

**PEWSEY AREA BOARD**  
**12 MARCH 2012**

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**COMMUNITY ASSET TRANSFER**

**Two Parcels of Land at Pewsey**

**Executive Summary**

This report deals with an application for the transfer of two parcels of land at Pewsey to Pewsey Parish Council in accordance with Wiltshire Council's Community Asset Transfer Policy.

**Proposal**

The Area Board is asked to consider the transfer of land at Broomcroft Road, Pewsey and the Football Field, Wilcot Road, Pewsey to Pewsey Parish Council.

**Reasons For Proposal**

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

**Recommendation**

To approve the transfer.

**Caroline Brailey**  
Pewsey Community Area Manager

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**Purpose of Report**

1. The Area Board is asked to consider the transfer of land at Broomcroft Road, Pewsey (see plan attached at Appendix 1) and the football field at Wilcot Road, Pewsey (see plan 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 proposal before the Area Board**

6. There was a proposal to dedicate these sites as Queen Elizabeth II fields. If adopted, this will place the fields in a charitable trust. In order to avoid potential complication when the lease of the Wilcot Road land to Pewsey Parish Council becomes due for renewal, it was prudent to give Pewsey Parish Council the opportunity to consider whether to take a transfer of the freehold interest in both parcels of land prior to the dedication. Pewsey Parish Council may or may not wish to dedicate these sites as Queen Elizabeth II Fields once the transfer has taken

place. The most appropriate basis for such a transfer would be on the terms set out in Wiltshire Council's community asset transfer policy.

7. The proposal 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. Cllr Kunkler, 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 The Broomcroft Road land is crossed by two public footpaths.
  - 9.2 Kennet District Council bought the Broomcroft Road land from the Crown Estate and it is subject to a reverter in favour of the Crown Estate if it is not used as public open space.
  - 9.3 The Crown Estate has reserved the airspace between 3 metres and 3.1 metres above ground level out of the sale. This means that no building or structure over 3 metres high can be erected.
  - 9.4 The Wilcot Road land was bought by Kennet District Council from the Secretary of State for Health and cannot be used other than as a football pitch or other sports ground for the benefit of the parish of Pewsey. If it ceases to be used for this purpose for a continuous period of two years it must be transferred back to the Secretary of State for £1. This acts as a reverter in favour of the Secretary of State.
  - 9.5 Pewsey Parish Council has a 99 year lease of the Wilcot Road land for 99 years from 1<sup>st</sup> January 2000. There is no rent payable.
  - 9.6 The land is to be transferred on the standard basis. This is that there will be a covenant restricting use of the land to community purposes. If the land should cease to be used for this purpose it will revert to Wiltshire Council. However, because of the Crown Estate and Secretary of State for Health reverts use of both sites will be further restricted to the purposes specified in the transfers to Kennet District Council.
  - 9.7 As the Broomcroft Road property has been used for public open space purposes the disposal of the freehold interest will have to be advertised in the local paper for two consecutive weeks.
  - 9.8 The land has no value other than as amenity land and Pewsey Parish Council has maintained the Wilcot Road land in accordance with the lease terms. Therefore, financial implications are limited to the cost of

maintaining the Broomcroft Road land transferring to Pewsey Parish Council.

**Recommendation**

10. To approve the transfer.

**Caroline Brailey**  
Pewsey Community Area Manager

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