

**DISPOSAL OF LAND AT BARLESTONE PLAYING FIELDS**  
**REPORT OF DEPUTY CHIEF EXECUTIVE (CORPORATE**  
**DIRECTION)**



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

**WARDS AFFECTED: ALL WARDS**

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1. **PURPOSE OF REPORT**

- 1.1 To update members on the current position regarding the sale of the playing fields (identified on the plan shown below).
- 1.2 To seek approval of the sale of the playing fields to Barlestone Parish Council.

2. **RECOMMENDATION**

- 2.1 Members confirm and authorise the sale of playing fields to Barlestone Parish Council for the sum of one pound (£1.00) and on the terms set out in the body of the report.

3. **BACKGROUND TO THE REPORT**

- 3.1 The Council owns a site which is let to Barlestone Parish Council until 2030 at nil rent.
- 3.2 The site has been identified by officers as public open space.
- 3.3 The form of transfer deed has been agreed with Barlestone Parish which includes a restriction on the use of the land as Public Open Space only subject to the extension of the pavilion on the site.
- 3.4 This matter has previously been reported to the Asset Management Strategy Group on 23 April 2014 but as the land has been valued at approximately £80,000.00 this decision has been reported to full Council.

4. **FINANCIAL IMPLICATIONS [KP]**

- 4.1 In accordance with accounting guidelines, upon sale of this asset the land should be revalued upwards to reflect the £80,000 indicated by the valuation. On the basis that the land is being sold for £1.00 a “loss” of £79,999 will be reflected in the Statement of Accounts for 2014/2015. All losses on the sale of assets are not chargeable under statute to the General Fund and therefore this transaction will have no impact on balances.

5. **LEGAL IMPLICATIONS [EC]**

- 5.1 The sale of the freehold will constitute both a disposal at an undervalue and a disposal of open space.
- 5.2 The disposal of property by local authorities at less than best consideration requires the consent of the Secretary of State. However, the General Disposal Consent 2003 allows for a disposal of an undervalue of less than £2,000,000 provided that it promotes the economic, social or environmental well being for the area. As the disposal will allow for further funding for the improvement of the pavilion building it is considered that it would promote the social well being of the area.

5.3 S123 Local Government Act 1972 requires that any disposal of open space is advertised in the local press for two weeks prior to legal commitment and that any representations made are taken into consideration before confirming the disposal.

## 6. CORPORATE PLAN IMPLICATIONS

6.1 Empowering Communities – Barlestone Parish Council would be able to directly manage a public open space for the local community.

## 7. CONSULTATION

7.1 Asset Management Strategy Group and the Deputy Chief Executive (Corporate Direction).

## 8. RISK IMPLICATIONS

8.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

8.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

| Management of significant (Net Red) Risks                                             |                                                                                               |                |
|---------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|----------------|
| Risk Description                                                                      | Mitigating actions                                                                            | Owner          |
| Risk of the land being used for development and therefore raising a best value issue. | A restrictive covenant in the transfer limiting the use of the land and an overage provision. | Legal Services |

## 9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

9.1 This will allow Barlestone Parish Council to effectively manage a valued open space for the benefit of local residents.

## 10. CORPORATE IMPLICATIONS

10.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

## SITE PLAN



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Background papers: Extract from the minutes of the meeting of the Asset Management Strategy Group 23 April 2014

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