

## Agenda item 8

For decision - Transfer of the freehold of land to the Theodora Ann Le Gros for an Open Space Trust

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### Summary

Frome Town Council is the sole managing trustee of the Theodora Ann Le Gros for an Open Space Trust (TALGOST). The objective of the trust is to keep open spaces open and accessible to the public. Therefore, in the past FTC have taken the decision to transfer open spaces to this trust to ensure that they remain exactly this, open to the public.

### Background

Back in December 2016 FTC offered and TALGOST agreed to accept the following pieces of land from the Town Council; Rodden Meadow, Weylands, Welshmill, the Dippy and the Old Showfield. Harris and Harris were instructed to transfer each of these open spaces to the Trust and make this official with the Land Registry.

This is the update so far:

Open Space	Update at July 2018
Rodden Meadow	Official transfer with Land Registry is being completed by Harris and Harris. Total cost: £986
Weylands	Official transfer with Land Registry is being completed by Harris and Harris. Total cost: £985
Welshmill	Official transfer with Land Registry is being completed by Harris and Harris. There was an added complication as the land owned by FTC was split into two registrations with Land Registry. Therefore, to transfer the whole space required two separate transfers. Total cost: Space 1 £1001 Space 2 £476 = £1477
The Dippy	Official transfer with Land Registry is being completed by Harris and Harris. Total cost: £988
Old Showfield	Official transfer with Land Registry is being completed by Harris and Harris. Total cost: £1538

### Going forward

In October 2017, FTC offered and TALGOST agreed to accept the following open spaces:

1. New Road play area (no progress)
2. Packsaddle (deeds signed and awaiting return, next step is to transfer this lease to TALGOST)

3. Tower View (deeds signed and awaiting return, next step is to transfer this lease to TALGOST)
4. Chapman's Close (deeds signed and awaiting return, next step is to transfer this lease to TALGOST)

It had also been recommended to transfer all allotment gardens except Muriel Jones which has already been transferred to TALGOST. However, after researching this further it is proposed this won't be necessary. This is because in order to sell allotment gardens it is required to get approval from the Secretary of State and FTC would also be required to provide provision for those plot holders that had been displaced. Therefore, it does not seem necessary to go through this process when there appear to be adequate protections to the land already in place.

It was also recommended to transfer land at Henley Way and Foundary Barton however this project has not been completed yet and it is proposed to defer a decision to transfer to TALGOST until it has.

Now we have been through the process of transfer we have found it to be long, complicated and much more expensive than first anticipated. We would predict that if the process was repeated, each piece of land would cost between £500 - £1000 to transfer into the ownership of the trust.

It is worth noting that it would be necessary to budget for these legal costs in the budget for 2019/2020 as the legal fees budget has been spent.

#### Recommendations

1. Do not proceed with any further transfers of land to TALGOST until April 2019 when a new budget will be available and to include at the budget setting meeting in January 2019 a sufficient budget for this purpose
2. With the likely cost implications in mind, proceed in the next financial year with the transfer the following open spaces into the ownership of TALGOST:
  1. New Road play area
  3. Packsaddle
  4. Tower View
  5. Chapman's Close
3. Not to proceed with the transfer to TALGOST of the allotment gardens and not to proceed with the transfer of the land at Henley Way and Foundary Barton until the project has been completed.