

02/12/2020

Report of	Assistant Director of Communities	Author	Joanne Besant
Title	Stanway Land Asset Transfers		☎ 506943
Wards affected	Stanway		

This report seeks approval to the disposal of land at Silverwitch Green and Lucy Lane South, to Stanway Parish Council

1. Executive Summary

- 1.1 Stanway Parish Council wishes to permanently own, manage and maintain land at Silverwitch Green and Lucy Lane South on behalf of their local community. CBC have another community site on New Farm Road which the Parish Council have not asked to own. Given the location and the interest of Stanway Rovers FC, separate discussions are underway.
- 1.2 Both pockets of land are well used by local communities and offer children, young people, adults and the elderly a place to meet and be active.
- 1.3 Silverwitch Green, the larger of the two sites is zoned as open Space, therefore protected from development and restricted to alternative use.
- 1.4 Neither sites are of significant value to the Borough Council therefore it is recommended that ownership be transferred.
- 1.5 This supports the Councils vision to work alongside communities to build a borough where people feel more empowered, connected, self-sufficient, healthy and active.

2. Recommended Decision

- 2.1 Agree the disposal of land at Silverwitch Green, Stanway and Lucy Lane South, Stanway to Stanway Parish Council.
- 2.2 Transfer documents should include a clawback to ensure the land is protected against any change of use in future years.

3. Reason for Recommended Decision

- 3.1 Stanway Parish Council have expressed a desire to permanently own this land asset on behalf of the local Community. This approach is in line with the Councils emerging Communities Strategy our adopted Asset Based Approach to Community Development.
- 3.2 Transfers of land to local ownership at a nil cost transfer of asset, provide opportunities for local communities to sustain facilities in the future and look at more efficient ways to run and operate them.

4. Alternative Options

4.1 To maintain ownership of the land and implement a lease for the use of the land, to Stanway Parish Council.

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5. Background Information

- 5.1 Stanway Parish Council wrote to Cllr King on July 6th 2020 requesting the land asset transfer for 2 sites, Lucy Lane South and Silverwitch Green, both in the ward of Stanway.
- 5.2 The Lucy Lane South pocket park is owned by Colchester Borough Council and Stanway Parish Council have the sole responsibility to manage the play area. The Borough Council maintain the grass around the playground fence
- 5.3 This is a relatively small area of land supporting the local residential area. (**Appendix 1**)
- 5.4 Silverwitch Green is a larger pocket of land sitting on the corner of Chapel Road and New Farm Road, Stanway. The land encompasses a large open green space and a play park. (**Appendix 2**)
- 5.5 The park is owned by CBC but the Parish Council installed and currently maintain the play area and surrounding green space. These areas are not maintained by CBC as part of the grounds maintenance contract as it has always been maintained by the Parish Council. This includes the play area and other items on the site.
- 5.6 Stanway Parish Council manage the refuse collections in these areas after they withdrew the Colchester Borough Council contract in March 2020.
- 5.7 Stanway Parish Council would become fully responsible for the trees and planting on these sites.
- 5.8 Silverwitch Green is zoned as 'Open Space' in both the current and emerging Local Plans. This means that the land is protected from development by Policy DP15 in the current Local Plan and by Policy DM17 in the emerging Local Plan.
- 5.9 CBC have another community site on New Farm Road which the Parish Council have not asked to own. Given the location and the interest of Stanway Rovers FC, separate discussions are underway.
- 5.10 Under the General Disposal Consent the Council can dispose of land at less than the best consideration if it considers that the purpose for which the land is to be disposed, is likely to contribute to the achievement of any one or more of the following objects;
 - the promotion or improvement of economic, social or environmental well-being; and
 - The difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed two million pounds

If the Council wishes to dispose of land via the General Consents, it needs to be reasonably satisfied the purpose for which the land is to be disposed is likely to contribute to one or more of the above objects.

- 5.11 A valuation has not been carried out and these sites have not been put on the open market, because they are open space areas and there is no real market value to them or other potential 'purchasers'.

6. Equality, Diversity and Human Rights implications

- 6.1 Not required for this recommended decision.

7. Strategic Plan References

- 7.1 Creating safe, active and healthy communities, by building on community strengths and assets. Working alongside communities to build a borough where people are more empowered, self-sufficient, healthy, active, happy and doing what they enjoy.
- Encourage belonging, involvement and responsibility in all Colchester's communities and neighbourhoods.
 - Work with our partners to make volunteering and community involvement as easy as possible.
 - Maximise developer contributions (such as Section 106) and other funding mechanisms to help fund community infrastructure.

8. Consultation

- 8.1 There have been no public consultations for this decision. Ward Councillors are aware of the ask from Stanway Parish Council to acquire these pockets of land.

9. Publicity Considerations

- 9.1 Other Town and Parish Councils may have some comment on the transfer of assets to Stanway Parish Council, especially where there is such value. Wivenhoe Town Council in particular, purchased the Town Hall at a cost of £200k in March 2017, however the public car park and toilets were transferred at nil cost.

10. Financial implications

- 10.1 There are no income streams from the land at Silverwitch Green or Lucy Lane South therefore there will be no financial implications for the Council.
- 10.2 The maintenance of the land is currently covered by Stanway parish Council at both sites. No contractors are appointed by CBC to maintain these pockets of land.

11. Health, Wellbeing and Community Safety Implications

- 11.1 Stanway Parish Council wish to install an outdoor gym on the grounds of Silverwitch Green to encourage physical activity and participation from a greater number of residents. Installing the gym will have positive impacts on the health and wellbeing of people using the site.
- 11.2 Maintaining the land as open green space will continue to encourage residents to use the area for dog walking and other recreational activities.

12. Health and Safety Implications

- 12.1 There are no health and safety implications identified for this decision.

13. Risk Management Implications

- 13.1 There are no risk management implications identified for this decision.

14. Environmental and Sustainability Implications

- 14.1 There are no environmental and sustainability implications for this decision.

Appendix 1

- Site plan for Lucy Lane South



Lucy Lane South
2.12.20.pdf

Appendix 2

- Site plan for Silverwitch Green



Silverwitch Green
Ownership 08.10.20