

MALMESBURY AREA BOARD
04 NOVEMBER 2015

COMMUNITY ASSET TRANSFER

Minety, Land at Sawyers Rise and St Leonards Row

Executive Summary

This report deals with an application for the transfer of land at Sawyers Rise, Minety and St. Leonard's Row, Upper Minety to be transferred to Minety Parish Council in accordance with Wiltshire Council's Community Asset Transfer Policy.

Proposal

The Area Board is asked to consider an application submitted by Minety Parish Council for the transfer of land at Sawyers Rise, Minety and St. Leonard's Row, Upper Minety. The applicant's proposal is set out at Appendix 3.

Reasons For Proposal

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

Recommendation

To approve the transfer subject to the matters referred to in paragraph 9 of the report.

Ollie Phipps
Malmesbury Community Engagement Manager

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Purpose of Report

1. The Area Board is asked to consider an application submitted by Minety Parish Council for the transfer of land at Sawyers Rise, Minety and St. Leonard's Row, Upper Minety (see plans attached at Appendces 1 and 2). The applicant's proposal is set out at Appendix 3.

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 Minety Parish Council is attached at Appendix 3 and relates to the transfer of Land at Sawyers Rise, Minety and land at St. Leonard's Row, Upper Minety.
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 [redacted], 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 Both areas of land are subject to wayleaves for electricity apparatus.
 - 9.2 Public footpath Minety 6 crosses the Sawyers Rise land. Minety 28 is adjacent to the southern boundary of it and Minety 10 is adjacent to the northern boundary of the St. Leonard's Row land.
 - 9.3 The St. Leonard's Row land is subject to two parking/garage licences.
 - 9.4 The Sawyers Rise land is subject to a right of access to Brook Cottage.
 - 9.5 The land is to be transferred on the usual basis. This will restrict use of the land to community purposes. If the land should cease to be used for this purpose the land will revert to Wiltshire Council.
 - 9.6 Licence fees for the garage/parking agreements will pass to Minety Parish Council, along with any obligations contained within them and the cost of upkeep of the property. There are no other financial implications.

Recommendation

10. To approve the transfer subject to the matters in paragraph 9 above.

Ollie Phipps
Malmesbury Community Engagement Manager
