NORWICH
City Council

Committee Name: Cabinet

Committee Date: 18/01/2023

Report Title: Managing Assets (Non-Housing)

Portfolio:	Councilor Kendrick, Cabinet member for resources
Report from:	Executive Director of Development and City Services
Wards:	**Bowthorpe**
Open Public Item	

Purpose

For cabinet to consider the transfer of the land identified in this report to Norfolk County Council.

Recommendation:

To approve the transfer of land identified in the report.

Policy Framework

The Council has five corporate aims, which are:

- People live independently and well in a diverse and safe city.
- Norwich is a sustainable and healthy city.
- Norwich has the infrastructure and housing it needs to be a successful city.
- The city has an inclusive economy in which residents have equal opportunity to flourish.
- Norwich City Council is in good shape to serve the city.

A positive decision from this report would contribute towards the aim of ensuring infrastructure is in place to make Norwich a successful city. This will be aided by Norfolk County Council who are promoting this as a highway improvement under its Transforming Cities Fund program.

Report Details

Background

1. The subject of this report is a small piece of land off Dereham Road located just before the Barnard Road, Dereham Road and Wendene roundabout. Shown in red on the plan attached as Appendix 1.

2. Norwich City Council have been approached by Norfolk County Council requesting that the land is gifted to them.

3. The land will be used as part of a scheme to infill the current subway located under Dereham Road and provide an on-carriageway pedestrian crossing – linking the old Dereham road with the public footpath that leads to Clover Hill Road. This forms part of the Transport for Norwich Dereham Road Travel Hub Scheme which was consulted on by the County Council in November, the aim is to take it to the Transport for Norwich advisory committee on 26 January. In order to avoid any prejudice to the current consultation it is proposed that the land will be transferred only in event of the scheme being supported by the TfN advisory committee.

4. The land in question is covered in low level shrubs and is around 34 square meters. It is included within the grounds maintenance contract within Norwich City Council's area of responsibility.

5. Norfolk County Council is promoting a highway improvement scheme under its Transforming Cities Fund (TCF) programme along the Dereham Road corridor, including various junction improvements, provision of a bus lane and mobility hub in Norwich. It was brought to the County Council's attention that some vulnerable users do not feel safe using the subway and therefore they have chosen to include it as part of the improvement proposals for TCF scheme for Costessey.

Best Value Considerations

6. This land has not been marketed.

7. Given the size, shape, and location of the land, it is considered that it has no intrinsic value. The land is adjacent to footpaths adjacent to a subway which leads under Dereham Road. Immediately to the south is a dense mature tree belt and further south is Bowthorpe football development centre. The land in question has no development potential given its location and surrounding vegetation.

8. The land is well kept within the grounds maintenance contract.

Options

Financial and Resources

9. Allowing a transfer of the land will result in no capital sum but will reduce the liability under the grounds maintenance contract.

10. No income is derived from this piece of land.

Legal

11. This transaction is a disposal of land at less than best consideration. By virtue of the Local Government Act 1972; General Consent (England) 2003 consent is given from the Secretary of State for such a disposal where it will help to secure the promotion or improvement of the economic, social or environmental well-being of its area and it is satisfied that the value of the asset disposed of is less than £2million.

12. Given that the disposal has the potential to support the transport improvements to the area it will assist in promoting social and environmental well-being and therefore the requirement in paragraph 11 is satisfied.

13. If any part of the site consists of open space land, section 123(2A) of this Act states that the council must follow certain statutory requirements to advertise the disposal of the said areas of open space land. Open space is defined in s336(1) of the Town and Country Planning Act 1990 as land laid out as public garden, or used for the purposes of public recreation (or disused burial ground). In this case the land forms part of a verge adjacent to the highway and is not considered to consist or form part of an open space.

Statutory Considerations

Consideration	**Details of any implications and proposed measures to address:**
Equality and Diversity	No impact.
Health, Social and Economic Impact	The proposals are aimed at improving transport improvements in the area and making walking/cycling easier and more attractive via removal of the subway.
Crime and Disorder	The County Council scheme aims to make the general public feel safer and reduce crime and disorder in the area.
Children and Adults Safeguarding	Not applicable.
Environmental Impact	The proposals are aimed at improving transport improvements in the area and making walking/cycling easier and more attractive via removal of the subway.

Risk Management

Whilst there are wider risks to the County Council scheme this will be for the County Council to consider as part of their proposals. There are no risks worthy of note in transferring this small piece of land to the County Council.

Other Options Considered

14. Other options considered are outlined below;

a) Do nothing and retain the land. However, this would inhibit Norfolk County Council being able to create the on-carriageway crossing.

b) Disposal to another party. There would be no reason to dispose of the land in this manner to anyone else, the land has no intrinsic value.

15. After considering all options, the best way forward would be to allow the transfer to Norfolk County Council for a nil fee.

Reasons for the decision/recommendation

16. Allowing the transfer will assist in Norfolk County Council's promotion of a highway improvement under its Transforming Cities Fund programme along the Dereham Road corridor, that will benefit the people of Norwich.

Background papers: None

Appendices: Appendix 1 – Map detailing location of land.

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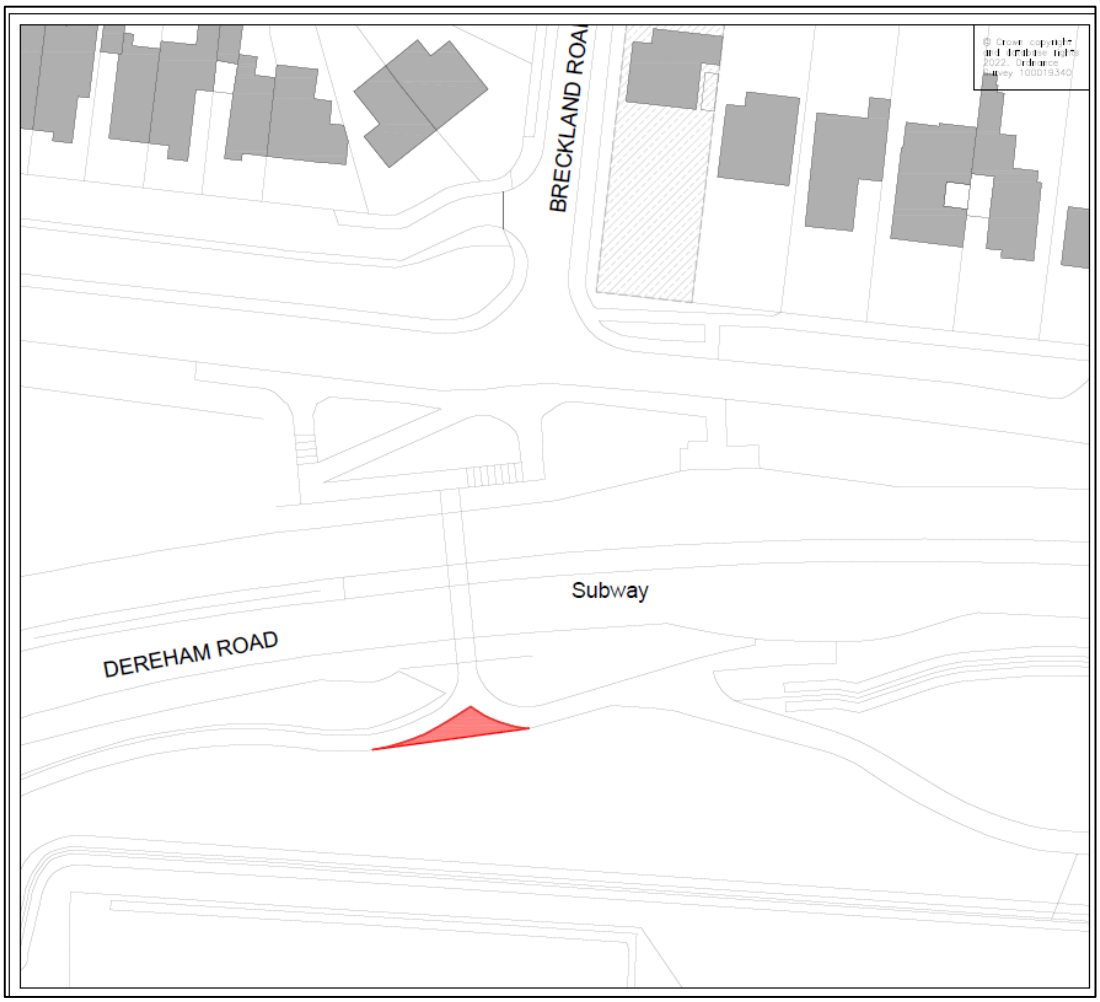
APPENDIX 1