

## HALEWOOD TOWN COUNCIL (01/02/18)

### RESPONSES TO ENQUIRIES

Question	Response
Q.1	Do you consider the various leases held by HTC to be 'business tenancies' and therefore regulated by the Landlord & Tenant Act 1954?
Q.2	If HTC do not agree to 'voluntarily' surrender any of the leases of the land identified for sale, will KMBC seek possession via the Courts and if so, which of the seven Statutory Grounds will be relied upon to seek possession?
Q.3	If HTC do not agree to 'voluntarily' surrender any of the leases at all which it holds, will KMBC seek possession of them all via the Courts and again, if so, which of the seven Statutory Grounds will be relied upon to seek possession?
	<i>With regards to questions 1, 2 and 3, if Halewood Town Council refuses to voluntarily surrender the sites, Knowsley Council will not pursue possession of the sites through the courts.</i>
Q.4	<b>If, by whatever means, KMBC gain possession of any of the sites, will the proposed Trust in any way, become the successor in title to the KMBC and if this is the case, will the maintenance responsibilities remain with HTC.</b>
	<i>Yes, all sites will be transferred to the Trust on a long-leasehold basis e.g. for 999 years.  Knowsley Council anticipates third party leases being terminated prior to the transfer with all maintenance responsibility sitting with the Trust, this should benefit Halewood Town Council by alleviating them of the cost and burden of maintaining sites which it is currently responsible for.</i>
Q.5	<b>By what date do HTC need to make a decision on whether they wish to surrender any of the leases?</b>
	<i>Knowsley Council would appreciate feedback from Halewood Town Council in relation to its future intentions for the surrendering of the leases by the 31 March 2018. A decision has not yet been made in relation to the timescales for termination of any leases.</i>

<b>Q.6</b>	<b>On 1st April 2019, will the land transferred to the proposed Trust be transferred 'leasehold' or will the proposed Trust be granted the freehold?</b>
	<i>Parks will be transferred on a long-leasehold basis e.g. for 999 years.</i>
<b>Q.7</b>	<b>Can Halewood Town Council, if it so wishes, purchase the freehold interest in any land in Halewood?</b>
	<i>Not any land in Halewood, but if the question relates to the leased parks and green spaces, then yes, Knowsley Council would be willing to discuss a potential sale to the Town Council.</i>
<b>Q.8</b>	<b>If, after 1st April 2019, HTC retain responsibility for any of the leasehold, can it subsequently transfer it to the proposed Trust?</b>
	<i>No, if the Town Council's lease(s) are not terminated prior to April 2019 then alternative parks and green spaces will need to be identified for surrender.</i>
<b>Q.9</b>	<b>KMBC's Local Plan addresses housing needs up to 2028. What affect does the proposed sale of land to the Trust have on KMBC's Local Plan, part of which identifies an area of land East of Halewood as a Sustainable Urban Extension, bearing in mind the Governments wish for developers not to create 'land banks'?</b>
	<i>Knowsley Council will not be selling any land to the Knowsley Parks Trust. These proposals have no adverse impacts upon the Local Plan, however the Council will consider the planning implications of each individual development, in line with the Local Plan and any other relevant considerations at the appropriate time. Knowsley Council will work with housing developers to license the 17 sites, requiring developers to bring forward the sites over a certain time period thus preventing land banking issues.</i>
<b>Q.10</b>	<b>The stated rationale for the proposed release of Frederick Lunt Playing field states that the area does not 'host any community events or activities. It is used by a local football team.....' . In fact it is used regularly by up to 200 young people training and playing football. If the site is sold, will KMBC and or the Trust pay for any upgrade of existing facilities or the provision of new facilities at an alternative site?</b>
	<i>Fredrick Lunt Playing Fields scored a 2 for both 'Community Use' (i.e. medium use of between 100,000 – 200,000 visits per annum) and a 2 for 'Recreational Use' (i.e. medium use for sporting purposes (i.e. football training etc.). Therefore this has been captured as part of the desktop analysis undertaken. As part of the community case to surrender the site, consideration will need to be given to accommodating its existing use elsewhere. This may result in the need to upgrade alternative sites for sporting use.</i>
<b>Q.11</b>	<b>What discussions have taken place with Halewood U3A who obtained a grant for the installation of the Green Gym on Wood Road field?</b>

	<i>The Council has not yet undertaken any discussions in relation to site specific infrastructure projects, however the Council is aware that there will be a number of issues to consider closer to the time of any surrender e.g. feedback from interested parties / external funding bodies that have historically funded infrastructure improvements within the 17 sites. The Council is committed to managing the process in an open and transparent manner in compliance with the relevant legal requirements.</i>
<b>Q.12</b>	<b>If Wood Road field is sold, will KMBC or the proposed Trust pay for a new children’s playground to replace the HTC facility at this site?</b>
	<i>The Grace Park (Wood Road) site has been identified for 100% site surrender therefore there will not be any re-provision of play facilities on this site. However as part of the community case, consideration will be given to the existing play offer for the local community. Section 106 developer contributions secured from the development of this site could be used to enhance the play offer at a neighbouring green space site.</i>
<b>Q.13</b>	<b>If Wood Road Field is sold, will KMBC or the proposed Trust pay for a new facility to replace the play pathfinder?</b>
	<i>As noted in question 12, Section 106 developer contributions secured from the development of this site could be used to enhance the play offer at a neighbouring green space site.</i>
<b>Q.14</b>	<b>Does Wood Road field in any way, provide drainage for the former Greengates school site and surrounding properties?</b>
	<i>Yes, due to the topography of the area, there is a scrape on Grace Park (Wood Road) which offers additional drainage capacity should the new sports drainage system on the Greengates site overflow. Obviously any proposed development on this site will need to consider sustainable drainage systems.</i>
<b>Q.15</b>	<b>The stated rationale for the proposed release of Grace Park states that ‘Greengates Playing Fields border this site.’ Greengates Playing fields are leased to a third party and thus not readily available by way of mitigation.</b>
	<i>Within 800 metres (10 metres walk) the local community has access to circa 47 hectares of green space, this includes Halewood Park, Greengates Playing Fields, New Hutte Woods, The Hollies and Halewood Leisure Centre. In the wider community area (2.4km) there are a further 13 hectares of green space which includes Court Farm Woods, Church Road Woods and the new Bridgefield Forum green space.</i>  <i>Greengates Playing Fields are classed as outdoor sports facilities, it is noted that a fixed term lease for their use by a local football club was recently agreed.</i>
<b>Q.16</b>	<b>Are there any other parcels of land in Halewood leased to Third Parties?</b>

	<i>There will almost certainly be third party lease agreements in place within Halewood, however further information with regards to specific sites will be required in order to provide a response.</i>
<b>Q.17</b>	<b>Why was the land at Lydiate Lane / Grassington Crescent, Brambling Park and Torcross Way not included in the proposed list of sites for possible transfer to the Trust?</b>
	<i>With regards to Torcross Way, this site was excluded from the sites identified for surrender due to site constraints that would limit its development potential (e.g. access restrictions, public rights of way restrictions and land ownership concerns).</i>  <i>With regards to Lydiate Lane / Grassington Crescent, this section of land is outside the scope of the parks and green spaces review (i.e. does not form part of the 593 hectares). It is unlikely that this site would provide the land value that the other identified sites for surrender offer (e.g. Grace Park).</i>
<b>Q.18</b>	<b>HTC holds two leases on Halewood Doorstep Green one for 7.28 acres (2.946 hectares) the other for 28.8 acres (11.655 hectares). The stated area for sale is 42% of 14.85 hectares 6.237 hectares. Exactly where is the area proposed to be sold?</b>
	<i>The area to be surrendered has been identified on the plans, noting that this section will impact upon both leases that Halewood Town Council currently hold for the site. Knowsley Council will now need to agree the site area as part of the outline business case.</i>
<b>Q.19</b>	<b>If any land in Halewood is sold, can the S106 developer contributions (or any successor form of contribution) be earmarked only for developments in Halewood on the authority of the Town Council?</b>
	<i>The Section 106 developer contributions funding secured from any land sales in Halewood will be earmarked to enhance and develop parks and green spaces in Halewood only.</i>  <i>In line with Knowsley Council's Planning Policy documents, the Cabinet Member in consultation with local ward members will be responsible for the approving the spend of these funds.</i>
<b>Q.20</b>	<b>What will the effect of this proposal be on existing Public Rights of Way and Public Footpaths?</b>
	<i>Knowsley Council will be undertaking legal due-diligence on all sites as part of the development of its outline business case for the project.</i>  <i>The Council would expect public rights of way and footpaths to remain where land is transferred to the Trust.</i>
<b>Q.21</b>	<b>Are any of the proposed areas of land 'Common Land'?</b>
	<i>No. But Knowsley Council will be undertaking legal due-diligence on all sites as part of the development of its outline business case for the</i>

	<i>project.</i>
<b>Q.22</b>	<b>What is the role of the research being undertaken by Knight, Kavanagh &amp; Page in relation to this proposal?</b>
	<p><i>Knights, Kavanagh &amp; Page are technical consultants that have been appointed by Knowsley Council to support the review and update of the Boroughs 2012 Playing Pitch Strategy.</i></p> <p><i>The primary purpose of the Playing Pitch Strategy is to provide a strategic framework which ensures the provision of outdoor playing pitches meet local and community needs of existing and future residents and visitors to the Knowsley Borough Area. This review is not part of the parks proposal.</i></p>