

Cabinet – 7th September 2026

NORTH LODGE PARK	
Executive Summary	This report outlines a procedural issue whereby the Council needs to declare the hard-surfaced area of North Lodge Park, Cromer as no longer required for its existing purpose, thereby allowing it to be advertised for alternative use – i.e. for a small Pay and Display public car park. This is a legal process separate to the need to obtain planning consent for the proposed use.
Options considered	During 2025 the District Council undertook a process of public consultation inviting comments on the future use of the hard-surfaced area of North Lodge Park, Cromer. Uses considered included commercial and community uses or re-purposing the space as a small Pay and Display public car park. No viable commercial or community use was established through the consultation process and the Council has therefore developed proposals for a small (44 space) public car park on the area of land.
Consultation(s)	Approval of the recommendation will allow a formal process of public advertisement / consultation to be undertaken whereby members of the public and local stakeholders can formally comment on the proposed release of the small area of land within North Lodge Park for alternative use, as a public car park.
Recommendations	That Cabinet agrees that:- i) the hard-surfaced area (former tennis courts and children’s play area) to the east of the main drive in North Lodge Park, Cromer is no longer required for its historic purpose as recreational land, under section 164 of the Public Health Act 1875. ii) the proposed alternative purpose of the hard-surfaced area should be the provision of a small Pay and Display public car park, and shall be advertised as such iii) in accordance with section 122(2A), the Council shall: 1. publish notice of its intention in a local newspaper for two consecutive weeks; and 2. consider any objections received. iv) That authority is delegated to the Chief Executive to:- 1. Publish the statutory notice; 2. Receive and analyse objections; and 3. Report back to Cabinet for the appropriation decision.
Reasons for recommendations	To put a long-time vacant and unsightly area within North Lodge Park to beneficial use – strengthening the vitality and vibrancy of the Park through increased footfall and providing much needed additional public parking to the eastern side of the town, generating additional income for

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	the Council, a proportion of which will be ring-fenced for further investment in the Park.
Background papers	2023 – 2027 Corporate Plan

Wards affected	Suffield Park
Cabinet member(s)	Cllr Lucy Shires, Deputy Leader of the Council and Cabinet portfolio holder for Finance and Assets
Contact Officer	Steve Blatch, Chief Executive Email:- steve.blatch@north-norfolk.gov.uk Tel:- 01263 516232

Links to key documents:	
Corporate Plan:	This report supports the Council's Corporate Plan theme of Investing in our Local Economy and Infrastructure through creating an environment for businesses to thrive in and supporting investment in infrastructure to support future growth.
Medium Term Financial Strategy (MTFS)	This report supports the objectives of the Council's Medium-Term Financial Strategy through making good / best use of the Council's assets.
Council Policies & Strategies	See comment under Corporate Plan heading above

Corporate Governance:	
Is this a key decision	No
Has the public interest test been applied	No
Details of any previous decision(s) on this matter	No formal decision taken in recent times. Previous decision in 2015/16 resulting in submission and withdrawal of planning application by the Council for a similar Pay and Display car park proposal on the unused surfaced area of the Park. 2023 – advertisement for Expressions of Interest in the area of unused hardstanding from commercial and community uses; decision taken to support proposal for pop up market by Friends of North Lodge Park and Cromer Town Council – interest subsequently withdrawn as Town Council resolved unable to support proposal. Summer 2025 – public consultation process on future uses of the land – again inviting comments on commercial, community or car park uses.

1. Purpose of the report

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- 1.1 This report outlines a procedural issue whereby the Council needs to declare the hard-surfaced area of North Lodge Park, Cromer as no longer required for its existing purpose, thereby allowing it to be advertised for alternative use – i.e. for a small Pay and Display public car park. This is a legal process separate to the need to obtain planning consent for the proposed use.

2. Introduction & Background

- 2.1 North Lodge Park is situated to the east of Cromer town centre, off the Overstrand Road. The Park lies within the Cromer Conservation Area and comprises areas of open lawns with views over the beach and sea and westwards to Cromer Pier; shelters, some structural planting of hedges and trees, a rose garden, sheltered lawn area to the south of the North Lodge building, sunken gardens, former bowling green, bistro and tea-room premises, ice-cream concession, boating pond and a redundant hard-surfaced area previously used as tennis courts and as an area for children's play. In recent years an inclusive footbridge and play equipment has been provided by the Friends of North Lodge Park on the lawned area in the east of North Lodge Park with fundraising and external matchfunding.
- 2.2 Over recent years budget constraints have meant that it has not been possible for the District Council to maintain the lawned areas for putting and bowling and seasonal planting to the standards which might be expected for a high amenity public open space in the heart of Cromer. In this context, the District Council has been pleased to work with the Friends of North Lodge Park who, prior to the pandemic operated the tea-room as the basis for fund-raising activities to support future investment in the Park. However, whilst the Council recognises the Friends' achievements in funding the replacement accessible footbridge linking two parts of the Park, provision of the children's play area and maintenance of some of the planted areas of the Park, and hopes that this positive relationship can be developed further; it recognises that, as a voluntary organisation, the Friends do not have the capacity, either financially or in terms of volunteer time and numbers, to manage the whole of North Lodge Park.
- 2.3 The Council has therefore stated that it will be necessary to adopt a more commercial approach in respect of the future management of North Lodge Park. This has seen the Council lease the former Seaview Nursery building and tea-room to local charity About with Friends under a commercial lease to operate a bistro and tearoom, and the letting of the Collectors Cabin structure to an ice-cream and drinks concession – both of which have added to the appeal of the Park. However, footfall in the Park remains at a much lower level than in the public gardens to the west of the town centre and the Council has therefore given thought to how it can raise further the profile of North Lodge Park as a destination to the point that new opportunities to revive the Park through the introduction of new events and attractions might be realised.
- 2.4 During the spring and summer of 2025 the District Council conducted a consultation exercise inviting public comments on possible future uses for the vacant hard-surfaced area (former tennis courts and children's play area) to the east of the main drive of North Lodge Park – as shown in the Plan attached to this report. This area of the Park has been unused for more than 20 years and contributes nothing to the Park in terms of visual attraction, amenity or biodiversity. Public comments were therefore invited on potential uses for this

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area of the Park including commercial and community uses or development as a small (44 space) Pay and Display Public car park.

- 2.5 The consultation process looked to build upon earlier advertisement of this space for commercial and community uses whereby the District Council had resolved to support a proposal by the Friends of North Lodge Park and Cromer Town Council promoting use of the space for pop-up events, artisan markets etc. However, the Town Council subsequently decided not to proceed with the project and it has not been taken forward. Some commercial interest had also been shown in the space for a number of possible leisure uses / activities, all of which would have involved development of structures within the space which were therefore dismissed as being incompatible with the character and setting of the Park and potential impact on neighbouring properties.
- 2.6 Whilst the spring 2025 consultation process again asked for public comments on whether the land could or should be promoted for future community or commercial purposes, the District Council also asked for views on whether the area of land should be developed to provide a small (44 space) Pay & Display public car park. This proposal revisited a previous proposal for a car park on the land in 2016, which, at that time, saw significant public objection and was not pursued. Ten years on and the hard-surfaced area (former tennis courts and children's play area) remains vacant and the Park faces the same issues in terms of needing investment in the maintenance of lawns, areas of planting, shelters, railings, lighting and benches etc so that it can fulfil its purpose of being an attractive area of public open space which complements Cromer's beach and promenade offer, loved by local residents and visitors. At the same time there remains a need for additional public parking to the east of Cromer town centre, where there is limited off-street parking and increasing issues of on-street parking on residential streets.
- 2.7 The spring 2025 consultation process conducted online and through a hand-delivered mailing to residents within close proximity to the Park asked the question – *"What is your preferred choice for the unused space in North Lodge Park?"*

788 responses were received to the consultation process with:-

- 348 (44.2%) expressing clear support for use as a public car park, with a minority expressing the view that the space could fulfil more than one use in addition to parking, for instance, markets or community uses.
- 314 (39.8%) clearly expressed support for community activity – but no comment was made in respect of how such uses could be funded.
- 111 (14.1%) expressed support for a commercial activity, concession, or business, either by selecting preference or in free text – 69 as a stated preference, a further 42 in free text.
- 4 (0.5%) expressed a balanced view between commercial and community proposals, expressing no clear preference.
- 11 (1.4%) submitted unclear submissions,
- In addition, 15 clearly expressed their secondary preference was for a car park, whilst 9 clearly expressed their secondary preference was for

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a commercial activity/concession, and 5 clearly expressed their view that a community activity would be their second preference. These secondary preferences were made in the free text box.

Further, a number of people expressing support for the principle of a community use recognised that attempts had been made by the District Council to support proposals for such a use previously and that these hadn't been seen as deliverable and therefore indicated qualified support for the car park proposal, subject to any such proposal only being accommodated within the area of the hardstanding and not any incursion into the wider area of the Park.

3. Legal position and process - Appropriation of Open Space Held under Public Health Act 1875

3.1 North Norfolk District Council holds the land at North Lodge Park, Cromer for the purposes of public recreation pursuant to section 164 of the Public Health Act 1875 – the land passing to the District Council at local government reorganisation in 1974 from the predecessor authority of Cromer Urban District Council.

3.2 The consequence of this is the land is held as a statutory trust and cannot lawfully be used for any other purpose whilst that trust remains in place. To release that trust, the Council must go through a legal process to change the statutory use of the land from the existing (open space) use to another authorised use. This process also serves to free the land from the statutory trust. This process – referred to as 'appropriation' - is set out in section 122 of the Local Government Act 1972, more specifically subsections (1), (2A) and (2B):-

- Section 122(1) of the Local Government Act 1972 enables the Council to appropriate the land where it is no longer required for the purpose for which it is currently held to another authorised purpose.
- Section 122(2A) provides that where land consists of open space (which land subject to section 164 of the Public Health Act 1875 is) the Council must, *before* appropriating the land, advertise its intention for two consecutive weeks in a local newspaper circulating in the area in which the land is situated and consider any objections.
- Section 122(2B) provides that where land held for Public Health Act 1875 purposes is appropriated following compliance with section 122(2A), the land is freed from the statutory trust arising from those provisions.

3.3 Case law requires that, to properly comply with section 122(1), the Council must make a conscious and deliberate decision that the land is no longer required for recreational purposes. The purpose of this report is to provide information and details to enable Cabinet to determine whether or not the land in question is still required for recreational purposes. It also deals with what the proposed alternative use should be.

3.4 For the avoidance of doubt, Cabinet is not required, at this time, to decide whether a formal appropriation should or should not take place – such a

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decision can only be taken once the Council has consulted in accordance with section 122(2A) of the Local Government Act 1972. The decision for Cabinet at this time is therefore to decide whether or not the land continues to be required for recreational purposes and, if it is not, what the proposed alternative use should be.

4. Current position

- 4.1 The hard-surfaced former tennis courts and children's play area has been unused for more than twenty years. Originally grass, and then surfaced, tennis courts, the development of good quality tennis facilities at the Cromer Lawn Tennis and Squash Association site off Norwich Road, saw the hard-surfaced area used during the 1980s and 1990s as a children's play area where pedal cars, tractors and bicycles could be hired as an attraction within the Park, which at the time had no traditional play equipment – the Park at that time being maintained as a high amenity area with putting on large areas of lawns, bowling and a small model boating pond. During the late 1990s with alternative putting available on the Runton Road gardens and The Meadow let as concessions and opportunities for bowling at the Marrams and Suffield Park bowls clubs in the town, the District Council in response to budget pressures withdrew from the provision of those activities and the children's pedal car attraction at North Lodge Park. Since that time the hard surfaced area of North Lodge Park has been largely unused and has contributed little to the Park's character or amenities.
- 4.2 In this context, and continued pressure on the Council's budgets and the need for investment in the wider Park – particularly railings, lighting columns, shelters and maintenance of areas of planting all of which are showing significant signs of age and need of repair and maintenance, it is appropriate for the District Council to consider what role and purpose the Park, and particularly the long-term unused hard-surfaced area of the Park, should play in the future.
- 4.3 As noted elsewhere in this report, the Friends of North Lodge Park financed the provision of an inclusive footbridge and new play equipment, providing a new facility / attraction in the Park; and there is continued demand for additional car parking spaces / facilities to the east of the town centre and these issues are considered relevant to the authority considering an alternative use for the vacant hard-surfaced area of the Park.
- 4.4 The "loss" of the hard-surfaced area of the Park for an alternative use is not considered to be significant in the context of the overall Park from an open space perspective – the area contributes nothing to the wider Park offer and has been unused for more than twenty years. Declaring the area as being no longer required for open space and re-purposing the space for use as a public car park would support the wider regeneration and revitalisation of the Park through increasing footfall and in supporting community events staged in the Park. The hard-surfaced area has very clear boundaries and is screened from the wider Park by established hedging, shrub and tree planting, which could be strengthened further through additional planting to minimise the visual impact of a car park use.
- 4.5 It would therefore be proposed to declare the hard-surfaced area of the Park as no longer required for public open space use and instead, subject to the consideration of comments following advertisement, propose that the land be

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used for the provision of off-street parking' pursuant to section 32(1)(a) of the Road Traffic Regulations Act 1984, which empowers the Council to provide off-street parking.

5. Corporate Priorities

- 5.1 This report supports the Council's Corporate Plan priorities of Investing in our Local Economy and Infrastructure through creating an environment for businesses to thrive in and supporting investment in infrastructure to support future growth and attracting new visitors and investment to the District.

6. Financial and Resource Implications

- 6.1 At the present time the District Council has limited resources to spend maintaining North Lodge Park, Cromer to a standard which might reasonably be expected as an area of high amenity public gardens in the heart of a much-loved resort town. The Council has, unsuccessfully, bid for external funding to support a major investment in the Park as has been seen in other East Coast resorts and so now needs to develop a strategy, including taking a more commercial approach, to the use of vacant areas of the Park.
- 6.2 The Council has therefore proposed the re-purposing of the long-term unused hard-surfaced area of the Park for use as a small Pay and Display car park, with some of the income earned being ring-fenced specifically for future investment in the Park rather than being taken into the Council's main revenue budget.
- 6.3 The Director of Resources (Section 151 Officer) has provided the following comments in advising on the preparation of this report:-

Comments from the S151 Officer

Any decision taken to appropriate the small hard-surfaced area of North Lodge Park following advertisement would not have financial implications in itself. Should the Council be minded to, following review of responses to advertising its intent, accept the proposal to change the use of the parcel of land to a small car park, then sufficient resources are available within the capital programme.

7. Legal Implications

- 7.1 The Council's Deputy Monitoring Officer has provided advice in the preparation of this report and the processes which the Council will need to follow if it concludes that the hard-surfaced area of the Park is no longer required for recreational use and should therefore be appropriated for an alternative use – i.e. as a public car park; and that an advert detailing the Council's intentions and inviting public comment be placed in a local paper, with comments received reported back to a future meeting of Cabinet, allowing a final decision to be taken as to the future use of the land.

Comments by the Monitoring Officer

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This report sets out the process to be considered around the Council's consideration of whether land is still required for original purpose and the process to be followed if considering appropriation for a different purpose.

8. Risks

- 8.1 There are a number of potential risks associated with the council taking forward this proposal and these will be managed and mitigated through a risk register moving forward.

9. Net Zero Target

- 9.1 None as a direct consequence of this report – although if plans to provide a small public car park on the land were to be progressed and supported through a planning application, plans for the car park facility would include the provision of some spaces with electric vehicle charging infrastructure.

10. Equality, Diversity & Inclusion

- 10.1 None as a direct consequence of this report.

11. Community Safety issues

- 11.1 None as a direct consequence of this report

12. Conclusion and Recommendations

That Cabinet agrees that:-

- i) the hard-surfaced area (former tennis courts and children's play area) to the east of the main drive in North Lodge Park, Cromer is no longer required for its historic purpose as recreational land, under section 164 of the Public Health Act 1875.
- ii) the proposed alternative purpose of the hard-surfaced area should be the provision of a small Pay and Display public car park, and shall be advertised as such
- iii) in accordance with section 122(2A), the Council shall:
 - 1. publish notice of its intention in a local newspaper for two consecutive weeks; and
 - 2. consider any objections received.
- iv) That authority is delegated to the Chief Executive to:-
 - 1. Publish the statutory notice;
 - 2. Receive and analyse objections; and
 - 3. Report back to Cabinet for the appropriation decision.