

REPORT TO THE CHIPPENHAM AREA COMMITTEE Report No. 9

Date of Meeting	2nd April 2007
Title of Report	Derriads Barn, Chippenham
Portfolio	Asset Management
Key Decision	No
Executive Work Plan Ref.	
Link to Corporate Priorities	Effective use of the Council's assets
Public Report	Yes

Summary of Report

To consider a request from Chippenham Without Parish Council to acquire the Derriads Barn Site from the District Council.

Officer Recommendations

That the freehold interest in the Derriads Barn Site at Cepen Park South, Chippenham, be transferred to Chippenham Without Parish Council for a peppercorn, subject to contract, and subject to receipt of detailed proposals for the Site together with evidence of funding and a business plan for the maintenance and further development of the Site.

Other than those implications agreed with the relevant Officers and referred to below, there are no other implications associated with this report.

Financial Implications	Legal Implications	Community & Environmental Implications	Human Resources Implications	Equality & Diversity Implications
YES	YES	YES	NONE	YES

Contact Officer	Peter Jeremiah Legal Team Leader 01249 706606 pjeremiah@northwiltshire.gov.uk
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1. Introduction

- 1.1 Chippenham Without Parish Council are seeking to acquire the Derriads Barn Site at Cepen Park South Chippenham from the Council.

A plan of the Site is attached to this report (Annex A).

2. Options and Options Appraisal

- 2.1 Option 1: Not to transfer the Site.
- 2.2 Option 2: To transfer the Site subject to contract only.
- 2.3 Option 3: To transfer the Site subject to contract and subject to those other matters contained in the recommendation.

3. Background Information

- 3.1 The future of this Site was last considered by the Executive at its meeting on 16th June 2005. A copy of the report and minute are attached (Annex B).
- 3.2 The Heritage Lottery Fund bid referred to in the minute was either not submitted or was unsuccessful. The Trust referred to in the report appears to have insufficient funds to proceed with any scheme. No application has been made to the Secretary of State for the demolition of the buildings.
- 3.3 The Site is subject to a covenant in the following terms “not without the consent of (Beazer Homes Ltd) to cause or permit the land or the buildings sited thereon to be used other than for the purposes of public leisure recreation education or religious worship and any remuneration derived from such uses only to be used to meet the proper running costs and the maintenance repair or improvement of the land and buildings or applied for charitable purposes or is pursuance of the statutory functions of a local authority”.
- 3.4 There are no legally binding arrangements with any Trust which would prevent a transfer to the Parish Council.

4. The Parish Council's Proposals

- 4.1 The Parish Council wish to develop the site as a community facility in phases.
- 4.2 The Parish Council is formulating a partial renovation project together with a new build element and associated site works accompanied by a feasibility and technical study and a business plan.

Phase One would be to develop the cart building and add toilets and a kitchenette with a small office. Phase Two would be to provide power and water to the barn.

- 4.3 The Parish Council state that they can raise up to £250k to finance the works referred to in para. 4.2.

5. Financial Implications

- 5.1 In view of the covenant and the derelict state of the buildings the Site has no significant capital value. There are costs connected with the security and stability of the buildings and the maintenance of the surrounding open area.

6. Legal Implications

- 6.1 Section 123 of the Local Government Act 1972 provides that, except with the consent of the Secretary of State, a local authority shall not dispose of land, otherwise than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained.
- 6.2 The General Disposal Consent 2003 allows a local authority to dispose of land at an undervalue of not more than £2m provided the local authority considers that it will help secure the promotion or improvement of the economic, social or environmental well being of its area.
- 6.3 Any proposal which successfully brings this redundant Site back into viable community use would clearly satisfy the criteria of the 2003 consent. If there is an undervalue, in this case, it is manifestly less than £2m.

7. Community & Environmental Implications

- 7.1 This proposal would be a much needed community facility in an area of the district which has seen a large amount of residential development over the last 15 years.

8. Equality & Diversity Implications

- 8.1 The Equality and Diversity implications of the proposal need to be spelled out in the Parish Council's business case.

Appendices:	<ul style="list-style-type: none">• Annex A• Annex B	Plan Executive Report 16.6.05
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none">• None	

Previous Decisions Connected with this Report

Report	Committee & Date	Minute Reference
Derriads Barn Community Hall	Executive 16.6.05	E25
Derriads Barn Community Hall	Executive 14.4.05	E234