

DEVIZES AREA BOARD
28.05.12

COMMUNITY ASSET TRANSFER

Proposed new Allotments Site on land at Roundway, Devizes

Executive Summary

This report deals with an application for the transfer of freehold land surrendered from an agricultural tenancy for the purpose of establishing community allotments at Roundway to Roundway Parish Council in accordance with Wiltshire Council's Community Asset Transfer Policy.

Proposal

The Area Board is asked to consider a transfer of land at Roundway Devizes to Roundway Parish Council.

Reasons For Proposal

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

Recommendation

To approve the transfer.

Richard Rogers
Devizes Community Area Manager

COMMUNITY ASSET TRANSFER

Roundway – Proposed New Allotments Site

Purpose of Report

1. The Area Board is asked to consider the transfer of land at Roundway for the purposes of creating an Allotment Site (see plan attached at Appendix 1).

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. Roundway Parish Council has been trying to secure a site for allotments for some time to satisfy a growing demand as new housing has been developed over recent years in the locality.
7. Roundway Parish Council identified part of the Council's land to meet this purpose.
8. This land is comprised within an agricultural tenancy for many years and the land has been farmed on a commercial basis growing a variety of arable and grass crops under rotation.

9. Terms have been agreed for a parcel of land extending to approximately 3 acres as shown on the plan in Appendix 1. to be surrendered from the tenancy with a right of holdover for the tenant to continue to remove hay and silage crops from the land until 29th September 2012. The proposal allows the balance of the larger field to remain in agriculture and to be farmed by the agricultural tenant without compromise to the farming operations.
10. The proposal allows residents and their children to grow their own vegetables, save money and take exercise whilst tending the allotments. The most appropriate basis for such a transfer would be on the terms set out in Wiltshire Council's community asset transfer policy.
11. The proposal meets the requirements for consideration by the Area Board.
12. The Community Asset Transfer to Roundway Parish Council will be for Consideration of £1. The loss of rent over the area to be surrendered is nominal.
13. The Community Area Manager has consulted with Strategic Property Services, who have undertaken appropriate consultation with service departments across the Council. Councillor Mayes, the local member, has been appraised.
14. Evidence has been provided that both the funding is in place to set up and manage the allotments and that there is substantial demand for this provision. In April 2012, there were 40 residents on the waiting list with one or two being added weekly.

The views of Council officers

15. 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.
16. Wiltshire Council holds the land which is let under an agricultural tenancy dated 3rd December 1986 to a local farmer.
17. Terms have been agreed with the local farmer that Roundway Parish Council will pay him for all compensation arising from the loss of the land in accordance with a schedule prepared by his agent which has been accepted and agreed. No costs are to be borne by Wiltshire Council under this arrangement.
18. Heads of Terms for the management of the proposed allotment site will be forwarded to Roundway Parish Council to sign.
19. 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 or the land would be sold and the Parish Council and Wiltshire Council would take an equal share of the receipt.

20. The report is to be submitted to the Area Board for approval on the basis that terms for the surrender have been agreed but the surrender agreement is pending completion with the legal department.
21. The Parish Council to seek verification on whether the extent of the proposal requires planning permission for a change of use from agricultural land.

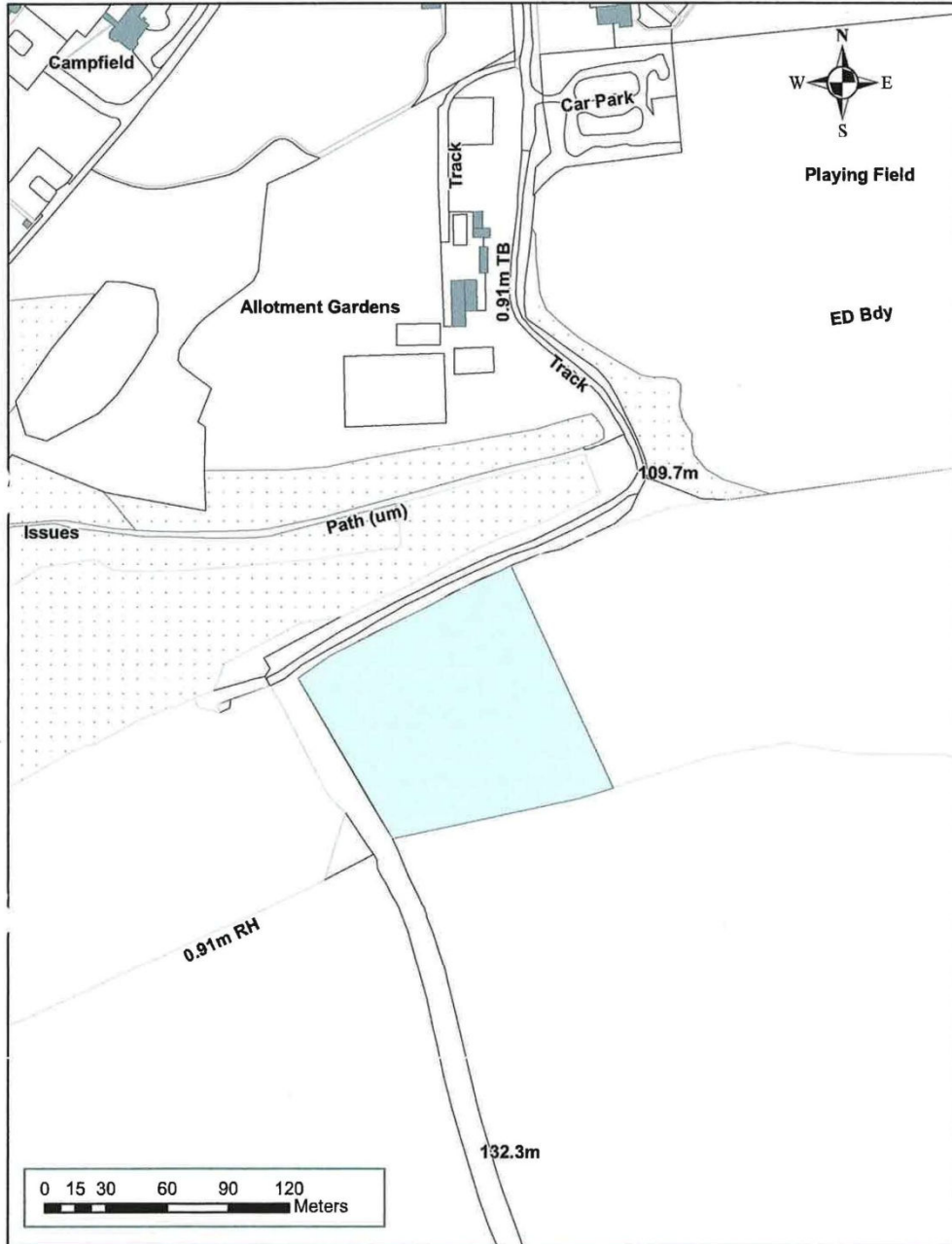
Recommendation

22. To approve the transfer, subject to Roundway Parish Council underwriting the surrender terms and confirmation on whether planning permission will be required.

Richard Rogers

Devizes Community Area Manager

APPENDIX 1 - PLAN



Title: Roundway Land, Devizes		Crown copyright and database rights 2011 Ordnance Survey 100049050	
Date:	September 2011	Dr Carlton Brand BA MSc EngD Corporate Director, Resources Telephone 0300 456 0100	 Where everybody matters
Scale:	1:1250		
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