



# Stanway

## Parish Council

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### YOUTH GARDEN - REDESIGN

You have all been made aware that the land on which the Drought Garden stands is not registered in the Parish Council's name. The Land Registry has the site registered in the name of JLG Investments (see document attached).

For some time, the assumption has been that the land was donated to SPC by the West Family. There is no evidence (or yet to be found) of a formal document and informal investigations suggest that the transaction was agreed on a 'handshake'. Since it is unlikely we can identify any surviving witnesses to that 'transaction' ownership by SPC would be hard to prove, especially in a court of law. The only thing recorded in SPC's name is the "Deed of Dedication" for the footpath mentioned in the LR document.

We have received a proposal from JLG Investments (a West Family company) to take back a large part of that land, (see diagram), for probable use as an extension to the carpark behind the row of shops on Villa Road. This would leave the footpath and (possibly) a small area in the southwest corner (coloured yellow) under the Council's responsibility.

Clearly, if SPC's ownership cannot be proved, JLG Investments could simply repossess the land without offering any compensation. The company could also ask for the site to be cleared/returned to its previous condition at the Parish Council's expense. However, it has been suggested by their agent that JLG may be prepared to pay for re-landscaping and perhaps other costs. This, of course, is subject to formal (and legal) agreement. This is a summary of their proposal:

*After further review with the Directors of JLG Investments their thoughts are that if JLG are to take back the garden area, it should be on the following basis:*

- *To remove the park / seating area, with a view of creating additional car parking. The additional car parking will be of use to everyone not just the tenants and will continue to be used by the school mums for pick up/drop off.*
- *Create a suitable walkway approximately 2m in width which runs from the back of the retail park and hugs the side of the land which runs along the side of the Gas power supply while also fencing off the small grass/hidden area.*

*JLG remain concerned that should there be any form of seating/garden area however large or small, it will continue to attract the current antisocial behaviour problems. The question is whether the seating/garden area is of more benefit to the locality rather than additional parking.*

It is important to remember that JLG could simply reclaim their land and anything else that they have offered be retracted.

SPC also has the added complication of the Tollgate Link cycle path which goes through the Drought Garden. I have contacted Jane Thompson on this matter but have yet to receive a reply

There appear to be three questions which councillors should consider, assuming the legal agreement to retain the footpath is unchanged.

1. Do you agree that the (rest of the) land should be returned to JLG per their request?
2. Do you agree with the proposal that the blue hatched area is to become a car park, to serve local needs?
3. Do you agree with the proposal that the yellow area is fenced off and become a 'wildlife' area?

