

**COMMUNITY ASSET TRANSFER
Castlefields Park, Calne (Deed Packet No. CA68 & CA152)**

Executive Summary

This report deals with an application for the transfer of Castlefields Park to Calne Town Council in accordance with Wiltshire Council's Community Asset Transfer Policy.

Proposal

The Area Board is asked to consider an application submitted by Calne Town Council for the transfer of Castlefields Park located between Station Road and Castle Street (see map attached at Appendix 1). 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

The Area Board is recommended to authorise the Solicitor of the Council to execute all documentation needed to implement the transfer subject to the following conditions:

1. The existing use will be maintained for the benefit of the community.
2. A standard 'reverter' clause is included in the title, which will ensure that if the land stops being used as public open space, for the benefit of the community, Wiltshire Council will have the option to repurchase the land for the sum of £1.
3. The existing community 'vision' that has been developed by Castlefields Canal and River Park Association in conjunction with Wiltshire Council Officers will continue to inform the management of the land for its lifetime, and residents from across the wider Calne Community Area will continue to be encouraged to enjoy the amenity.
4. The Solicitor to the Council to review any completed section 106 Town and Country Planning Agreements in the vicinity of the Castlefields site, to determine whether any part of the contributions towards open space and amenity provision can be allocated to Calne Town Council

Jane Vaughan
Calne Community Area Manager

CALNE AREA BOARD
26TH OCTOBER 2010

COMMUNITY ASSET TRANSFER

CASTLEFIELDS PARK, CALNE (Deed packet no. CA68 & CA152)

Purpose of Report

1. The Area Board is asked to consider an application submitted by Calne Town Council for the transfer of Castlefields Park located between Castle Hill and Station Road, Calne (see map 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 Calne Town Council is attached at Appendix 2 and relates to the transfer of Castlefields Park.
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.

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) fully support the Transfer of Castlefields Calne from Wiltshire Council to Calne Town Council on the terms and conditions stated in the report,
10. It should be observed that Public footpaths no.2 and 18 cross the site and also the Sustrans National Cycle Route no.4.
11. Transfer of the 'routine' maintenance to Calne Town Council does not present any particular problem but there are specific considerations for both Wiltshire Council and Calne Town Council to consider.
 - 1) The Canal and River Park Association (CARP) receives development and training support from Wiltshire Councils Countryside team of officers experienced and qualified in managing and improving access to natural habitats, improving biodiversity (including wildflower meadows and wildlife habitats and, as such is valuable in achieving national targets.-It is considered important that this relationship is maintained after transfer.
 - 2) The Castlefields Canal and River Park Association (CARP) has successfully worked and drawn down external funding over the past 20 years to develop and achieve the phased implementation of a vision for the site. It is considered important that Calne Town Council should sign up to this vision and develop its relationship with CARP in line with furthering and implementing the existing vision.
12. Castlefields is a valuable community amenity, which is enjoyed by a broad range of people from across the community. Younger and older people from within Calne town regularly use the space and, with the existence of the National cycle route and footpaths across the site, it is also utilised and enjoyed by people from the wider community area and beyond.
13. The popularity of the park can be evidenced in the mass support that the community group received in winning a local television 'phone in' to identify community projects to receive Big Lottery Funding.
14. It is important that links to the Community beyond the town boundaries are not lost and that its focus does not become overly town centric.
15. It is expected that Calne Town Council will apply to Wiltshire Council for part of any section 106 contributions that may be received for open space and amenity provision, following the implementation of the permitted development at Station Road Calne. The Solicitor to the Council will determine whether any allocation can be made.

Main issues for consideration by the Area Board

16. The Town Council has secured letters of support from a wide range of local community groups and organisations, including Castlefields Canal and River Park Association and has received local newspaper coverage.
17. It is a requirement under Wiltshire Council's Asset Transfer Policy that there must be a clear link between the asset transfer request and local community priorities.
18. This is a valuable amenity for local people. It is important that the existing community vision that has been developed by local people over many years is embraced under the new arrangement and that the park continues to be recognised as an amenity for the whole community area.
19. It is a requirement that a 'reverter' clause is included in asset transfer arrangements. This means that, if the site stops being used for Community Public Open Space purposes, Wiltshire Council will have the option to repurchase the land for the sum of £1.00.

Recommendation

20. Having carefully considered the application and the views of Council officers, the Area Board is invited to approve the transfer subject to the following conditions:
 - 1) The existing community 'vision' that has been developed by Castlefields Canal and River Park Association in conjunction with Wiltshire Council Officers will continue to inform the management of the land for its lifetime, and residents from across the wider Calne Community Area will continue to be encouraged to enjoy the amenity.
 - 2) The existing use will be maintained for the benefit of the community
 - 3) A standard 'reverter' clause is included in the title, which will ensure that if the land stops being used as public open space, for the benefit of the community, Wiltshire Council will have the option to repurchase the land for the sum of £1.
 - 4) The Solicitor to the Council to review any completed section 106 Town and Country Planning Agreements in the vicinity of the Castlefields site, to determine whether any part of the contributions towards open space and amenity provision can be allocated to Calne Town Council.

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