

AGENDA SUPPLEMENT (1)

Meeting: Warminster Area Board
Place: The Corsley Conference Centre, Old School, Deep Lane, Corsley
BA12 7QF
Date: Thursday 11 November 2010
Time: 7.00 pm

The Agenda for the above meeting was published on 2 November 2010 and indicated that the report detailed below would be to follow. This is now available and is attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Marie Gondlach, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713597 or email marie.gondlach@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

9. **Transfer of assets to the community** (Pages 1 - 8)

A report by the Community area manager is attached.

DATE OF PUBLICATION: 9 November 2010

Wiltshire Council

Warminster Area Board

11 November 2010

COMMUNITY ASSET TRANSFER
Land to the rear of the Warminster Community Radio building

Executive Summary

This report deals with an application for the transfer of the piece of derelict land adjacent to the Assembly Rooms, to Warminster Community Radio (WCR) in accordance with Wiltshire Council's Community Asset Transfer Policy.

Proposal

The Area Board is asked to consider an application submitted by Barry Mole, of WCR, for the transfer of land located adjacent to the Assembly Rooms, BA12 8LB (see map attached at Appendix 1). The applicants' proposal is set out at Appendix 2.

Reasons For Proposal

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

Recommendation

It is recommended that the area board;

- 1) Approves the transfer subject to the following conditions:
 - a. That no Council use for the land is identified.
 - b. That there are no rights in favour of adjacent or neighbouring land that would prevent development of the land
 - c. That WCR obtains planning permission for the proposed development before the transfer takes place.

Katharine Dew
Warminster Community Area Manager

Wiltshire Council

Warminster Area Board

11 November 2010

COMMUNITY ASSET TRANSFER
Land to the rear of the Warminster Community Radio building

Purpose of Report

1. The Area Board is asked to consider an application submitted by Barry Mole of WCR, for the transfer of land adjacent to the Assembly Rooms, BA12 8LB (see map attached at Appendix 1). The applicants' proposal is set out at Appendix 2.

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 WCR is attached at Appendix 2 and relates to the transfer of land to the side of the WCR building.
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 Areas 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.

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.
10. Service Directors are being consulted to establish whether there is a need for the Council to retain the land. The consultation period ends on Monday 15th November.
11. The area contains a number of mature trees which are subject to a tree preservation order (TPO). Subject to this and confirmation that the rights granted in transfers of former council houses do not prevent development of the land, there are no other legal impediments to a transfer.
12. The land is only suitable for amenity purposes due to the existence of the TPO. Therefore, it is of nominal value and the only financial implication of the transfer is that the Council would no longer have to bear the cost of maintaining it.

Main issues for consideration by the Area Board

13. Short summary of the key points, structured as follows:
 - 13.1 WCR is a well respected local organisation, which is well supported by a diverse range of volunteers.
 - 13.2 WCR provides a valuable service to the area board, by developing the Warminster Voices project.
 - 13.3 The TPO in its current form will make development of the land impossible.
 - 13.4 WCR should obtain planning permission for the proposed development before the land is transferred. Any amendment to the TPO which may be necessary will have to be included as part of this process. This will prevent WCR from being left with the liability of maintaining the land if the planning application is refused.

Recommendation

14. Having carefully considered the application and the views of Council officers, the Area Board is invited to approve the transfer subject to the following conditions:
 - a. That no Council use for the land is identified.
 - b. That there are no rights in favour of adjacent or neighbouring land that would prevent development of the land
 - c. That WCR obtains planning permission for the proposed development before the transfer takes place.

Katharine Dew, Warminster Community Area Manager

Form CAT01

Community asset transfer: application

Your details

Your Organisation	<i>Friends of WCR</i>
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Contact name	<i>Barry Mole</i>
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Position held	<i>Chairman of Trust</i>
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Address	
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Postcode	
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Telephone	
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Email	
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Your proposal

(please complete Checklist CAT02 before filling in the following)

Details of asset Please include exact location, address, postcode, size, boundaries, access points and a map if possible	<i>Waste land adjacent to Assembly Rooms in Warminster, BA12 8LB (map enclosed)</i>
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Summary of proposal Why do you want the asset and how will this benefit the local community?	<i>To build training studios for community radio, which will run courses open to all ages and abilities, from general public and in consultation with schools.</i>
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Community use Please explain how the asset will be used <i>(Please refer to questions 5-8 in the checklist - CAT02)</i>	<i>See above</i>
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<p>Suitability for purpose Please explain why this asset is suitable for the intended purpose <i>(Please refer to questions 5-8 in the checklist - CAT02)</i></p>	<p><i>Adjacent to existing studios. Has no commercial value. Ideal location for a training facility.</i></p>
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<p>Community support and consultation Please set out who you have consulted about your proposal and how you have addressed any concerns raised <i>(Please refer to questions 9-14 in the checklist - CAT02)</i></p>	<p><i>Consulted town council, existing members of the Trust and associated members of the public. Also consulted people living in the vicinity of the land. We have explained why there will be no disturbance due to sound proofing and how the area will no longer be used as a dump for rubbish and human/animal waste.</i></p>
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<p>Legal issues Please set out how you will address any legal, planning, insurance and health and safety matters associated with the asset <i>(Please refer to questions 15-18 in the checklist - CAT02)</i></p>	<p><i>We have legal advisors, architectural consultant and council and financial advisors working with us to ensure that we remain compliant with all statutory regulations.</i></p>
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<p>Financial matters How will you fund running costs and maintenance? Are you willing to pay for the asset? <i>(Please refer to questions 19-23 in the checklist - CAT02)</i></p>	<p><i>Plain Action Grant and own fundraising. We are advised the land has no value at all due to clearing costs. We hope for a nominal £1 transfer fee.</i></p>
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<p>Future management How will you manage the asset and ensure that it continues to contribute to the wellbeing of the local community in the future? <i>(Please refer to questions 24-27 in the checklist - CAT02)</i></p>	<p><i>By maintaining the building we propose to make it available to the community in the form of a training facility.</i></p>
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I confirm that the details included in this application are correct

Signed: *Barry mole*

Name (please print): *B.E.Mole*

Date: *14 October 2010*



