

PRESS RELEASE

The Town Council is wholeheartedly pleased to see moves to re-open the Café in the park as a community café on an interim basis, and allow for limited responsibility for plant beds etc to the Friends Of North Lodge Park alongside the wider community.

The Town Council wishes the Friends Of North Lodge Park every success with this project and hopes to see the District Council move forward with a plan to maintain North Lodge Park as well maintained public open space for Cromer and its visitors.

1. After discussion between North Norfolk District Council and Cromer Town Council it was agreed, in January 2014, that Cromer Town Council would take over the responsibility of North Lodge Park, Cromer. At the outset though, there was a difference of opinion as to how this would be managed, as Cromer Town Council were looking for freehold transfer of the ownership of the Park while North Norfolk District Council were looking to grant a lease for a limited period only. So further discussions were needed to resolve this issue.

2. In March 2014, North Norfolk District Council agreed that they would transfer the freehold of the Park to Cromer Town Council and the terms on which the transfer would be based were to be negotiated between the two Councils. These negotiations took a considerable time, as there were various issues that needed to be discussed between the parties, including restrictions on the use of the Park and the liabilities to be passed with the park. The District Council were seeking to restrict any development of the park by requiring a payment by the Town Council upon any uplift in the value on any future development by Cromer Town Council. This was an important point for the Town Council, as this would restrict Cromer Town Council's ability to upgrade facilities such as the toilets in the Park, and to expand the use of the Park to include wider public and social use.

3. There were also long discussions as to how much of the Park was to be transferred, particularly as to whether the area known as the Sunken Gardens or The Lily Pond, with the Collectors' Cabin, was going to be included in the transfer. This had considerable implications for the Town Council as this area was subject to a requirement to maintain the coastal path and part of the cliffs. This was and should remain the responsibility of the District Council and the Town Council needed to be assured that this responsibility would not be carried over to it. The District Council took several months to mark the boundaries of exactly what of North Lodge Park they would transfer to the Town Council. This led to considerable delays

which were further lengthened by the District Council changing their legal officers responsible for the transfer on several occasions.

4. In addition, the Town Council, during this period of negotiation, was in direct consultation with the District Council to obtain information on health and safety matters relating to the various buildings on the Park. Unfortunately, the District Council were slow in producing the practical information to the Town Council and in some instances provided no information or did not respond to request for information. The Town Council were obstructed by the District Council from ever getting access to the closed buildings during the negotiations. This was unfortunate as the Town Council were unable to carry out their own inspections on the state of the buildings. As far as the Town Council is concerned, this was a reasonable request to allow for planning and budgeting for the parks future.

5. Agreement as regards the main issues, including the area to be transferred was finally reached in March 2015, although the documentation produced by the District Council did not reflect this agreement in all respects so the Town Council needed to negotiate further to protect their position and the rate payers of Cromer.

6. One of the main points related to the development of the Park and the District Council's insistence of payment in respect of any such development. The Town Council was led to believe that the District Council had relaxed its position on this, but the District Council had, without discussion, reverted to its initial stance. This would have had the effect of sterilising the use and improvement of North Lodge Park to a considerable extent. However, Cromer Town Council were still prepared to take on the Park with this restriction on development.

7. The District Council were not co-operative on other issues which would normally be dealt with by the transferor of any property and were slow in providing information on request from the Town Council on matters concerning both title to the Park and the pre-school buildings, which resulted in the Town Council taking on additional financial obligations and having to undertake its own enquiries in order to progress the transfer.

8. However, the Town Council were still fully committed to the transfer and confirmed this to the District Council at the end of June 2015.

9. There were still matters under discussion when the District Council imposed an arbitrary completion date of 21 July 2015, although there was no

contractual obligation to complete by this date and no explanation of why this date was required. Cromer Town Council had already shown their commitment to the transfer, and were prepared to take on heavier obligations, both in practical terms and in financial terms, than originally agreed and were working hard towards completion.

10. All the papers were agreed the week before 21 July 2015 and had been sent to the Town Council for approval and signature.

On Friday 17 July, the District Council had demanded changes to the agreed papers after they had been sent to the Town Council to allow for access for coastal erosion works. The changes were allowed by the Town Council but the District refused, despite repeated requests, to confirm whether or not they would extend the date of 21 July 2015 until 23 July 2015.

A special meeting of the Town Council to authorise this could not be held for legal reasons before 22 July 2015. (The Town Council is legally required to give four working days notice of such meetings.)

The District Council had been advised that the Town Council would be in a position to complete this matter on 23 July 2015.

11. Neither the Town Council, or their legal advisers, had any response from the District Council and the first that the Town Council knew that the District Council intended to withdraw from this matter was by way of a press release on [21 July 2015].

12. The Town Council was in a position, as it said it would be, to complete the transfer on 23 July 2015. However, on 23 July 2015, the District Council finally confirmed that it had refused to extend the deadline by the requested two days and refused to complete the transfer.

13. Obviously, Cromer Town Council was extremely disappointed by the behaviour of North Norfolk District Council as regards their withdrawal from this matter, but were also saddened by the fact that they would not be able to take on the ownership of the Park, which they had looked forward to with anticipation, with the prospect of making the Park a more vibrant amenity for the people of Cromer.

14. Cromer Town Council still requires clarity as to why the leader of NNDC, Cllr. Tom Fitzpatrick, inaccurately claimed to the press and general public that the Town Council had made the request for a variation to the legal papers (see 10) allowing for coastal erosion works and were unable to allow

for a 2 day extension to the 23rd July 2015 for a delay they, the District Council had in fact caused.

This could be a misunderstanding of the papers on the part of NNDC, but the effect made it impossible for the Town Council to take on the park before the deadline of the 21st July 2015 and they blamed the Town Council for this.

Cromer Town Council would like to make clear that the 'deal breaking' delay was caused by NNDC.

15. The Town Council has for a long time, been committed to the future of North Lodge Park, along with the preservation and improvement of other open green park space in Cromer. The Town Council administered to and paid for a Parish Poll (Referendum) in 2007. This overwhelmingly found Cromer wanted to keep its park from being turned into a car park. The Town Council has pushed for North Lodge Park's future ever since and will continue to do so in future.

16. To re-iterate - The Town Council is therefore wholeheartedly pleased to see moves to re-open the Café in the park as a community café on an interim basis, and allow for limited responsibility for plant beds etc to the Friends Of North Lodge Park alongside the wider community. The Town Council wishes the Friends Of North Lodge Park every success with this project and hopes to see the District Council move forward with a plan to maintain North Lodge Park as well maintained public open space for Cromer and its visitors. The Town Council will fight any reversion, on the District Council's part to return to the idea of turning over North Lodge Park to a car park, which was previously their intention.