

Wiltshire Council

Cabinet (Capital Assets Committee)

21st November 2013

Subject: Devizes Lower Wharf Depot

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

Key Decision: No

Purpose of Report

1. To seek approval to a proposal to transfer the Devizes Lower Wharf depot to Devizes Canoe Club in accordance with the Community Asset Transfer policy, subject to the agreement of Devizes Area Board.

Relevance to the Council's Business Plan

2. The proposal contributes both the policy to devolve assets to appropriate bodies to provide facilities for the community and to the improvement in health and physical well being of the community..

Main Considerations for the Council

3. If the proposal is approved a small capital receipt will be foregone but it will enable the provision of a facility which will benefit Devizes. Devizes Canoe Club has consulted widely and the proposal has considerable support from bodies including the Canal and River Trust, Wiltshire & Swindon Sports Partnership and Wadworths brewery, the neighbour

Background

4. In 2011, this committee approved a policy of encouraging the transfer of assets for community use to appropriate organisations. Area Boards were given delegated authority to approve these transfers subject to the value of the property being below £250,000 and the property not being designated as a strategic asset. The Lower Wharf property, shown edged red on the plan at Appendix 1, is worth less than £250,000 but has been identified as a receipt to support the Capital programme and is therefore a Category 1 asset.
 - 4.1 Lower Wharf is currently used as a base for a small number of car parking staff who are going to be based elsewhere in the near future and the building will become vacant.

- 4.2 Devizes Canoe Club currently occupies premises at the main Devizes Wharf. These premises are inadequate and prevent further expansion of the club. It has submitted an application for a transfer of this property in accordance with the community asset transfer policy to relocate to.
- 4.3 It wishes to apply for funding to improve this property and create a new means of access to the water from Sport England and Canoe England and needs to demonstrate that it has security of tenure in order to do so.

Safeguarding Implications

5. Devizes Canoe Club already works with young people and has suitable policies and procedures, which comply with the Sport England Clubmark standard, in place.

Public Health Implications

6. Use of the property by Devizes Canoe Club will help to promote an active and healthy lifestyle across the full age range by giving an additional opportunity to engage in physical activity.

Environmental and Climate Change Considerations

7. Both planning permission and building regulations may be required for a change of use and the Club are fully aware of this. Measures to safeguard the environment and climate change mitigation measures exist within these.

Equalities Impact of the Proposal

8. Devizes Canoe Club has an equalities policy which complies with the Sport England Clubmark standard. There is no equalities impact.

Risk Assessment

9. The risks associated with taking the proposed decision or not are set out in paragraphs 10 and 11 below.

Risks that may arise if the proposed decision and related work is not taken

10.
 1. Devizes Canoe Club does not find alternative accommodation and is unable to grow.
 2. Disposal takes longer than anticipated and security and other holding costs become high.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

11.

Risk

Property ceases to be used for community purposes

Action to mitigate the risk

Legal documentation in the asset transfer provides for the property to revert to Wiltshire Council control if the community use ceases

Financial Implications

12. Aside from the loss of capital receipt there are no other financial implications.

Legal Implications

13. Ownership of the land will transfer to Devizes Canoe Club by way of a standard document. Use will be restricted to community purposes and this will be protected by a provision requiring the property to revert to Wiltshire Council if this use should cease.

Options Considered

14.1. To reject the application from Devizes Canoe Club. This would lead to the club continuing to operate from inadequate premises, which would restrict its ability to encourage greater participation in physical activity. A small capital receipt would probably be obtained but an opportunity to use this area of the canal side for water based purposes would be lost.

14.2. To approve the application. This will allow Devizes Canoe Club to expand and offer improved facilities for the use of canoes on the canal. It would also allow the land to be used for a purpose connected with the canal.

Conclusions

15. Although the Council will forego a capital receipt if this proposal is approved, this receipt will be limited. Allowing the application to proceed will help in the achievement of Wiltshire Council's goals.

Proposal

16. That an application for a transfer of the Lower Wharf depot, Devizes to Devizes Canoe Club be approved subject to the agreement of Devizes Area Board in accordance with the Community Asset Transfer policy.

a. That authority be delegated to the Associate Director for Legal and Governance and Transformation Director to ensure that suitable terms are incorporated into the asset transfer and to complete any legal documentation required to facilitate this.

b. That authority be delegated to the Associate Director for Finance to remove this property from the list of capital receipts anticipated to be achieved to support the capital programme.

Reason for Proposal

17. To enable a strategic asset of low value to be transferred to a suitable community organisation in accordance with the Community Asset Transfer policy.

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Corporate Director

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1st November 2013

Background Papers

None

Appendices

Appendix 1 - Plan
