Holway Green

- 2.1 In March 2006 the Review Board carried out a pre-scrutiny investigation of the sale of land at Holway Green to facilitate a low cost housing scheme. There was a great deal of local concern and the Review Board resolved that the Executive be recommended not to make a decision to sell the land until all practical possibilities had been explored.
- 2.2 A decision was subsequently made not to sell the land for residential development but at a further meeting of the Review Board on 3 August 2006 the Board resolved that the possibility of safeguarding the land against development be investigated. One of the possibilities discussed at that time was the potential for registration as a Town Green.

- 2.3 No further decisions in this respect of the land at Holway Green have been made.

Enmore Road

- 2.4 At its meeting on the 5 March 2008 the Executive recommended the disposal of land at Enmore Road to facilitate an Affordable Housing scheme for twenty units. The land to be disposed of comprises part but not all of the land which is subject to the application for registration. It has been agreed that the proceeds of sale amounting to £200,000 would be used to improve open space amenities in the area.
- 2.5 Following the Executive decision the proposal to dispose of the land was advertised and the responses from the public were considered at the meeting of the Overview and Scrutiny Board at its meeting on the 5 June 2008. The Board recommended that the Executive should not proceed with the sale.
- 2.6 Following further consideration of the consultation and community objections, the Executive is minded not to proceed with the sale.

3 Consultations

- 3.1 The Asset Holdings Manager, in the light of the history of the Holway Green land and the recent Executive decision in relation to Enmore Road, would not recommend opposing the registration of the land at Holway Green or Enmore Road.
- 3.2 The Leisure Officer has no objection to either registration since it will not affect the management of the land and will protect the land from future development.

4 The Legal Position

- 4.1 Responses to the notifications need to be lodged by the 7 July 2008 and the 21 July 2008 respectively.

Recommendation

It is therefore recommended that the Solicitor to the Council be authorised to:-

1. Raise no objection in respect of the proposed registration of the land at Holway Green as a Town Green; and
2. Raise no objection in respect of the proposed registration of the land at Enmore Road as a Town Green.

Contact:

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Title: Holway Green

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