TELFORD & WREKIN COUNCIL

CABINET - 20 SEPTEMBER 2012

FUTURE USE OF LAND OFF CONCORDE, DAWLEY BANK

REPORT OF THE ASSISTANT DIRECTOR: DEVELOPMENT, BUSINESS & HOUSING

LEAD CABINET MEMBER – CLLR RICHARD OVERTON

PART A) – SUMMARY REPORT

1. SUMMARY OF MAIN PROPOSALS

1.1 That Cabinet consider the two requests from community groups in relation to the future use of an area of vacant land off Concorde in Dawley Bank and decide how this land will be used.

2. RECOMMENDATIONS

2.1 Cabinet are requested to consider the four options below and to determine the future use of the area of land off Concorde in the Dawley Bank area as shown on the plan attached at Appendix 1.
Option 1 – That the area of land is used to develop a raised bed community garden by Dawley Bank Horticultural Society
Option 2 – That the area of land is used to develop a Jubilee Wood by Dawley Bank Residents Association
Option 3 – That there is no development of this area of land and that it remains in its current condition.
Option 4 – That the development of the site for residential development is investigated and the site be sold if planning permission is granted for this use.

2.2 That delegated authority is given to the Assistant Director: Development, Business & Housing to deal with the above area of land in accordance with Cabinet's recommendation about the future use of this site including potential disposal of the land or development of a lease agreement as appropriate.

2.3 That Cabinet delegate authority to the Assistant Director: Law, Democracy Public Protection be authorised to agree and execute all necessary documentation.

SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Council Priorities	
	Yes	Ensure that neighbourhoods are safe, clean and well maintained
	Will the proposals impact on specific groups of people?	
	Yes	The decision on the use of the land will impact specifically on Dawley Bank Horticultural Society and Dawley Bank Residents Association.
TARGET COMPLETION/ DELIVERY DATE	The completion date in relation to implementing any changes to the land will depend upon Cabinet's recommendation regarding future use of the site.	
FINANCIAL/VALUE FOR MONEY IMPACT	Yes	The financial impact of the four options are as follows: **Option 1** – There would be legal costs associated with the creation of the lease agreement. In addition there will be costs associated with a deed of variation with the HCA to vary the restrictive covenant. The total costs associated with this option are estimated to be in the region of £2,000. **Option 2** - There would be legal costs associated with the creation of the lease agreement estimated to be in the region of £750. **Option 3**- Any maintenance liability would remain with the Council. **Option 4** – If planning permission was granted for residential development then this could generate a net receipt in the order of £20,000 to £40,000 (after deductions for fees and HCA clawback).
LEGAL ISSUES	Yes	The Council has powers to dispose of land in the way described in this report but has an obligation to obtain best consideration for the land if it chooses to dispose of it but there is the ability to dispose of

		land at an undervalue if it promotes the social, environmental or economic well-being of the area.
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	
IMPACT ON SPECIFIC WARDS	Yes	Malinslee Ward

PART B) – ADDITIONAL INFORMATION

3. INFORMATION

3.1 Background

3.1.1 The Council were originally approached in 2009 by Dawley Bank Horticultural Society (DBHS) about the possibility of the site being used for allotments (a copy of the officer letter in response to this request to DBHS is attached as Appendix 2).

3.1.2 In 2011 the Council were informed by DBHS that they were is a position to submit a planning application for the proposed use and full planning permission was granted in July 2012.

3.1.3 Following the submission of the planning application by DBHS, the Council were approached by another community group (who were interested in developing the same site for community use to create and maintain it as a Jubilee Wood.

3.1.4 The area of land is currently within the ownership of Telford & Wrekin Council (the extent of the site is shown outlined in red on the plan attached at Appendix 1), however the Council carries out no work to maintain the area. There have been two expressions as to the future use of this site. It was agreed to seek the views of local residents who live within 400m of the site. A survey was sent to the 833 properties that fell within this 400m boundary of the area of land off Concorde. The full results of the survey are shown in Appendix 3.

3.2 Survey Results

3.2.1 The results show that of the 833 surveys that were sent out 263 were returned completed. In addition to the original surveys that were sent out, a further 346 photocopied surveys were returned. Due to the large number of photocopied surveys, the results have been analysed for both original surveys and photocopied responses.

3.2.2 The original surveys showed that 140 of the 263 respondents currently used the area of land off Concorde. The most common use of the land was as a cut through to school or other facilities (72.1%) or dog walking (37.9%). The photocopied surveys showed that 29 of the 346 respondents currently used this area of land. The most common use of the land was for dog walking (62.1%) with 31% using the area as a cut through to access other facilities.

3.2.3 The majority of respondents who completed the original survey (75%) and photocopied survey (79.3%) agreed or strongly agreed that the land should be developed for community use (it should be noted that not every respondent answered each question and therefore the total number of respondents for each question varies). However, respondent's opinions over the preferred use of the land were divided. The preferred option of those respondents who completed original surveys was the Jubilee Wood (68.1%), whereas the preferred option for those who completed photocopied surveys was the Raised Bed Community Garden (94.7%) A small number of participants identified that their preferred option would be for the area of land to be left as it is (original surveys 11.7%, photocopied surveys 0%)

3.2.4 Participants were asked to identify if they were a member of either of the two Community Groups which had expressed an interest in developing the land. The majority of respondents didn't indicate that they were a member of either of these Community Groups.

3.3 Options for Future Use of the Land

3.3.1 There are a number of options in relation to the future use of this area of land; four potential options for Cabinet to consider are set out below.

3.3.2 **Option 1** - The proposal made by DDBHS involves developing the land off Concorde into a raised bed community garden and the group are seeking grants to develop the project with the aim of providing people with the opportunity to learn to grow their own food.

3.3.3 **Option 2** - The proposal made by Dawley Bank Residents Association involves developing the land off Concorde into a Jubilee Wood which would involve tidying the woodland, removing diseased trees, planting wild flowers and creating footpaths that would facilitate a nature trail.

Although the DBRA was recently formed to coordinate the proposal it has appointed Officers, a Chairman, Vice-Chairman, Secretary and Treasurer, to administer the Association, collected funds and opned a bank account. The Association will have the legal authority to enter in to a lease with the Council.

3.3.4 **Option 3** - Cabinet may wish to consider that the land isn't developed for either of the two community options but that it remains as an area with informal access for the community. The results of the survey suggest that people currently use this area of land as a cut through to access school and other local facilities as outlined in 3.2.2 above.

3.3.5 **Option 4** - Cabinet may wish to consider that the land isn't developed for either of the two community options but instead the site is promoted for residential use, which would ultimately lead to a planning application. This decision would be conditional on a favourable decision at Plans Board.

3.3.6 If either of the two community proposals is chosen (option 1 and 2) as the preferred option then it is proposed that the property would be leased to the organisation/organisation secretary for a term of 20 years. The lease would also require obligations of the organisation to undertake certain works in accordance with their proposal all of which would be dealt with after Cabinet take the decision.

IMPACT ASSESSMENT ADDITIONAL INFORMATION

4. BACKGROUND PAPERS

None

5. PREVIOUS MINUTES

None

6. Ward Implications

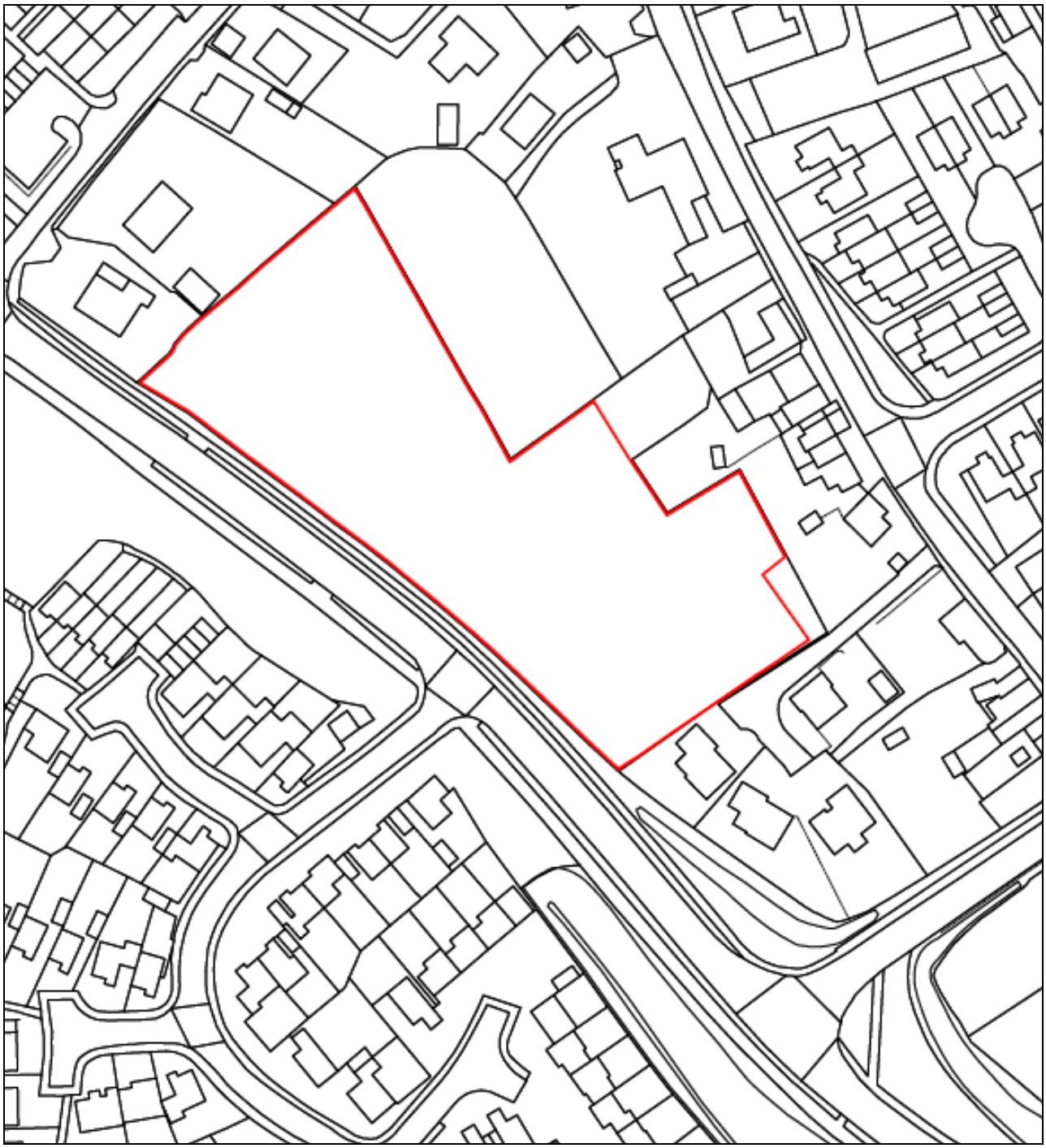
6.1 The site is located within the Malinslee Ward. The ward members are:

Councillor Shaun Davies
Councillor Kuldip Sahota

It should be noted that the site is located at the edge of Malinslee Ward in close proximity to the wards of Lawley & Overdale, Horeshay & Lightmoor and Dawley Magna.

Report prepared by James Dunn, Team Leader Estates & Investment and Rachel Jones, Community Engagement Equalities and Action Manager

Appendix 1 – Site Plan



Appendix 2 – Letter

Telford & Wrekin
COUNCIL

David Sidaway Head of Asset & Property Management

Environment & Regeneration
Civic Offices, P.O. Box 215,
Telford TF3 4LF

DX: 712122 Telford 6

Date: 4 June 2009

www.telford.gov.uk

Contact: James Dunn
E-mail: james.dunn@telford.gov.uk
Telephone: (01952) 384331
Fax: (01952) 384312
Our Ref:
Your Ref:

Dear Mrs Higginson

DBHS ALLOTMENT STRATEGY

Following your submission of an Allotment Strategy for Dawley Bank I write to confirm that following an appraisal of the site as well as alternatives within the area and my discussions with Cllr Andrew Eade and Cllr Vic Tonks the Council are happy to allocate the land as an allotment site.

Now that the Council has designated this site you will now need to ensure you have the relevant funding for the capital investment needed including access road, pathways, water and fencing.

Once you have the capital in place we will then be able to put in place a formal lease between yourselves and the Council, which would in essence lease the land to you at a peppercorn rent (£1 per annum) in exchange that the society manage and maintain the site.

The grant of a lease is however subject to the society obtaining the necessary planning permission for change of use of the site. I am happy to assist in dealing with the planning application if that would be helpful.

If you have any queries please do not hesitate to contact me.

Yours sincerely

JAMES DUNN BSc (Hons) MRICS
TEAM LEADER (DEVELOPMENT)

Appendix 3 – Survey Results

1 Introduction

Following interest by two separate community groups in developing land off Concorde in Dawley Bank a survey was developed to help understand current uses and opinions of the land and what local residents felt it would be best used for.

The survey was sent to 833 households in the Dawley Bank area, identified by a 400m buffer around the land in question. 263 of these surveys were returned completed, a response rate of 31.6%. In addition to these original surveys we received a further 346 photocopied surveys. Due to the large number of photocopied responses results have been separated into original and photocopied for the purpose of this report. As not every respondent answered each question, the total number of respondents for each question will vary. **Percentages have been calculated based on the number of responses to each question.**

2 Survey results

The majority of respondents were familiar with the piece of land in question.

Are you familiar with the parcel of land off Concorde which is under discussion?

	Original surveys		Photocopied surveys	
Yes	248	97.3%	283	82.7%
No	6	2.4%	36	10.5%
Don't know	1	0.4%	23	6.7%
Total number of responses	*255*	*100.0%*	*342*	*100.0%*
Missing responses	*8*		*4*	
Total respondents	*263*		*346*	

140 of the respondents were already using the land, as a cut through, for dog walking or for other reasons including bird watching, enjoying the natural environment and blackberry picking. Some respondents used the land for more than one purpose.

Do you currently use the land for any of the following reasons?*

	Original surveys		Photocopied surveys	
As a cut through i.e. walking to school, shops or pub etc	101	72.1%	9	31.0%
Dog walking	53	37.9%	18	62.1%
Other	25	17.9%	4	13.8%
Number of respondents	*140*		*29*	
Total number of responses	*179*		*31*	

*The percentage for this question have been calculated based on the number of respondents who indicated that they used the land. As respondents could identify more than one use, the percentages do not add-up to 100.

The majority of respondents agreed or strongly agreed that the land should be developed for community use.

How strongly do you agree or disagree that the land should be developed for community use?

	Original surveys		Photocopied surveys	
Strongly agree	120	46.9%	134	39.8%
Agree	72	28.1%	133	39.5%
Neither	25	9.8%	37	11.0%
Disagree	10	3.9%	4	1.2%
Strongly disagree	27	10.5%	5	1.5%
Don't know	2	0.8%	24	7.1%
Total number of responses	*256*	*100.0%*	*337*	*100.0%*
Missing responses	*7*		*9*	
Total respondents	*263*		*346*	

Respondent's opinions over the preferred use of the land were divided.

What would you prefer the land to be used for?

	Original surveys		Photocopied surveys	
Raised bed community garden	40	16.1%	323	94.7%
Jubilee Wood	169	68.1%	0	0.0%
Left as it is	29	11.7%	0	0.0%
Other	5*	2.0%	1**	0.3%
Don't know	5	2.0%	17	5.0%
Total number of responses	*248*	*100.0%*	*341*	*100.0%*
Missing responses	*15*		*5*	
Total respondents	*263*		*346*	

* Two of these five gave written suggestions "Allotments" and "Playground – something for the kids to use"
** Written suggestion was "Allotments"

Participants were asked to identify if they were a member of two community groups which are interested in developing the land. The majority of respondents identified that they were not a member of these groups.

Are you a member of Dawley Bank Horticultural Society?

	Original surveys		Photocopied surveys	
Yes	1	0.4%	68	21.7%
No	243	96.4%	198	63.1%
Rather not say	8	3.2%	48	15.3%
Total number of responses	*252*	*100.0%*	*314*	*100.0%*

Missing responses	*11*		*32*	
Total respondents	*263*		*346*	

Are you a member of The Dawley Bank Residents Association?

	Original surveys		Photocopied surveys	
Yes	19	7.6%	9	3.2%
No	222	88.4%	232	81.7%
Rather not say	10	4.0%	43	15.1%
Total number of responses	*251*	*100.0%*	*284*	*100.0%*
Missing responses	*12*		*62*	
Total respondents	*263*		*346*	

The surveys were received between 18 June 2012 and 6 July 2012. A breakdown by dates is shown below.

Date surveys received

	18/06/2012	19/06/2012	20/06/2012	21/06/2012	22/06/2012	23/06/2012	24/06/2012	25/06/2012	26/06/2012	27/06/2012	28/06/2012	29/06/2012	30/06/2012	01/07/2012	02/07/2012	03/07/2012	04/07/2012	05/07/2012	06/07/2012	Total received
Original surveys	0	12	51	37	27			14	58	15	7	0			0	27	6	4	5	263
Photocopied surveys	0	0	0	0	0			0	0	23	42	0			0	157	74	48	2	346

Counts are for the date on which a survey was received in the Co-operative Council Delivery Team.