

Delegated Decision

17th April 2024

Appropriation of land at Sacriston East and West of Front Street Open Space (30215S02) to S120 Local Government Act 1972 for the purposes of a car park



Case Management Ref: APR00003

Regeneration, Economy and Growth

Anna Wills, Asset Strategy & Property Manager, Corporate Property and Land

Electoral division(s) affected:

Sacriston

Purpose of the Report

- 1 The purpose of the report is to seek approval to:
 - (a) Appropriate the land known as Sacriston East and West of Front Street Open Space from the Housing Act 1957 to Highways Act 1980 for the purposes of a car park

Executive summary

- 2 The land edged red on the plan (as Appendix 2) amounting to 0.105 acres was originally purchased under the Housing Act 1985.
- 3 The houses on this land have since been demolished and several landscaped/seating areas were created along the front street.
- 4 The village has a very busy neighbourhood parade with 36 trading retail units and as a result parking has become an issue. There are only 2 small car parks therefore Regeneration have proposed converting this landscaped area into a third small car park.
- 5 The works were funded through the Towns and Villages Programme by the budget 'The Sacriston Neighbourhood Retail Parade £170,500.00 and this included other works of improvements to the area.
- 6 The landscaped/seating area was managed by Clean and Green and Strategic Highways have agreed to taken on responsibility for this car park following the investment which has been made. The limit of the

adoption will be the car park and none of the surrounding roads and footpaths.

Recommendation

- 7 It is recommended to agree to appropriate the land as shown edged red on the plan attached from Housing Act 1957 to Highways Act 1980 for the purposes of a car park.

Background

- 8 Following a project delivered by the Corporate Property and Land service, the legal reason for holding each asset has been identified and recorded.
- 9 The legal reason for holding an asset relates to the original act that the asset was acquired under and any subsequent appropriations, which would result in an alteration to the holding act.
- 10 Where the use of the land asset changes, or it is going to change, from its original/existing purpose, the statutory act under which it's new purpose will fall will also, in most circumstances, change and, if this is the case, an Appropriation will be required.
- 11 If a local authority determines that it is necessary to transfer land from one purpose or function to another, (Appropriate) it may do so in accordance with s122 of the Local Government Act 1972.
- 12 An Appropriation report is required, where a change of occupier results in a change of holding act, and deals with the following changes:
 - (a) Identifies the existing holding act and the new holding act under which the asset is held;
 - (b) confirms agreement from the service to realignment of the asset to the new service area, including identification of cost centre;
 - (c) identification of budget;
 - (d) identification of who will be managing the asset;
 - (e) property type alteration, to reflect new use;
 - (f) property name alteration, to reflect new use.
- 13 The above changes are necessary, so that records are up to date and capital accounting reflects the correct property type and land user. This will assist with improved budget allocation and the alleviation of gaps in management of assets.

Background papers

- None

Other useful documents

- None

Appendices

1. Implications
2. Plan
3. Consultation email to councillors

Author(s)

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Appendix 1: Implications

Legal Implications

Legal implications are covered in the body of the report.

Finance

Cost centre to be changed to 018950 to align with Highways.

Consultation

Councillors Heather Liddle, Simon Wilson & Kevin Shaw were consulted with no comments or issues raised.

Equality and Diversity / Public Sector Equality Duty

None

Climate Change

None

Human Rights

None

Crime and Disorder

None

Staffing

None

Accommodation

None

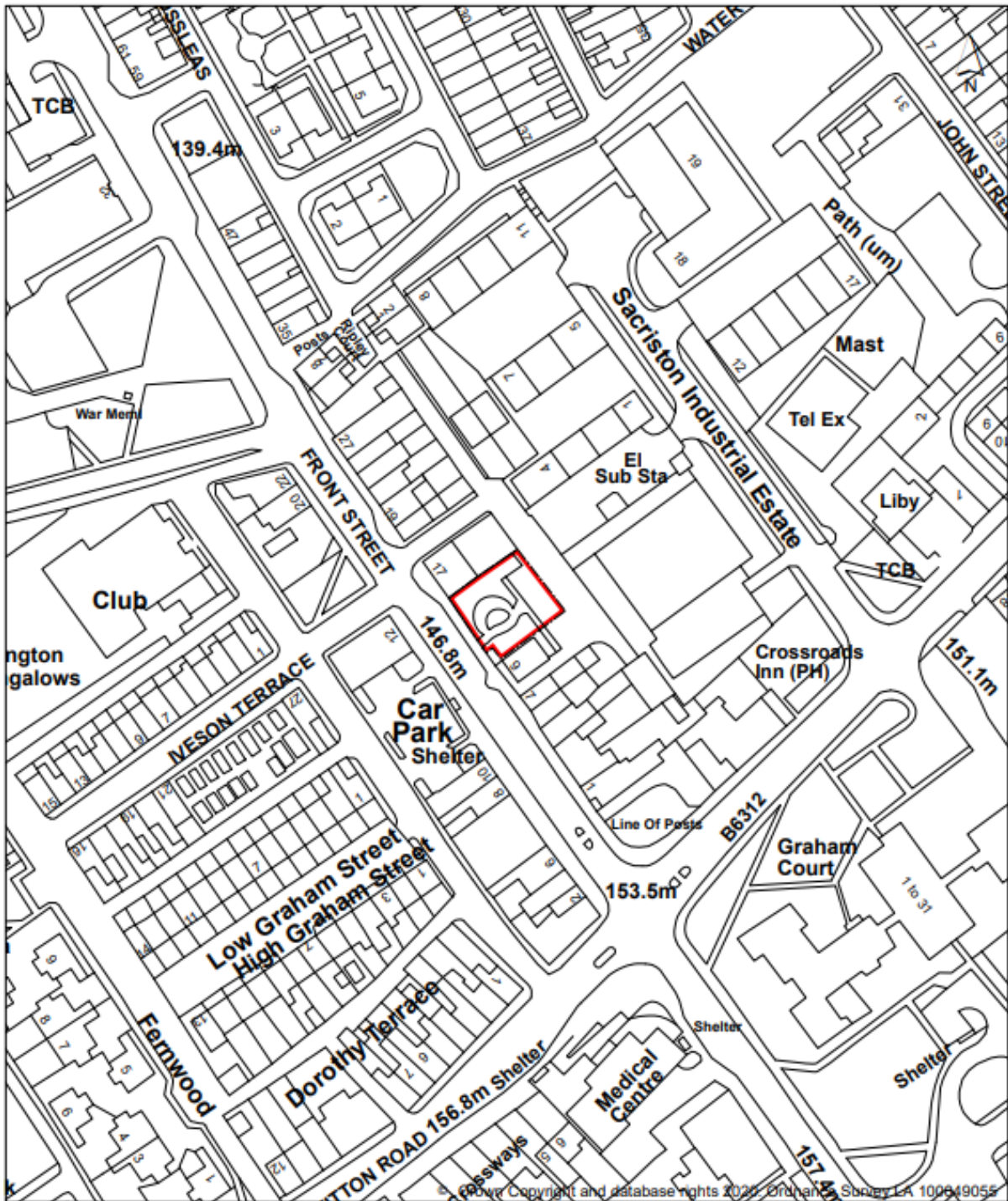
Risk

None

Procurement

None

Appendix 2



Sacriston East & West of Front Street Open Space

Plan Ref : ARC-20-195. Paper Size: A4. Scale : 1:1,250

Total Area Coloured Red : 426.89 m², 0.105 Acres or thereabouts.

Based Upon O.S Map : NZ2447. Date: 05/06/2020.

UPRN : 30215S02.



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