

**THE FORMAL AND INFORMAL RELATIONSHIPS BETWEEN
HIGH BICKINGTON PARISH COUNCIL
AND HIGH BICKINGTON COMMUNITY PROPERTY TRUST**

INTRODUCTION

The commencement of the building work at Little Bickington Farm has led us to conclude that the time is right to set out the formal and informal relationships between High Bickington Parish Council (HBPC) and High Bickington Community Property Trust (HBCPT). This will hopefully provide a clear and unambiguous reference document for High Bickington residents, parish councillors, directors and shareholders of the community property trust and members of the general public.

BACKGROUND

In 1999 High Bickington Parish Council was asked by Devon County Council (DCC) if it would like to participate in a pilot project between the County Council, Torridge District Council and Devon and Cornwall Housing Association in a new form of community led planning for redundant County Council assets such as council owned farms. Two other Parish Councils, Roborough and Rattery were also asked to take part in the pilot in a similar way. In High Bickington, the project was to be focussed on Little Bickington Farm where the tenant was due to retire. Under the then current DCC disposal arrangements the farmland and buildings would normally have been sold off for redevelopment and the payment received put towards funding the County Council's wider Capital expenditure programme.

After consideration, HBPC decided that whilst it was interested in the proposal, it did not itself wish to participate but would instead set up a local voluntary group to take on the project. Following public meetings in 1999 and 2000, the Vice Chairman of HBPC, Tim Webb, was asked to take the work forward. This included consulting the whole community through a Parish Appraisal and setting up a voluntary group to manage the process. Thus High Bickington Project 2000 was formed and began the Parish Appraisal preparation work. After a few months Tim Webb stood down and David Brown was elected to chair the project in his place.

After substantial delays during the foot and mouth crisis, the Parish Appraisal was carried out in late summer 2001 and the results fed back to a public meeting in December 2001. Subsequently, a steering group of Project 2000 members, High Bickington Parish Council, Devon County Council, Torridge District Council officers and Devon and Cornwall Housing Association staff was set up to produce both a Parish Plan and a scheme for developing the land at Little Bickington Farm following the appraisal findings. The Parish Council part funded this work with a Vital Villages Fund grant and the remainder was funded by HB Project 2000 through a grant from the Leader+ Programme.

In 2003 the High Bickington Parish Plan 2003 to 2023 was published by HB Project 2000, adopted by High Bickington Parish Council and, later that year, was formally launched by John Burnett MP at the Village Fete. HB Project 2000 was also appointed by the Parish Council as its agent to take the Parish Plan forward into action.

After extensive further consultation an outline planning application was submitted by the Parish Council in 2003 and received the support of Torridge District Council's Plan Committee.

In July 2004 High Bickington Project 2000 was formally incorporated as an Industrial and Provident Society under the name of High Bickington CPT Ltd because this model of Governance and Management would:

- i) Enable the implementation work to be carried out independently of the local authorities involved in the partnership and also avoid any Legal Challenge that HBCPT was a 'Controlled Company' within the meaning of Local Government legislation relating to financial controls
- ii) Allow the new organisation to obtain substantial charitable grant funding that would not be accessible by local authorities
- iii) Enable the transfer of DCC owned land and buildings into community ownership and control

In December 2004 Government ministers, through Government Office South West, called in the Outline Planning Application for a local public inquiry.

In January 2006 A local public inquiry was held and the First Secretary of State, in May 2006, upheld the inquiry inspector's recommendation to refuse the application.

Because of the need for a new school, community hall, bigger playing field and affordable housing in the village, all parties agreed to develop and submit a smaller planning application. After extensive further consultation a new Full Planning Application was prepared by HBCPT and submitted, in August 2008, by High Bickington Parish Council. The new application included affordable houses, workshops and community buildings which the community property trust would develop and run. Full planning permission was eventually received in October 2009 and was accompanied by a Section 106 agreement with covenants that legally bind DCC as the landowner and HBCPT as the developer and intended landowner. HBPC was not made a party to the agreement as Section 106 Agreements can only be enforced through Land Ownership

Land Tenures and Ownership

DCC, on 3rd August 2010, conveyed to HBCPT, for the initial sum of £1, around 4 acres of freehold land together with the Little Bickington farmhouse and the various farm buildings. Once the proposed development is completed, HBCPT will pay £750,000 to DCC for the full value of the land and buildings.

In addition HBCPT has been granted four x 125 year leases and one shorter-term lease of land covering the land required for the development. Lease rental is set at just £1 per year, but there are strict covenants requiring HBCPT to build and maintain the proposed Community Hall, Playing Field and Allotments. The land contained in the five leases is to be used for:

- A Community Hall that will be owned (subject to a 125 year Lease) and managed by a committee of HBCPT. The facilities will eventually be jointly used by HBCPT and the proposed new 120 pupil Primary School
- A new Playing Field that will be owned (subject to a 125 year Lease) by HBCPT and managed by a committee of HBCPT. The facility will include a full size adult football pitch, an offset cricket square and will be linked to a junior sized football pitch of which ownership will remain with DCC. The 'outfield' of the cricket pitch, when in use, will utilise the area of both football pitches. The ownership and management of the existing High Bickington Playing Field will entirely rest with the existing Playing Field Association and its Trustees
- The existing Community Woodland will be owned (subject to a 125 year Lease) by HBCPT and managed by a committee of HBCPT
- A site for Allotments that will be owned (subject to a 125 year Lease) by HBCPT. The Allotments will be managed by an HBCPT Committee consisting mainly of Allotment holders
- A site to be held on a 5 year short term lease by HBCPT during the development of the whole site, but, thereafter, held and reserved by DCC for building a Health Centre if one is needed within the next ten years.

Financing the Little Bickington Farm Development

In line with the original intentions of all the partners and binding Legal Obligations set out in Contracts with DCC, HBCPT has the overall responsibility and accountability for building out the whole of the Little Bickington Farm development and for obtaining the required funding through a series of grants and loans together with the sale or rental of housing, rental of workspace and the hiring out and management income deriving from the new community facilities to be built on the Little Bickington Farm site.

The total financial plan adds up to a total of just over £12.1 million, including the cost of building a new school estimated at £3.2 million. When the original plans were submitted (in 2003) the market for private housing was buoyant. At that time it was estimated that the amount of external charitable and other forms of grant funding required would be in the region of £500,000.00. The impact of the credit crunch and the large fall in house prices has meant, however, that the Community Property Trust has had to seek additional grant funding to a new total of more than £1.5 million in order to maintain the overall financial viability of the project. As at December 2010 satisfactory offers of external funding have been received but it has been necessary to revise the Phasing programme for the Development in order to be able to access all of this funding within the strict timescales laid down by the funding bodies concerned.

Funding provided under Section 106 Agreements has allowed the project to move forward. From the Fountains Field development a total of £320k was obtained. Of this £200k was provided to HBCPT towards the costs of providing affordable housing at the Little Bickington Farm development and a further £100k was received by High Bickington Parish Council towards the costs of building a new Community Hall plus a further £20k towards the cost of play equipment on the Barton Meadow Play Area. Once full planning permission was obtained for a new Community Hall at Little Bickington Farm, High Bickington Parish Council also raised a further £100k towards the hall costs by selling the Barton Meadow Hall Site originally transferred from Pearce builders under the terms of a Section 106 agreement.

To proceed with Phase 1 works of 16 affordable and 2 market sale homes, a woodchip district heating system, two workshops and a major part of the site infrastructure such as roads, sewerage, electricity and gas pipes, development loan finance of £2 million has been obtained by HBCPT from Triodos Bank and a further £360,000.00 is to be provided by the Government's Homes and Communities Agency. DCC is making up to £850k available towards the costs of infrastructure for the proposed new school and other grants, from the Leader 4 programme and Renewable Energy for Devon will contribute to the overall cost of works in Phase 1 of around £3.5 million. .

Building a New Community Hall

Originally the new Community Hall was not expected to be built until all other aspects of the Little Bickington Farm development were completed. The building was designed to be built at the same time as the new School and roughly a third of the costs would have been met by DCC as the School would be sharing the use of the hall. For example the School would regularly use the main hall and school meals would be provided from the kitchen within the community building. Other finance for building the Community Hall was planned to come from the profits HBCPT makes from market housing sales, and hall money held by the parish council.

At the moment, however, apart from offering the £850k contribution for installing infrastructure to service the school site, DCC cannot give a date when building the School will actually start. Building the Community Hall as a stand alone building instead means that substantial additional infrastructure work is needed and this will add up to a combined build cost of more than £2 million. DCC will not offset any of this cost at the present time.

Building a 'stand alone' Community Hall as a second phase of work, running in parallel with phase 1 of the build programme, has now become possible following an offer of 40% grant and 60% loan funding, totalling more than £1.79 million, from the Government backed Communitybuilders Fund. With the Parish Council's support a 'non-material' design change to the

Planning permission has been obtained which allows for the building to be erected on the original footprint (for which planning permission is already held) whilst redesigning the two-storey part of the building so that only the ground floor is fitted out at this stage. When the school is finally built the original two-storey internal layout will be put in place. There are additional costs in the longer term connected with this strategy but since the costs of building the school would become less expensive than originally estimated it is hoped that DCC will eventually pay some of the extra costs.

The loan portion of the Communitybuilders Funding package will be repaid as originally intended from the profits of market housing sales (now to be built as Phase 3 of the overall development). High Bickington Parish Council will also be committing all of the Section 106 monies received from Fountains Fields and the proceeds from selling the Barton Meadow Hall Site towards the cost of planning for and building the new Community Hall.

High Bickington Parish Plan 2003 to 2023

The Parish Plan was originally prepared by High Bickington Project 2000 and adopted by High Bickington Parish Council to map out the future of the village and surrounding community. It is a working and evolving document not one fixed in stone. Parish Council vice-chairman Mike Leatham has been the HBPC appointed Director on the HBCPT Board from the start, and the Community Property Trust provides monthly reports to meetings of the Parish Council and involves Parish Councillors in all aspects of the evolving plans for Little Bickington Farm.

There have been substantial setbacks along the way, financial uncertainties and fervent opposition from a small number of local residents, but both the Parish Council and the voluntary local committee, which has steered the High Bickington Community Property Trust and has over 200 local residents as members, believe that, in the best interests of the wider community, the goals set out in the Parish Plan are still the right ones, including affordable housing, workspace, new community buildings and leisure facilities.

The Parish Plan envisaged that it would have three phases of implementation and that, once those three phases of work had been achieved, a further Parish Appraisal would be carried out.

The three Phases are:

1. The Little Bickington Farm development;
2. To design, redevelop and enhance conservation of the centre of the village following the relocation of the school to Little Bickington Farm
3. To address traffic, parking and other identified issues in the North Road area of the village.

Phase 1 is dealt with in this report.

In summary, despite all of the setbacks and delays that have been incurred, it is pleasing to see that building work started at Little Bickington Farm in November 2010 and this represents the starting point for implementing Phase 1 of the Parish Plan. In 2003, the High Bickington Parish Plan 2003–2023 was published, and now in 2010 we are about to start to realise the first part of that plan.

So we feel that this point in time is a good opportunity to begin to look at the next phases of the original Parish Plan. We need to confirm they still represent the wishes of the majority of our parishioners and then decide how best to proceed.

Myc Riggulsford
Chairman HBPC

Mike Leatham
Vice Chairman HBPC
and HBPC Nominated
Director of HBCPT

David Brown
Chairman HBCPT

Statement formally adopted by High Bickington Parish Council on 8th December 2010