

MALMESBURY AREA BOARD
7 SEPTEMBER 2011

COMMUNITY ASSET TRANSFER - CRUDWELL MEMORIAL GARDEN

Executive Summary

This report deals with an application for the transfer of Crudwell Memorial Garden to Crudwell Parish Council in accordance with Wiltshire Council's Community Asset Transfer Policy.

Proposal

The Area Board is asked to consider an application submitted by Crudwell Parish Council for the transfer of Crudwell Memorial Garden located at The Street, Crudwell (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

The Area Board is recommended to:

1. Approve the transfer conditional on:
 - Officers ensuring that all necessary access to the site is ensured to enable the council and other agencies to fulfil their statutory duties, and
 - A review and amendments are made to the land required by the council (to be designated as highway) to identify whether the land currently known as the Memorial Gardens, Crudwell is surplus to the council's requirements.

Miranda Gilmour
Malmesbury Area Community Area Manager

MALMESBURY AREA BOARD
7 SEPTEMBER 2011

COMMUNITY ASSET TRANSFER
CRUDWELL MEMORIAL GARDEN, THE STREET, CRUDWELL

Purpose of Report

1. The Area Board is asked to consider an application submitted by Crudwell Parish Council for the transfer of Crudwell Memorial Garden located at The Street, Crudwell (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 Crudwell Parish Council is attached at Appendix 2 and relates to the transfer of Crudwell memorial Garden, The Street, Crudwell.
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. Council records show the whole area under discussion is owned by Wiltshire Council and designated as highway.
11. Officers are of the opinion that when this land was purchased for road improvements, it is possible that some land was surplus to highway requirements and should not have been designated a highway.
12. A review will be undertaken by the highways department to agree their requirement and, subject to the outcome of this review, an amendment may be made to the records.
13. If following any amendment there is land surplus to the highways requirements, then it may be possible to transfer this to Crudwell Parish Council.

Main issues for consideration by the Area Board

14. Crudwell Parish Council have for the last twenty years maintained and improved the area of land know as the Crudwell memorial Gardens for the benefit of local people
15. The views of all households in the parish have been sought and the divisional counillor is supportive of this application.
16. Maintaining access to the Swill Brook by the council and other services will be essential (particularly in light of historic flooding problems) as will access to any drains within the Memorial Gardens.

Recommendation

17. Having carefully considered the application and the views of Council officers, the Area Board is invited to

Approve the transfer conditional on:

- Officers ensuring that all necessary access to the site is ensured to enable the council and other agencies to fulfil their statutory duties, and

- A review and amendments being made to the land required by the council (to be designated as highway) to identify whether the land currently known as the Memorial Gardens, Crudwell is surplus to the council's requirements.

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