

KESGRAVE TOWN COUNCIL

Land Acquisition & Adoption Policy

1. Legislative Context

According to section 124 of the Local Government Act 1972:

- (1) For the purposes of:
 - (a) any of their functions under this or any other public general Act, or
 - (b) the benefit, improvement or development of their area, a parish or community council may acquire by agreement any land, whether situated inside or outside their area.
- (2) Where under this section a parish or community council is authorised to acquire land by agreement, the provisions of Part I of the Compulsory Purchase Act 1965 (so far as applicable) other than section 31 shall apply, and in the said Part I as so applied the word "land" shall have the meaning assigned to it by this Act.
- (3) References in the foregoing provisions of this section to acquisition by agreement are references to acquisition for money or money's worth, as purchaser or lessee.

Sub-section (3) effectively provides that section 124 does not apply to an acquisition by gift. Section 139 of the LGA 1972 authorises a local council to accept a gift of real or personal property for the purpose of discharging a statutory function or for the benefit of the inhabitants of their area or part of it. However, there is no power to accept a gift of property for the purposes of an ecclesiastical charity or a charity for the relief of poverty.

2. Background

Neighbourhood Plan

During the extensive consultation that took place with the community a key emerging theme was the degree to which residents value the areas of open space we have including those within the heavily built out settlement boundary area.

This led to Objective Two: To enhance and protect the quality of our green spaces and landscaping and the incorporation of policies designed to preserve our open spaces within the built-up area, in particular through Policy KE5 which designates six specific areas as Local Green Spaces.

Business Plans

Our Business Plan 2021-24 included objective b): *"to enhance the use of our green spaces by the provision of appropriate additional facilities and, where feasible, protect them for the long term through the adoption of land ownership"*. Our review found that good progress had been made *"in conserving and enhancing our green space environments"*. Our programme of land adoption and acquisition saw a notable success in the transfer of ownership from private landowners of the Millennium Sports Ground (May 2024) at no cost other than legal fees. *"A good deal of groundwork was put into (the programme) during the plan period that will bear more fruit in the next plan."*

In February 2024 we adopted ownership of the Dobbs Drift and St Agnes Way play areas from East Suffolk Council (ESC) at no cost, with the equipment first being brought up to an acceptable standard by ESC. In December 2024 we secured a 125yr lease on one third of the land at Aerial Green, Ropes Drive from Suffolk County Council again at no cost other than legal fees.

A very similar objective wording was rolled forward into our Business Plan 2025-28 and in 2026 we saw the fulfilment of all the previous groundwork in two major portfolio transfers:

- In June 2026, private landowners the Kesgrave Covenant Limited generously transferred to Council's custodianship at no cost (other than legal fees) 8 land titles primarily in the Grange Farm area covering 14 different land plots but notably including the majority of Dobbs Wood and the land surrounding The Computer monument.
- In July 2026, ESC cabinet authorised the adoption by Council of 25 land titles it owned, again primarily in the Grange Farm area. In total the titles encompass 72 different land plots of various sizes, the most notable being Grange Meadow. The latter, in consultation with Council, had been refurbished by ESC in late 2025 in preparation for the transfer. The legal transfer procedure should be completed within months and, similar to the above, the cost to Council is confined to our legal fees. In fact, the adoption is supported by a dowry from ESC which runs off over three years and reflects the transfer of the cost of maintenance work.

Community Survey

As it had been some years since the last one, and recognising the need to update on resident views, a full housing needs and community opinion survey was conducted in June 2025. In this context, the following extracts from the consultant's report are relevant:

Environment:

- (5.11) Strong support for enhancing Kesgrave's ecology, wildlife, and biodiversity. Key initiatives included better care of hedges and woodlands, creating wildlife habitats, developing new nature areas, planting more trees, establishing a local tree nursery, improved green space maintenance, reduced herbicide use, and increased community involvement, particularly through schools.
- (5.12) Practical measures to protect and improve Kesgrave's environment were also highlighted, such as trimming trees and hedges, clearing pavements and cycle paths, and reducing litter and dog fouling.

Community facilities:

- (5.16) Considerable interest in a new community building offering practical, social, and recreational facilities. High-priority features included low-cost room hire, public toilets, cafés, library space, small business hubs, meeting rooms, and a stage for music and dancing. A few emphasising specialised needs for disabled adults or other specific services.
- (5.17) Additional sports facilities were also strongly desired, with the top priorities being a swimming pool and a gym. Residents also requested football, rugby, and cricket pitches, athletics tracks, basketball or netball courts (MUGA), and tennis courts. Further suggestions included 4G football pitches, skateparks, bike/scooter tracks, golf practice areas, squash and table tennis courts, informal bowls pitches, and upgraded children's play areas. Accessibility and affordability were emphasised, though some felt current provisions were adequate or raised concerns about costs.

Council considered these outcomes as an endorsement of the strategies and plans already set out in its Business Plan (which had been subject to public consultation prior to adoption).

3. Purpose of Ownership/Adoption of Land Acquired

In the first instance, those areas in the ownership of Council may be considered to be as protected as they can from development or commercialisation. This is subject to strategic planning decisions which are solely within the remit of the government and the local planning authority (LPA, currently ESC). Under current planning governance, the LPA sets a Local Plan that allocates land for development in order to meet government-imposed housing targets.

In the current Local Plan (made in 2020) the allocated (minimum) housing target for Kesgrave over the plan period has already been achieved. A review of the Local Plan was officially initiated in May 2026 with completion to be in 2029 (but see footnote 1 above).

Secondly, Council includes in its Business and Action Plans aims to improve the provision of facilities to enhance our environment and/or provide useful recreational and other community services for our residents. This includes land for sports and recreational (the Tru Park pump track opened in May 2026 being a good example) or environmental purposes, cemetery land, accommodation for residents to hire or to enable certain organisations to provide/enhance services e.g. library, offices, community cafes, and allotments.

And finally on a practical level, ownership of land affords control over how it is maintained to avoid a repeat of historical attempts to plant out open spaces only to see them damaged by outsourced contractors. It is also our aim to extend over time our Estate Operatives working remit into a broader Parks & Gardens operation so that we can address more maintenance and environmental issues ourselves rather than be dependent on, sometimes unreliable, tier 2 local authorities.

Some of the land plots acquired by Council are so-called ransom strips¹. Where these cause complications for residents in the conveyance of their home, Council's policy is, where it is legally able to do so, to assist the resident complete the transaction without charging for the land involved. However, the legal costs to Council for the transfer must be borne by the resident.

4. Policy to Acquire

It is Council's policy to:

- acquire/adopt land that is, or can be converted into, public open space primarily, but not necessarily exclusively, for the free, recreational use of residents;
- acquire land that is, or can be used to provide facilities or services, for the use of residents that is value for money and of benefit to the community; and

This land may be in Kesgrave or potentially a neighbouring parish. Land may be acquired by agreement (i.e. purchased) or by gift:

- Where land may be offered by the current landowner to Council for adoption for a nominal price or free it will be accepted subject to incurring reasonable costs for legal conveyancing and in acceptance of the transferable or implied cost for management of the land or anything on it (i.e. woodland and landscape management).
- Where land of interest becomes available for sale, be this within the town boundary or beyond it (for instance to provide for additional allotments), Council will take steps to obtain professional evaluation and seek to negotiate its acquisition. Where significant funds are required to effect a purchase, Council will consider, and adhere to, its obligations for the proper management of its finances and will also consult with residents appropriately taking account of the confidential nature of such commercial transactions.

5. Tree and Wildlife Conservation Strategy

Council's 2026/27 Annual Action Plan creates a strategy to stand along with this Policy that will initially:

- drive our land-related conservation projects;
- create a maintenance schedule for our public open spaces; and
- establish a mapping system to aid/enhance land management.

Last reviewed: 21 September 2026

Next review due: 21 September 2028

¹ A ransom strip is a parcel of land needed to access an adjacent property from a public highway, to which the owner is denied access until payment is received. The strip of land is usually either between the property and the highway, or between two properties.