

Form CAT01

Community asset transfer: application

Your details

Your Organisation	Marlborough Town Council
Contact name	Mrs Shelley Parker
Position held	Town Clerk
Address	Marlborough Town Council 5, High Street Marlborough Wiltshire
Postcode	SN8 1AA
Telephone	01672 512487
Email	townclerk@marlboroughtowncouncil.gov.uk

Your proposal

(please complete Checklist CAT02 before filling in the following form)

Details of asset

Please include exact location, address, postcode, size, boundaries, access points and a map if possible

The 'Watermeadow', George Lane, Marlborough (known locally as Cooper's Meadow).

All the land as set out in the lease between Kennet District Council (now Wiltshire Council) and Marlborough Town Council, dated 5th June 1987. The lease is for a term of 99 years.

Copy lease and map attached.

Summary of proposal

Why do you want the asset and how will this benefit the local community?

Restrictions currently placed on the land under the lease would no longer apply thereby encouraging greater appropriate community use (grazing, public open space, etc)

Community use

Please explain how the asset will be used

(Please refer to questions 5-8 in the checklist - CAT02)

The asset will continue to be used as public open space. Without the restrictions set out under the current lease, community groups will be able to work more easily with the Town Council to help maintain the land as an accessible public amenity in the centre of the town. This will, in part, be as a traditional water meadow allowing for grazing alongside a play area and other open space.

Suitability for purpose

Please explain why this asset is suitable for the intended purpose

(Please refer to questions 5-8 in the checklist - CAT02)

The current lease sets out that the land should be used as a public amenity space and children's play area. In the ownership of the Town Council, this will continue allowing for more community input and use.

Community support and consultation

Please set out who you have consulted about your proposal and how you have addressed any concerns raised
(Please refer to questions 9-14 in the checklist - CAT02)

A 99 year lease is already in place. The reasoning behind the application for a CAT is to allow for wider community use. (This includes grazing of livestock on part of the land). A recent campaign – Keep the Sheep – called for continued grazing on the meadow.

The proposal has been agreed by the Town Council (Full Town Council meeting of 15th December 2014 -Min. 372.14.) Both Wiltshire Councillors are members of the Town Council and are aware of the CAT proposal.

Legal issues

Please set out how you will address any legal, planning, insurance and health and safety matters associated with the asset *(Please refer to questions 15-18 in the checklist - CAT02)*

Legal Issues – These will be dealt with by the Town Council's solicitors. This will include any issues arising out of an associated Deed of Surrender (dated 2002) concerning a small part of the land and referred to at para. 4 of the lease.

Planning - No planning requirements are foreseen

Insurance – The land (including the play area) is already covered by the Town Council's insurers –Zurich. This will continue.

Health and Safety – The area is checked regularly by the Town Council's Grounds Team and cleared of litter. Risk assessments also take place. Regular in-house inspections of the play area are undertaken by the Town Council's trained Grounds Team and defective equipment replaced. Regular ROSPA inspections also take place. (Both an insurance requirement). This will continue and the Grounds and Estates Manager will work with other community groups and volunteers using the area to ensure a collaborative approach.

Financial matters

How will you fund running costs and maintenance? Are you willing to pay for the asset?
(Please refer to questions 19-23 in the checklist - CAT02)

Running costs for the maintenance of the meadow are dealt with via a Town Council budget for open spaces which is administered by its Amenities & Open Spaces Committee. A dedicated budget is in place for the maintenance and replacement of play equipment. This will continue. External funding for projects (e.g. ecological and sustainable meadowland projects) has also been provided by community groups (e.g. Action for the River Kennet) and the Town Council is hopeful that this will continue.

The Town Council has both a contingency budget aligned to the Amenities and Open Spaces Committee (reviewed annually) and General Reserves in place.

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?
(Please refer to questions 24-27 in the checklist - CAT02)

The Grounds and Estates Manager (who holds responsibility for the site) has drawn up a Management Plan for the area. This includes Site Objectives, an Action Plan and a Volunteers Activities Programme. It is supported by risk assessments and site specific safety information.

Regular meetings are to be set up with Cooper's Meadow users. This will be similar to the already established Common Users Group set up as an advisory group to the Town Council and made up of clubs and individuals using Marlborough Common.

DECLARATION

I confirm that the details included in this application are correct

Signed: Shelley Parker

Name (please print): MRS SHELLEY PARKER

Date: 29th December 2014

Community asset transfer: checklist

	Question	Yes	No	Note
Community use	1. Is the asset to be provided for a public purpose?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Other than in exceptional circumstances, the Council will only dispose of assets for private or commercial use by way of open market sale</i>
	2. Will the asset be hired or used by third parties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>If 'yes' your application should set out how this will work</i>
	3. Will your organisation supervise use of the asset?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>If 'no' your application should explain how use will be supervised</i>
	4. Will the public have access to the asset?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>If 'yes' your application should set out how your liabilities will be covered</i>

	Question	Yes	No	Note
Is the asset fit for proposed use?	5. Is it big enough?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>The Council will only transfer assets that are fit for purpose</i>
	6. Is it in the right location?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>The Council will not transfer assets that increase unnecessary car use</i>
	7. Is it safe?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>The Council will not transfer assets that are unsafe</i>
	8. Does it have utilities? (Water, electricity, drainage, etc)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>If 'no'- your application should explain if they are needed</i>

	Question	Yes	No	Note
Community Support and consultation <i>*A lease is already in place so currently land is already maintained by the Town Council. A recent campaign was run – Keep the Sheep – asking for grazing to continue.</i>	9. Have you consulted nearby residents?	<input type="checkbox"/>	<input type="checkbox"/>	<i>If 'no'- please consult before submitting your application</i>
	10. Have you consulted adjoining owners?	<input type="checkbox"/>	<input type="checkbox"/>	<i>If 'no'- please consult before submitting your application</i>
	11. Have you consulted others affected by the proposal?	<input type="checkbox"/>	<input type="checkbox"/>	<i>If 'no'- please consult before submitting your application</i>
	12. Have you consulted the local Wiltshire Councillor?	<input type="checkbox"/>	<input type="checkbox"/>	<i>If 'no'- please consult before submitting your application</i>
	13. Have you consulted the local Parish Council?	<input type="checkbox"/>	<input type="checkbox"/>	<i>If 'no'- please consult before submitting your application</i>
	14. Is there community support for the change of use?	<input type="checkbox"/>	<input type="checkbox"/>	<i>If 'no' - consider carefully whether you wish to proceed with your application</i>

Legal

Question	Yes	No	Note
15. Are there any covenants or other legal constraints?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>If 'yes' your application should explain implications</i>
16. Does the proposed use require planning consent?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>If 'yes' your application should explain implications</i>
17. Have you considered insurance cover?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>If 'no' your application must explain implications</i>
18. Have you assessed health and safety liabilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Your application must explain how you will deal with risks and liabilities</i>

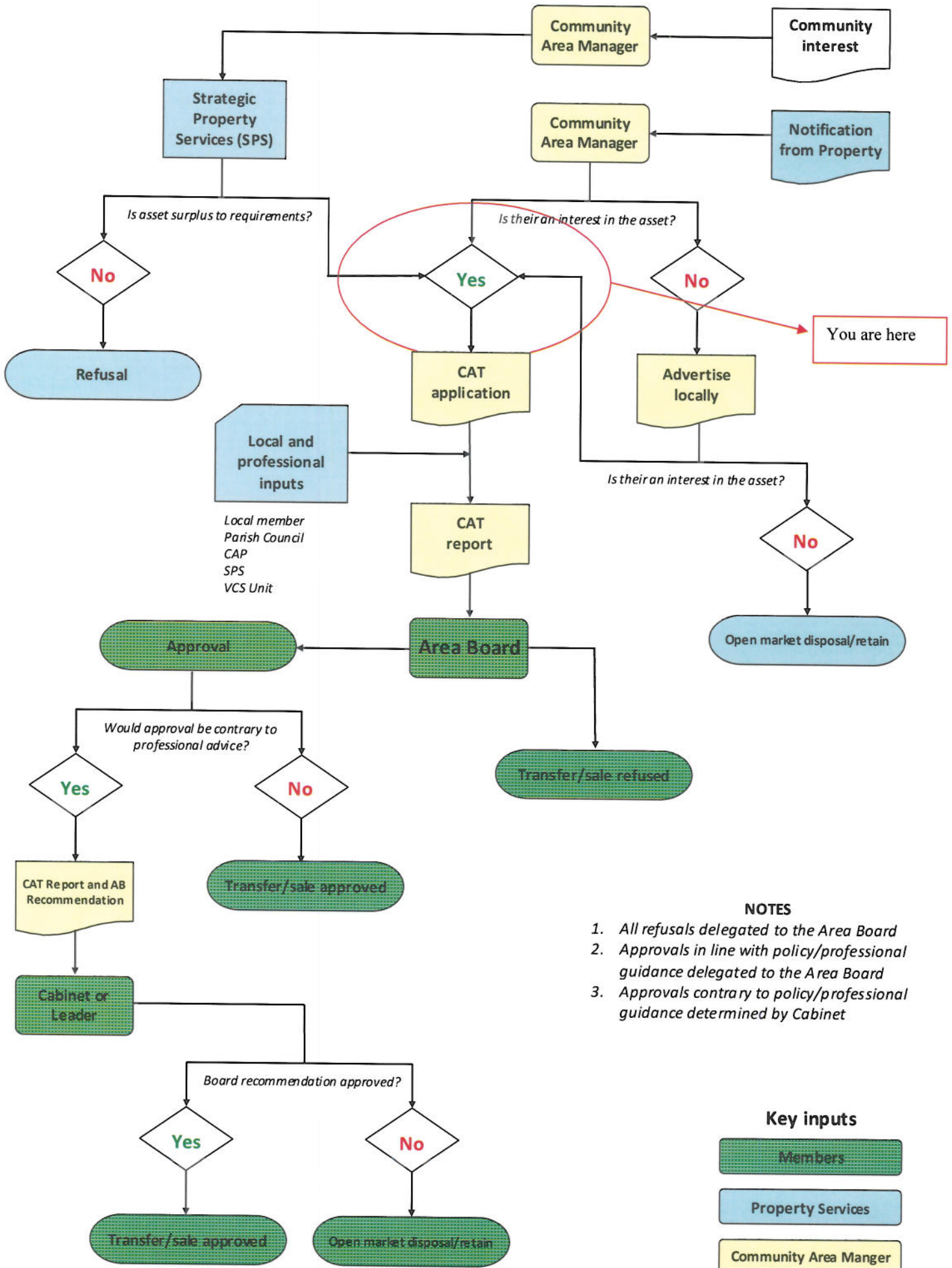
Finance

Question	Yes	No	Note
19. Can you meet all conversion costs? <i>N/A</i>	<input type="checkbox"/>	<input type="checkbox"/>	<i>If 'no' your application should explain how funding will be provided</i>
20. Can you meet all capital maintenance costs?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>If 'no' your application should explain how funding will be provided</i>
21. Can you meet all day-to-day running costs?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>If 'no' your application should explain how funding will be provided</i>
22. Will you use the asset to generate income?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>If 'yes' your application should provide further details</i>
23. Will any third party be assisting with the costs?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>If 'yes' your application should provide further details</i>
24. Do you have any contingency funds?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>If 'no' your application should set out how you will deal with contingencies</i>
25. Are you prepared to pay for the asset ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>If 'yes' your application should set out your offer</i>

Management

Question	Yes	No	Note
26. Will you manage the asset?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>If 'no' your application should set out who will manage the asset.</i>
27. Will a management committee be set up?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>If 'yes' your application should set out how this will work</i>
28. Will users of the asset be involved?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>If 'yes' your application should set out how this will work</i>
29. Will someone be employed to manage the asset?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>If 'yes' your application should set out how this will work</i>

Community Asset Transfer



NOTES

1. All refusals delegated to the Area Board
2. Approvals in line with policy/professional guidance delegated to the Area Board
3. Approvals contrary to policy/professional guidance determined by Cabinet

You are here