



## North Devon Council

### **Title of Decision Requested: Appropriation of land at Seven Brethren - old Long Stay car park and traveller site**

**Decision requested by decision maker:** In accordance with section 122(1) Local Government Act 1972, to appropriate the land at Seven Brethren, formerly used as a long stay car park and traveller site and an overflow car park at Tarka Leisure Centre, this land no longer being required for such purpose as a new long stay car park and traveller site has been provided, to development land.

#### 1. BACKGROUND / REASONS FOR THE DECISION REQUEST

1.1. On 7<sup>th</sup> December 2022 the Council entered into a Development Agreement for Lease with Tarka Living Ltd for the development of the Seven Brethren site, including the demolition of North Devon Leisure Centre and the replacement of an overflow car park at Tarka Leisure Centre, the long stay car park at Seven Brethren and traveller site.

1.2. The new long stay car park is now in operation and the new traveller site is available for use and as such, the overflow car park at Tarka Leisure Centre and the old long stay car park and traveller site at Seven Brethren are no longer required. To allow the development to proceed, the overflow car park at Tarka Leisure Centre, the old long stay car park at Seven Brethren and the traveller land need to be appropriated to development land in accordance with s.122(1) Local Government Act 1972.

#### 2. FINANCIAL IMPLICATIONS: (NOTE: Please state if there are any financial implications. If so, state whether there are sufficient funds within the agreed budget. If there are insufficient funds please state how the decision will be financed).

2.1. None. The overflow car park at Tarka Leisure Centre and the long stay car park and traveller site at Seven Brethren has been re-provided as part of the Land Release Fund project already.

#### 3. ANY ALTERNATIVE OPTIONS CONSIDERED AND REJECTED?

3.1. Not appropriating the land for this purpose would enable the overflow car park and the old long stay car park to remain in position and likewise the traveller site. This would prevent development of the land at Seven Brethren and it is clear that the land is no longer needed for these purposes because



the overflow car park and the long stay car park and traveller site have been reprovided elsewhere on the Seven Brethren site.

4. ANY CONFLICT OF INTEREST DECLARED?

4.1. N/A

5. DISPENSATION IF GRANTED

5.1. N/A

6. BACKGROUND PAPERS

The following background papers were used in the preparation of this request  
(The background papers are available for inspection and kept by the author):

6.1. Development Agreement for Lease in relation to land at Seven Brethren Bank, Barnstaple, Devon dated 7 December 2022.

6.2. JCT contract for the delivery of the new long stay car park and traveller site entered into on the 22<sup>nd</sup> November 2023.

6.3. Strategy and Resources Report to members 3<sup>rd</sup> July 2023: Seven Brethren project – Land Release Fund: An update

6.4. Planning permission (Hybrid application: number 73606).

7. CONSULTATION UNDERTAKEN:

7.1 Legal Services, Estates, Car parks

8. OFFICER REQUESTING DECISION TO BE TAKEN: SarahJane Mackenzie-Shapland, Head of Place, Property and Regeneration

9. NAME OF DECISION TAKER: Jon Triggs, Director of Resources/Deputy Chief Executive

10. DATE DECISION TAKEN: 13 February 2025

11. APPROVED BY DECISION TAKER: Yes (\*Please delete as appropriate)

12. DECISION TAKER'S COMMENTS: As set out above. The new long stay car park at Seven Brethren provides for both hourly parking and all-day long stay parking which re-provides the parking options from both the old overflow car park at Tarka Leisure Centre and the old long stay car park at Seven Brethren.

