


<b>Agenda Item No:</b>	12	
<b>Committee:</b>	Cabinet	
<b>Date:</b>	15 <sup>th</sup> November 2024	
<b>Report Title:</b>	Potential Use of Open Space Land at North Drive, March	

This item comprises EXEMPT INFORMATION which is not for publication by virtue of Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act, 1972 (as amended) in that it contains information relating to individuals and which is likely to reveal the identity of an individual. In particular, the confidential annex contains the names and signatures of persons who signed the petition referred to in the report. It is not clear whether the signatories of the petition have given permission for their names and signatures to be shared in a public forum such as this. Consequently, and in accordance with the Council's wider information governance obligations under the UK GDPR and Data Protection Act, it is advised that the petition is considered by Cabinet Members but that the names of the individuals are not more widely published

## **1 Purpose / Summary**

- 1.1 To brief members on the options available in relation to the future use of the open space land located at North Drive, March ("North Drive") and as edged red on the plan at Appendix 1, as a community facility.

## **2 Key Issues**

- 2.1 FDC have received 3 expressions of interest in relation to the future use of the open space land at North Drive.
- 2.2 Officers are now seeking a decision from members as to the preferred use of North Drive. The potential options being:
- Pursue the use of land for the establishment of a Community Orchard to be operated by either March Organic Community Orchard Group (MOCO) or F.A.C.T;
  - Reserve the site for the future development of a skate park;
  - To retain the land as open space with no further proposed development.

## **3 Recommendations**

- 3.1 Members are asked to note the report now presented.
- 3.2 Members are asked to consider the options now presented and provide officers with instructions as to how they wish the use of the land to be taken forward.

- 3.3 If members are desirous to see the land utilised for a Community Orchard then officers would need to be authorised to engage with the interested parties to establish and agree operating models and lease terms prior to seeking the approval of the Portfolio Holder for Leisure's approval to commit to the successful operator.

Wards Affected	All March Wards
Forward Plan Reference	
Portfolio Holder(s)	Cllr Peter Murphy – Portfolio Holder for Environment
Report Originator(s)	Mark Greenwood – Head of Property, Assets and Major Projects
Contact Officer(s)	Mark Greenwood – Head of Property, Assets and Major Projects Phil Hughes – Head of Leisure and Open Spaces
Background Papers	

## REPORT

### **1 BACKGROUND**

- 1.1 North Drive was transferred to the then March Urban District Council (now vested in FDC) as Public Open Space (POS) by Frederick Donald Grounds on the 11th October 1950.
- 1.2 The site extends to approximately 2.33 ha (5.76 acres) and is shaded mauve on the attached plan at Appendix 1.
- 1.3 The area of the site in the northwest corner (edged red on the land ownership plan at Appendix 1) has, been in use as public open space since it was acquired by the former March Urban District Council.
- 1.4 The land is maintained as part of the overall FDC grounds maintenance contract by our appointed contractor Tivoli and, whilst no separate cost is specified in the contract, the overall rate per sq.m suggests the cost for this area is a de minimus sum and as such would not result in reduction in the main contract value.
- 1.5 In October 2023, FDC Estates and Leisure Services teams were approached by a local community group, March Organic Community Orchard Group, ("MOCO") seeking consent to lease the land at North Drive, for use as a community orchard.
- 1.6 As the Council had not specifically invited expressions of interest in relation to the future use of North Drive and because there were other potential options available, MOCO's proposal was initially declined. This has however prompted further consideration as to the future use for North Drive and the options set out in this report.

### **2 OPTIONS FOR NORTH DRIVE, MARCH**

#### **2.1 Use as a Community Orchard**

- 2.2 Since the initial approach by MOCO, Fenland District Council have also received an expression of interest on behalf of FACT who also wish to utilise an area of the North Drive open space to develop a community orchard.
- 2.3 In addition, members of the planning committee at its meeting of the 22 August 2024 approved the outline application for the erection of 425 dwellings on land south of Barkers Lane (F/YR23/0696/O refers). Whilst it is acknowledged that this remains an outline consent and will be subject to further detailed applications, the overall site plans do include for an area to be designated as a community orchard and it may therefore be that an alternative provision will be available in future.
- 2.4 There is a level of public support for a community orchard with a Petition having been submitted by a representative of MOCO on 1<sup>st</sup> October 2024 (see Confidential Appendix 2). The Petition seeks the following outcome:

*“We are a group of volunteers who have come together with the shared vision to create an organic community orchard in March (Fenland) for the benefit and our community and its wildlife.*

*We have been awarded a grant from Healthy Fenland and have spoken with FDC regarding a license or lease of land.*

*We need your support to convince town council and Fenland District Council this is a worthwhile project.”*

- 2.5 Across both electronic and paper platforms, the petition has 208 verified signatures.
- 2.6 As members requested officers review and report all options at an early-stage, active pursuit of detailed options / plans has not been undertaken.
- 2.7 Due to the early emergence of competing uses, no work has been undertaken in terms of the proposed model of ownership or detailed business case for either organisation. However, in keeping with other community garden ventures in the March area it is proposed that a leasehold model at a peppercorn rent would be the preferred operating model, thus FDC retain the land and control the use.
- 2.8 Both organisations therefore are proposing similar community uses for the same area of land.

### **3 Alternative Uses**

- 3.1 In the event that Cabinet does not wish to progress with the proposal for a community orchard, possible alternative options are set out below.

#### **3.2 Skate Park**

- 3.3 Local members for the March ward have expressed a desire to see the additional provision of facilities to include a further skate park within the North Drive area of open space. It should be noted that any facility such as a skate park would need to be positioned away from residential housing due to noise and people congregating. It is unlikely that the area highlighted in this report would be suitable for such a purpose.
- 3.4 Members will be aware that a new BMX pump track is presently being commissioned by Cambridgeshire County Council in West End Park to compliment the skate park and skate bowl already existing in that park.
- 3.5 Should members wish to investigate the additional provision as suggested, officers would undertake further detailed assessments to include:
  - Design / cost overview, to include pathways, lighting and CCTV
  - Community consultation and demand analysis
- 3.6 Following completion of this work, a further report would be presented to members. However, it should be noted that the cost of such a facility together with appropriate lighting and security is expected to be significant and is not included in any present capital budget. The funding source therefore, be it FDC capital or via S106 or other such contributions, will need to be identified early in the process. With the planned expansion of the town of March, an

alternative approach might be to ask for a skate facility to be built - by developers - within the open space required as part of one of the more significant developments that has outline planning permission.

### **3.7 Maintain the Status Quo**

3.8 Alternatively, the area was transferred as open space and is presently used as such with the site managed by FDC's open spaces contractor. The site can continue in this use without further development or investment over and above the ongoing maintenance which is currently within budget.

3.9 3.8 The general maintenance of Open Space across the district is structured in such a way that the removal of a relatively small area for alternative use would not impact on the overall open space maintenance contract value.

## **4 REASONS FOR RECOMMENDATIONS**

4.1 Officers are conscious of competing uses, all of which would appear to satisfy the open space requirements for the land and provide additional facilities to the local community. It is on this basis therefore that member guidance is sought to determine their views as to the most appropriate use given local community need.

## **5 CONSULTATION**

5.1 There are no statutory consultation requirements connected with the recommendations comprised within this report. However detailed discussions have taken place with colleagues in the estates function and Leisure Services Dept to formulate the contents of this report.

## **6 ALTERNATIVE OPTIONS CONSIDERED**

6.1 The main options as currently identified are as set out in this report. No further options have been requested or considered.

## **7 IMPLICATIONS**

### **7.1 Legal Implications**

7.2 There are no specific legal implications connected with the recommendations set out in this report. However, should members decide to progress any of the alternative uses set out in this report, there will be legal processes connected with the leasehold arrangements and the governance surrounding the decision making which will be adhered to as required.

### **7.3 Financial Implications**

7.4 N/A

**7.5 Equality Implications**

7.6 N/A

**7.7 Any Other Relevant Implications**

7.8 N/A

**8 APPENDIX**

Appendix 1 - Site Location Plan

**Confidential Appendix**

Appendix 2 – Petition in support of MOCO application

