

## **Questions from Fiona Watson on behalf Questions raised of the Halve Residents Association**

**To Councillor Toby Sturgis – Cabinet member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste**

### **Question**

1. Why was the majority of this shared parking space parcelled into the sale of The Clinic when the Council knew of its importance to users of the Social Centre? Who made this decision and what criteria did they use to make this decision? The Council should have received money from the Health Authority for this transfer of such an important asset. Did this asset disposal go through the Asset Committee at the time? If not, why not?

### **Answer**

The Clinic, including the parking spaces, were transferred to the Health Authority in 1974 under a statutory transfer, the terms of which the Council had little influence. There is no express right in the Council's deeds or prescriptive right that can be obtained for these parking spaces.

The boundary delineated by the fence is the site boundary in accordance with the plans on the Land Registry Titles, although the Council will measure the width on the ground between the wall and the fence to ensure it is correct.

### **Question**

2. Why was this application not objected to by the Council? On completion of the fence, why wasn't the positioning challenged? Why wasn't the failure to provide a walkway/pedestrian access also not challenged? When ASB became an issue why didn't the Council challenge the design of the fence?

### **Answer**

The Council as landowner did not object as there is no reason for a valid objection on the planning policy grounds to be raised. As set out in the response to Q1 above, the boundary delineated by the fence is the site boundary in accordance with the Land Registry Titles, although the Council will measure the width between the wall and the fence to ensure it is correct. Access to the Council's site has been retained, as set out by the Land Registry titles.

**Question**

3. Why weren't repairs to the building made good at the time of the thefts/vandalism?

**Answer**

The management of Void buildings is closely monitored by the Council. Appropriate measures are put in place according to the nature of the asset, having consideration to the limited revenue funds available to the Council.

**Question**

4. Why weren't even basic security measures taken to prevent further ASB?

**Answer**

See response to question 3

**Question**

5. Why wasn't the Social Centre maintained adequately?

**Answer**

See response to question 3

**Question**

6. We would like to understand what changed to make the Council (Town and County) no longer support this facility?

**Answer**

The property was previously run and managed by the Trowbridge Guild. It is believed that the maintenance cost may have been a reason for the Guild terminating the service but the Guild should be able to provide a more comprehensive response. The service / facility was not provided / operated directly by Wiltshire Council.

**Question**

7. Why have the Council decided to dispose of the Social Centre precisely at the time to be most advantageous to the owner of The Clinic, especially as it was their actions that have significantly contributed to the demise of the site and loss of value?

**Answer**

The Council has previously been approached by a number of local community groups such as The Marching Band, Men's Shed and a homeless charity. After initial interest in taking a Community Asset Transfer, all of those organisations declined to take their interest further. Accordingly, officers submitted a report to the Council's Cabinet Capital Asset Committee to seek authority to sell the building for best consideration, as required by the Local Government Act 1972, which would generate a capital receipt.

### **Question**

8. What is the expected cost of demolition of the Social centre?

### **Answer**

The current cost of demolition has not been determined. A quote was obtained in 2014 but it did not include removal of asbestos. There is no agreement at this point that the Council will demolish the building prior to disposal.

### **Question**

9. If disposal is agreed what is the process? We believe assets are offered to neighbouring landowners prior to open market sale to see if additional value can be extracted. If this is the case, who decides which landowners are contacted?

### **Answer**

The precise details of the disposal process depends on the individual property but all adjoining owners would be given an opportunity to submit an offer, but the Council would be obliged to achieve best consideration for the disposal of the asset. Accordingly in this instance, officers would contact the adjoining owners on all sides of the property to ascertain the level of interest.

### **Question**

10. What, if any, restrictions can be imposed on the purchaser with regard to development? For example, can planning conditions be imposed at this point?

### **Answer**

The Council is not looking to impose any restrictions on development and with the statutory planning process being the process to determine planning and development matters.

### **Question**

11. What will happen to any profits of the sale of this site and those in nearby St Thomas' passage?

### **Answer**

All capital receipts from the sale of property contribute towards the Council's capital programme.