

WILTSHIRE COUNCIL

**DEVIZES AREA BOARD
20 MAY 2013**

COMMUNITY ASSET TRANSFER

Ryeleaze Playing Field, Potterne

Executive Summary

This report deals with an application for the transfer of Ryeleaze Playing Field, Potterne to be transferred to Potterne Parish Council in accordance with Wiltshire Council's Community Asset Transfer Policy.

Proposal

The Area Board is asked to consider an application submitted by Potterne Parish Council for the transfer of Ryeleaze Playing Field, Potterne. 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

To approve the transfer.

Richard Rogers
Devizes Community Area Manager

COMMUNITY ASSET TRANSFER

Ryeleaze Playing Field, Potterne

Purpose of Report

1. The Area Board is asked to consider an application submitted by Potterne Parish Council for the transfer of Ryeleaze Playing Field, Potterne (see plan attached at Appendix 1). The applicants' proposal is set out at Appendix 2.

Background

2. Ryeleaze Playing Field was bought many years ago as a replacement site for Potterne School. It was used as a playing field by Potterne School but has not been used by the school since it merged with Worton & Marston School to become Five Lanes School. It is currently leased to Potterne Youth Club, which is aware of the application.
3. 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.
4. 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.
5. 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.
6. 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

7. The application from Potterne Parish Council is attached at Appendix 2 and relates to the transfer of Ryeleaze Playing Field, Potterne for community recreation.
8. The application was submitted in accordance with the Council's application process and meets the requirements for consideration by the Area Board.
9. The Community Area Manager has consulted with Strategic Property Services. 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. Cllr Bryant, the local member, has been apprised.

The views of Council officers

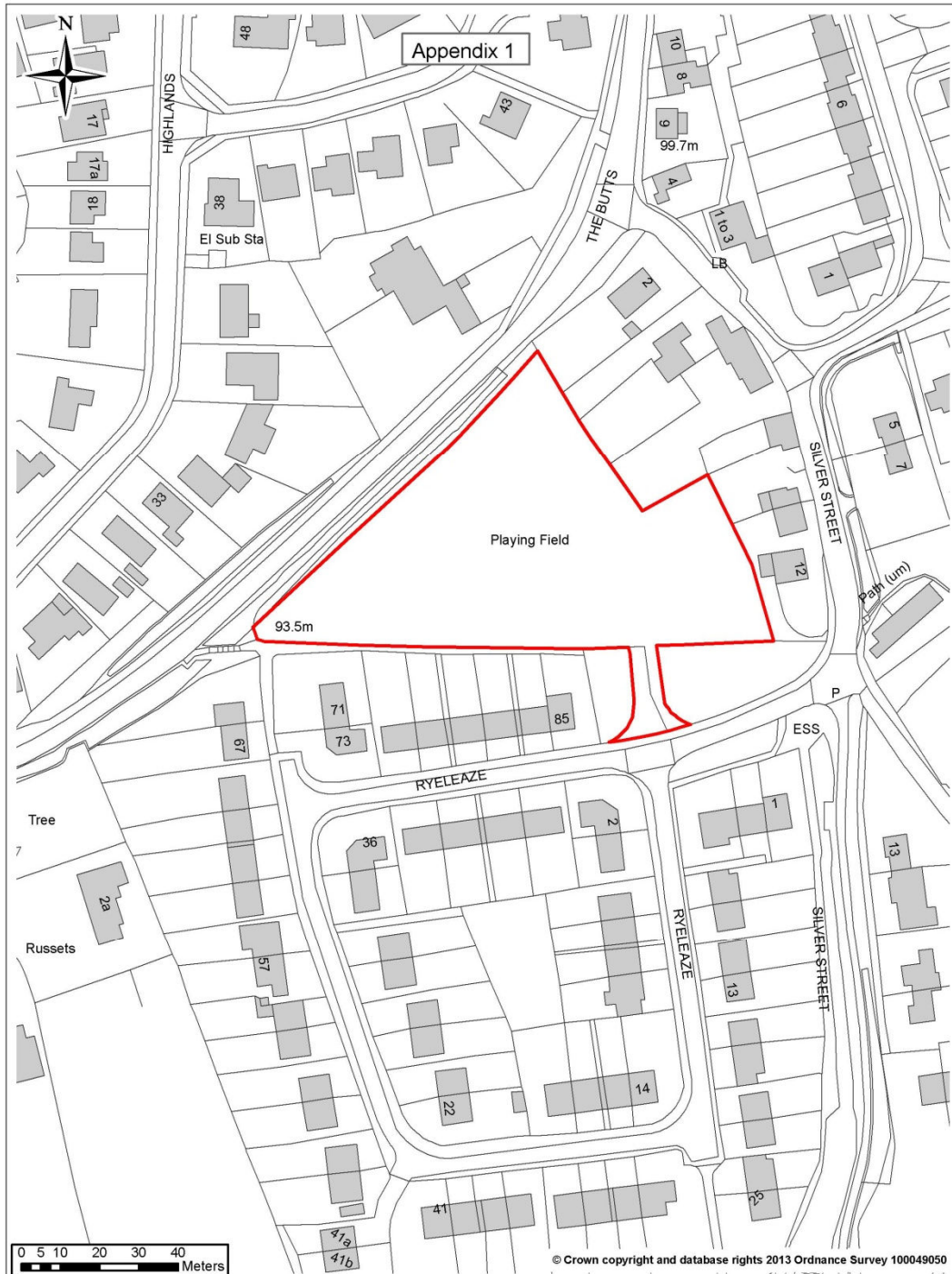
10. On behalf of the Council, Strategic Property Services (who have overall responsibility for the Council's estates and property) has provided the following observations to the Area Board.
 - 10.1 Vehicular access to the land is from Ryeleaze, which is not adopted. Pedestrian access is available from a public footpath which adjoins the southern boundary of the field and crosses the northern end of the vehicular access.
 - 10.2 The land is leased to Potterne Youth Club for five years from May 2009. The transfer will be subject to the remaining term of this lease.
 - 10.3 The field is designated as public open space. The disposal will, therefore, have to be advertised for two consecutive weeks in the local paper. The applicant will be required to bear this cost.
 - 10.4 The School Standards and Frameworks Act 1998 and Academies Act 2010 contain provisions which protect playing fields which have been used by schools within the last ten years. A disposal of the freehold interest in the field will trigger these provisions. As Five Lanes School has only been in existence since September 2006 the Secretary of State for Education's consent will be required.
 - 10.5 The land is to be transferred on the standard basis. This is that there will be a covenant restricting use of the land to community purposes. If the land should cease to be used for this purpose it will revert to Wiltshire Council.
 - 10.6 As the land is dedicated as open space it is of low financial value. Potterne Youth Club is currently responsible for maintenance so financial implications will be limited to the loss of a small rental payment, which will be payable to Potterne Parish Council instead of Wiltshire Council.

Recommendation

11. To approve the transfer.

Richard Rogers
Devizes Community Area Manager

Appendix 1 – Plan of Ryeleaze Playing Field



Title: Potterne Ryeleaze Playing Field		Date: April 2013	
		Scale: 1:1,250	

Appendix 2 – Applicants Proposal

Form CAT01

Application for the transfer of a Council asset

Your details

Your Organisation *Potterne Parish Council*

Contact name *Sally Hoddinott*

Position held *Clerk*

Address *Manor Farm
Worton Road
Potterne
Devizes
Wiltshire*

Postcode *SN10 5PR*

Telephone *01380 722016*

Email *potterneparishcouncil@yahoo.com*

Your proposal

(please complete Checklist CAT02 before completing the following)

Details of asset

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

*Ryeleaze playing field
Ryeleaze Estate
Potterne
Devizes
Wiltshire.*

*Accessed from Ryeleaze housing estate.
Post code area roughly: SN10 5NJ
Map attached.
Approximately just over half a hectare*

Summary of proposal

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

The area has been by default accepted as a public open space for many years. To maintain the area as a recreational area for the village the Parish Council would wish to obtain ownership to ensure it remains open as a facility for the whole village.

We recognise that the youth club has a right to use the area now the LEA no longer require it and a covering letter supporting our application is

attached. The Parish Council would not wish to restrict the youth clubs use, but to try and enhance it.

Community use

Please explain how the asset will be used

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

The playing field is large enough to hold village fetes, small scale football tournaments, sports days etc., Its location in the centre of the village and is an ideal and unique location which is easily accessed by all parts of the village. It can be accessed by several footpaths.

The playing field was classed safe enough as a primary school play area and nothing has changed.

The proximity and dual use by the youth centre gives access to all facilities for organised events.

Already being used for same.

Suitability for purpose

Please explain why this asset is suitable for the intended purpose

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

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)

The Parish Council have been urged by villagers to secure this facility as a public open space in perpetuity and we have had no adverse comments to our proposal. We are in the early stages of a neighbourhood plan and this one of the key ambitions for the village.

No one is adversely affected by the change of ownership of a facility that is being used at present for the same reasons the Parish Council wish to require it.

Our Wiltshire Councillor is aware of our intentions and has given her full support.

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)*

The Parish Council are unaware of legal constraints and there is no change of use proposed that would require planning consent. The Parish Council have all necessary insurance cover in place for play areas and this would be added to the policy.

The Parish Council would include the area in our RoSPA inspection re health and safety liabilities..

Financial matters

How will you fund future running costs, repairs and maintenance?

(please refer to questions 19-23 in the checklist -

The Parish Council already maintain outlying play areas and have sufficient funds and ability to meet capital maintenance costs and the day to day running costs.

It is not envisaged to use the asset to generate income.

CAT02)

The Youth Centre already help in the maintenance costs of the area and it is envisaged this will continue. .

The Parish Council have some reserves which could be used as contingency funds should it be necessary.

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 Parish Council would set up a management sub committee who would be responsible to the main Council. This sub committee would include any member of any user organisations.

It is not envisaged that anyone will be employed to manage the asset.

DECLARATION

I confirm that the details included in this application are correct

Name (please print): *Sally Hoddinott*

Date: *17th March 2013*