

WILTSHIRE COUNCIL

AGENDA ITEM NO. 11

SOUTHERN WILTSHIRE AREA BOARD  
16 DECEMBER 2011

---

## **COMMUNITY ASSET TRANSFER**

### **Land at Lyndhurst Road, Landford, 1 acre of woodland**

#### **Executive Summary**

This report deals with an application for the transfer of land at Lyndhurst Road, Landford, 1 acre of woodland to be transferred to Landford Parish Council in accordance with Wiltshire Council's Community Asset Transfer Policy.

#### **Proposal**

The Area Board is asked to consider an application submitted by Landford Parish Council for the transfer of land located at Lyndhurst Road, Landford, 0.5 acres of woodland. The applicants' proposal is set out at Appendix 1

#### **Reasons For Proposal**

This proposal supports and implements Wiltshire Council's Community Asset Transfer Policy.

#### **Recommendation**

To approve the transfer subject to the safety work identified in the report dated 26<sup>th</sup> March 2010 being completed by Landford Parish Council before the facility is opened to the public.

**Tom Bray**  
Southern Wiltshire Community Area Manager

**SOUTHERN WILTSHIRE AREA BOARD  
DATE 16 DECEMBER 2010**

**COMMUNITY ASSET TRANSFER**

**Land at Lyndhurst Road, Landford, 1 acre of woodland**

**Purpose of Report**

1. The Area Board is asked to consider an application submitted by Landford Parish Council for the transfer of land located at Lyndhurst Road, Landford, one acre of woodland (see plan attached at Appendix 1). The applicants' proposal is set out at Appendix 1.

**Background**

2. Wiltshire Council is supporting the principle of the transfer of community assets in order to empower and strengthen local communities. The Council believes that transferring appropriate public assets to communities leads to more responsive services that better meet local people's priorities.
3. Transfer of an asset can also provide the opportunity to lever more resources into a community and provide a more accessible and responsive base from which to deliver local services.
4. A community group or organisation can benefit from greater financial stability and build confidence through having ownership (or long term security through a lease) of a physical asset. This financial sustainability can help the organisation become less dependent on grants, provide security for further borrowing and opportunities for further growth.
5. Typically, organisations that would be considered appropriate are Voluntary and Community Groups/Associations, Town or Parish Councils, Trusts or Charities, or Social Enterprise Groups.

**The application before the Area Board**

6. The application from Landford Parish Council is attached at Appendix 1 and relates to the transfer of land at Lyndhurst Road, Landford, 1 acre of woodland for community recreation. The design plan attached to the application does not include the private access road from Lyndhurst Road. However, for the purposes of clarification, if approved, the whole of the area edged red on the plan (to be circulated) will be transferred to Landford Parish Council.
7. The application was submitted in accordance with the Council's application process and meets the requirements for consideration by the

Area Board.

8. The Community Area Manager has consulted with Strategic Property Services, who have undertaken appropriate consultation with service departments across the Council. Local consultation has been undertaken by the applicant in accordance with the application checklist and the outcome of the consultation is included within the application. Cllr Randall, the local member, has been apprised.

### **The views of Council officers**

9. On behalf of the Council, Strategic Property Services (who have overall responsibility for the Council's estates and property) has provided the following observations to the Area Board.
  - 9.1 The access track is subject to rights in favour of the owners of the adjoining houses.
  - 9.2 Part of the land is subject to restrictions on use contained in a 1958 conveyance. No copy of the conveyance is available. Landford Parish Council may require the Council to pay for a defective title indemnity insurance policy to provide financial protection in respect of the matters contained in the missing conveyance.
  - 9.3 The land is to be transferred on the standard basis. This is that there will be a covenant restricting use of the land to community purposes. If the land should cease to be used for this purpose it will revert to Wiltshire Council.
  - 9.4 The land has no value other than as amenity land and Landford Parish Council will take over the maintenance of the area. Therefore, financial implications are limited to the maintenance cost previously incurred by Wiltshire Council being transferred to Landford Parish Council.

### **Main issues for consideration by the Area Board**

10. Landford Parish Council has commissioned a report on the trees within the area. This report, dated 26<sup>th</sup> March 2010, identified safety works to some trees. These will need to be completed by Landford Parish Council (as set out in the application) before the area is opened to the public.

### **Recommendation**

11. To approve the transfer subject to the safety work identified in the report dated 26<sup>th</sup> March 2010 being completed by Landford Parish Council before the facility is opened to the public.

**Tom Bray**, Southern Wiltshire Community Area Manager and  
**John Price**, Senior Estates Officer