

Please quote: LEIS-PARKS/65/GO/MJ

Your ref: SH/04530

Miss S Handsley
Corporate Services
Legal Services
Wiltshire County Council
DX 116892
Trowbridge 3

Direct Line: (01225) 770310
Fax: (01225) 761053
E-mail:
gowens@westwiltshire.gov.uk

2 July 2004

Dear Sarah

**Re: Application to Register land as Town or Village Green
In the Parish of North Bradley**

I refer to your letter of 14 May 2004 and the attached application to register land in the Council's ownership at Pinewalk/Oak Drive in North Bradley as a village green.

You may not be aware, but the Council has recently started a procurement process for a comprehensive leisure and recreational needs assessment of the District. This will report on, inter alia, what area and type of open space (formal/informal) is needed/wanted for every community. The Council will also be consulting with town and parish councils to establish their willingness to help maintain and provide the recreational facilities which they require. The results of these pieces of work are not expected until later this year, indeed the recreational needs assessment is not due to be complete until December 2004.

Clearly, if the Council were to accede to the current application that would irrevocably determine the future of this area of open space. Such a decision would be made without the benefit of the information outlined above, and might pre-empt the findings of the recreational needs assessment. Further, we have recently taken a number of decisions to preserve the status quo on other sites within the District pending the outcome of the recreational needs assessment. For us to determine our stance in respect of this application would therefore be inconsistent with our actions in respect of other sites. As such we consider that it would be premature to reach a concluded opinion in respect of this application at this stage.

The District Council is therefore keen to preserve the current status of the land until it has the requisite facts to make a properly informed decision. Whilst there are a number of means of achieving this, I hope you would agree that the most equitable way would be for any decision by yourselves on the application to be deferred

until the District Council has had an opportunity to consider the results of its current studies. In the circumstances, therefore, I would ask you to defer the application until April 2005. Clearly, we will let you know if we are able to reach a conclusion sooner than that.

If, despite the above, you consider that the matter should not be deferred, I would ask you to let me have the draft report to the Regulatory Committee for comment. This will enable the customary incorporation within the report of the landowner's views.

I look forward to hearing from you.

Yours sincerely



Gareth Owens LL.B, Barrister
Legal Services Manager