

WILTSHIRE COUNCIL

**DEVIZES AREA BOARD
20 MAY 2013**

COMMUNITY ASSET TRANSFER

The Paddock Green, Urchfont

Executive Summary

This report deals with an application for the transfer of the Paddock Green, Urchfont to be transferred to Urchfont Parish Council in accordance with Wiltshire Council's Community Asset Transfer Policy.

Proposal

The Area Board is asked to consider an application submitted by Urchfont Parish Council for the transfer of the Paddock Green, Urchfont. 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

The Paddock Green, Urchfont

Purpose of Report

1. The Area Board is asked to consider an application submitted by Urchfont Parish Council for the transfer of the Paddock Green, Urchfont (see plan in Appendix 1). The applicants' proposal is set out at Appendix 2.

Background

2. The land is public open space owned and currently maintained by Wiltshire Council. Urchfont Parish Council has applied to take it over.
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 Urchfont Parish Council is attached at Appendix 2 and relates to the transfer of the Paddock Green, Urchfont to remain as open space.
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 Whitehead, 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 The land is designated as public open space. The disposal will, therefore, have to be advertised in the local paper for two consecutive weeks. The applicant will be required to bear the cost of the advertisements.
 - 10.2 The transfers to Wiltshire Council contain restrictions that the land can only be used as public open space.
 - 10.3 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.
 - 10.4 The land has no value other than as amenity land and Urchfont Parish Council will take over the maintenance of the area. Therefore, financial implications are limited to the maintenance cost previously incurred by Wiltshire Council being transferred to Urchfont Parish Council.

Recommendation

11. To approve the transfer.

Richard Rogers

Devizes Community Area Manager

Appendix 2 – Applicants Proposal

Form CAT01

Community asset transfer: application

Your details

Your Organisation	<i>URCHFONT PARISH COUNCIL</i>
Contact name	<i>BOB LUNN</i>
Position held	<i>CLERK TO THE COUNCIL</i>
Address	<i>14 WALNUT CLOSE URCHFONT DEVIZES</i>
Postcode	<i>SN10 4RU</i>
Telephone	<i>01380 848737</i>
Email	<i>urchfontpc@hotmail.com</i>

Your proposal

(please complete Checklist CAT02 before filling in the following form)

Details of asset

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

The Paddock Green, Urchfont, SN10 4SH

This open green space is situated between The Paddock and Bowdens roads.

Please see map attached.

Summary of proposal

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

The Parish Council wish to see this area of green space brought under their ownership and control to ensure continuity of maintenance and use of green spaces within Urchfont. This proposal has been discussed with Wiltshire Council on a number of occasions in the past but we have not been required to submit a formal application until now.

Community use

Please explain how the asset will be used
(Please refer to questions 5-8 in the checklist - CAT02)

The Paddock Green is open green space for the general day to day use of the community to walk across and as play space for informal games; it will not be used for any special or organised events unless prior approval has been gained from the Parish Council and other authorities as appropriate.

Suitability for purpose

Please explain why this asset is suitable for the intended purpose

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

The Paddock Green is a grassed area with some trees which will be maintained as part of the Parish Council maintenance contractor contract. The Green has existed since the late 1970's when surrounding houses were built and is currently maintained by Wiltshire Council.

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 transfer of this grass area has been fully discussed by the Parish Council on the basis merely of change of ownership and responsibility from Wiltshire Council to the Parish Council, change of use is not an issue and as such wider consultation has not taken place.

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)*

As far as the Parish Council is aware, the only legal issue is in relation to change of ownership which will be dealt with in consultation with the Parish Council solicitor. No change of use planning application is necessary as The Paddock Green will continue to be as now. H&S will be reviewed as part of the Parish Council H&S review, any incidents or issues will be covered under the Parish Council Public Liability insurance. Paddock Green will be embraced within the existing Parish Council Maintenance Contract

Financial matters

How will you fund running costs and maintenance? Are you willing to pay for the asset? *(Please refer to questions 19-23 in the checklist - CAT02)*

Funding for an extension of the existing Parish Maintenance Contract will be included in the Parish Council budget and subject to annual Precept demand.

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 do not wish to change the current use of Paddock Green, merely ensure its continued long term use as community open green space subject to Parish Council maintenance consistent with other green space within the Village. The Parish Council may consider applying for Village Green status for the Paddock Green at some point in the future.

DECLARATION

I confirm that the details included in this application are correct