

**DERBYSHIRE COUNTY COUNCIL**

**CABINET MEETING**

**10 JANUARY 2012**

**Report of the Director of Property**

**DEDICATION OF THE CAVENDISH ROAD PLAYING FIELDS  
MATLOCK  
(Finance and Management)**

**1. Purpose of the Report**

Approval is sought to the Dedication of the Cavendish Road Playing Fields, Matlock, to the Fields in Trust Charity.

**2. Information and Analysis**

The County Council leases the Cavendish Road Playing Fields, shown shaded grey on the plan, to the Trustees of the Cavendish Field Sports Association. The lease is for a term of thirty years with the option for a further term of thirty years and commenced on 1<sup>st</sup> August 2003 at an annual rent of £1,000 per annum.

The Trustees of the Cavendish Field Sports Association have made a request to the County Council for an application to be made to the Queen Elizabeth II Challenge for the Cavendish Road Playing Fields to be nominated.

The Challenge initiative aims to safeguard outdoor recreation spaces in perpetuity for future generations in celebration of the Diamond Jubilee and as a permanent tribute to Queen Elizabeth II.

The objective is to protect sites through a Deed of Dedication which will require the County Council to hold the fields for recreational purposes in perpetuity unless alternative replacement fields of equivalent size and/or quality are provided.

The Cavendish Road Playing Fields meet all the criteria required for nomination including planning, size, location and accessibility to the general public.

A Deed of Dedication would be entered into with the Fields in Trust Charity, which was originally formed in 1925 as the National Playing Fields Association.

### **3. Legal Considerations**

Section 123 of the Local Government Act 1972 prevents local authorities from disposing of land, other than for the best consideration reasonably obtainable, without the consent of the Secretary of State. Under the proposed Deed of Dedication, however, the County Council would retain ownership of the land, so there would be no disposal for the purposes of Section 123 and consequently, no requirement to obtain consent.

### **4. Financial Consideration**

The Cavendish Road Field Sports Association is to be responsible for paying the County Council's reasonable Legal and Surveyor's fees involved.

### **5. Considerations**

In preparing this report the relevance of the following factors has been considered; financial, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

### **6. Key Decision** **NO**

### **7. Call-in**

Is it required that call-in be waived for any decision on this report? **NO**

### **8. Background Papers**

None.

### **9. OFFICER RECOMMENDATION**

That Cabinet approves the application to the Queen Elizabeth II Challenge, requested by the Trustees of the Cavendish Road Field Sports Association, and also approves the Deed of Dedication to the Fields in Trust Charity.

JEREMY GOACHER  
Director of Property

