

**Wiltshire Council**

**Trowbridge Area Board**

**14 November 2013**

---

## **COMMUNITY ASSET TRANSFER**

### **Land at Phillips Way, North Bradley**

#### **Executive Summary**

This report deals with an application for the transfer of the pond at Phillips Way, North Bradley to be transferred to North Bradley Parish Council in accordance with Wiltshire Council's Community Asset Transfer Policy.

#### **Proposal**

The Area Board is asked to consider an application submitted by North Bradley Parish Council for the transfer of the pond at Phillips Way, North Bradley. 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**

To approve the transfer subject to the matters referred to in paragraph 9 of the report.

#### **Report Author:**

Rachel Efemey

Trowbridge Community Area Manager

## **COMMUNITY ASSET TRANSFER**

### **Land at Phillips Way, North Bradley**

#### **Purpose of Report**

1. The Area Board is asked to consider an application submitted by North Bradley Parish Council for the transfer of the pond at Phillips Way, North Bradley (see plan 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 North Bradley Parish Council is attached at Appendix 2 and relates to the transfer of the pond at Phillips Way, North Bradley.
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 Area 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. Cllr Prickett, 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 pond and the lowered area of land were provided as flood mitigation measures when Phillips Way was constructed and must be maintained as such. They also take drainage from the highway, which will need to continue.
  - 9.2 Maintenance of the landscaping is in accordance with planning restrictions. This will include periodic dredging. It also needs to be done in such a way that the environmental value of the area is not diminished.
  - 9.3 As there is an inlet from the River Biss, as well as a weir, an abstraction licence from the Environment Agency is required. If the Parish Council takes ownership of the pond it will need to take over the licence.
  - 9.4 A public footpath runs along the southern and eastern boundaries of the land, within the area to be transferred.
  - 9.5 The plan is indicative only as the precise boundary with the land to remain as highway needs to be agreed on site prior to completion of the transfer.
  - 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.
  - 9.7 The land has no value other than as amenity land and North Bradley Parish Council will take over maintenance. Therefore, financial implications are limited to the maintenance cost previously incurred by Wiltshire Council being transferred to North Bradley Parish Council.

### **Recommendation**

10. To approve the transfer subject to the matters referred to in paragraph 9 above.

---

Rachel Efemey, Community Area Manager, 01225 718608

Appendix A: Plan of Asset

Appendix B: Application from North Bradley Parish Council

Background Papers: None