

Report to	Chippenham Area Board
Date of Meeting	16th January 2017
Title of Report	Community Asset Transfer

Executive Summary

This report deals with an application for the transfer of the land in Derriads Lane upon which 3rd Chippenham Scout Hall is built, Chippenham in accordance with Wiltshire Council's Community Asset Transfer Policy.

Proposal

Chippenham Area Board is asked to consider an application submitted by 3rd Chippenham Scouts for the transfer of the land in Derriads Lane upon which 3rd Chippenham Scout Hall is built See map attached at Appendix 1. See application at Appendix 2, summary of Community consultation at Appendix 3.

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 land is maintained for the benefit of the community and residents will be encouraged to enjoy the amenity
1. The transfer is effected by way of a 125 year lease to the Scout Association Trust Corporation (SATC) as custodian trustee for 3rd Chippenham Scouts; which can be terminated by Wiltshire Council if the land ceases to be used for community purposes. The normal legal arrangement for holding land in the scouting movement is for the Scout Association Trust Corporation (SATC) to hold it as custodian trustee on behalf of local scout groups. Therefore, the lease will be in the name of SATC.

Purpose of Report

1. Chippenham Area Board is asked to consider an application submitted by 3rd Chippenham Scouts for the transfer of the land in Derriads Lane upon which 3rd Chippenham Scout Hall is built. See map attached at Appendix 1. See application at Appendix 2, summary of Community consultation at Appendix 3.

Background

2. Wiltshire Council is supporting the principle of the transfer of community assets in order to empower and strengthen local communities. Wiltshire 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.
6. 3rd Chippenham Scouts currently lease the land from Wiltshire Council for £650 per annum.

The application before the Area Board

7. The application from 3rd Chippenham Scouts is attached at Appendix 2 and relates to the transfer of the building and land at Scout Hut, Derriads Lane, Chippenham, Wiltshire.
8. The application was submitted in accordance with Wiltshire Council's application process and meets the requirements for consideration by the Area Board.
9. The Community Engagement Manager has consulted with Strategic Assets & Facilities Management, which has undertaken appropriate consultation with service departments across the Council.
10. Local consultation has been undertaken by the applicant as there is no intention to make any changes. See summary at Appendix 3.

The views of Council officers

11. On behalf of Wiltshire Council, Strategic Asset & Facilities Management (which has overall responsibility for the Council's estates and property) has provided the following observation to the Area Board.
12. The land was originally purchased for the construction of the surrounding housing estate. When the estate was transferred to North Wiltshire Housing Association (now Green Square) in 1995 this land was retained.
13. The 1995 transfer to North Wiltshire Housing Association contained the usual grant of rights for services to cross the retained land and reservation of rights for those serving retained land over that transferred. The lease will be subject to any rights which have been granted and will have the benefit of any which have been reserved.

Main issues for consideration by the Area Board

14. 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.
15. This proposed asset transfer demonstrates a link to Wiltshire Council's priorities in the Local Agreement for Wiltshire "Help local communities develop their own priorities and improvements "and "We help communities help themselves".
16. As this is a third sector transfer and not a transfer to a town or parish council it will be effected by way of a 125 year lease of the land. If the property stops being used for the community purpose the lease may be terminated by Wiltshire Council.

Recommendation

17. 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:
 - i) The land is maintained for the benefit of the community and residents will be encouraged to enjoy the amenity.

The transfer is effected by way of a 125 year lease to the Scout Association Trust Corporation (SATC) as custodian trustee for 3rd Chippenham Scouts; which can be terminated by Wiltshire Council if the land ceases to be used for community purposes.

Appendices:	Appendix 1 – Map Appendix 2 – Community Asset Transfer application Appendix 3 – Summary of Community Consultation
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