

The Town Council of Ivybridge

Health Centre Proposal for MacAndrews Field, Ivybridge

Frequently Asked Questions

The Town Council has received many queries about the proposed Health Centre for MacAndrews Field. Based on these queries, the Town Council has compiled answers to the frequently asked questions in order that residents can be fully informed in advance of the public meeting on 30 July 2010, which is to be chaired by Mr Gary Streeter, M.P.

- 1. I understand that an application for village green status has been made to protect MacAndrews Field which will prevent development. Is that the case?**

The Town Council is aware that a group of residents have supported an application for village green status under the Commons Registration Act 2006 and that an application has been submitted to Devon County Council. The application has not yet formally been served on the Town Council.

The Town Council will oppose the application. First, the parks in Ivybridge are provided for recreational use under Section 10 of the Open Spaces Act 1906. Consequently, residents and other members of the public use the parks with the permission of the Town Council, subject to the existing byelaws, and not “as of right”, which is the test applied to assess whether land will qualify as a village green.

The House of Lords in the case of *R-v-Sunderland City Council ex p. Beresford* [2004] 1AC889 confirmed that if land was acquired by a local authority for recreation the provisions of Section 10 would apply and use would not be as of right for the purpose of the Commons Registration Act 2006. Consequently, it is unlikely that that application will be successful and it will not prevent the development of the field.

- 2. Why has the Town Council chosen MacAndrews Field? Surely other sites, such as the Park and Ride car park at the railway station or the ATS site, would have been more suitable?**

The Health Centre instructed its agents to find a suitable site in Ivybridge. After an extensive search they approached the Town Council about any land that they owned which met their criteria. Therefore MacAndrews Field was considered as it was the only available suitable site in Ivybridge.

Town Councillors were supportive of the plan which was presented to them by GPs on 7th June as it would offer the ability to significantly improve health services in Ivybridge and they subsequently voted unanimously in favour of negotiating a disposal, subject to agreeing suitable terms.

DRAFT

The Town Council does not own either the ATS site, or the Park and Ride.

The Town Council understands that the ATS site has already been sold. The park and ride site is zoned for residential housing in the Local Development Framework, and is consequently not available for a medical centre.

3. What will happen if the Medical Centre is not able to buy MacAndrews Field or if planning permission is refused?

The proposal is for a state of the art medical centre with the existing medical practice buildings being used for Derriford Outreach Services.

The proposal not only improves the facilities but would also address the car parking problems near the existing surgery, also relieving traffic pressures on Station Road and the Erme Primary School.

If this site is not made available, the existing medical centre will not be improved, and the Derriford Outreach Services will go to another town, which will mean that residents in need of these facilities will lose out.

4. Yes, but why MacAndrews Field? Why not Victoria Park or Filham Park?

The GP practice needs to be in the heart of the community to be in walking distance of a number of households but readily available to all (the NHS normally specifies a bus route location for new developments), and not on the fringes.

The Town Council has invested a great deal of time and money in the development of Filham Park, with a new cadets building, cricket club and fishing lake and the provision of other leisure facilities.

Victoria Park is in a conservation area with protected trees, it is the only play/sports area for Erme Primary School and the car parking/access would be worsened.

MacAndrews Field is in a good location, with good access. Planning permission for its development for residential housing was obtained in the 1950's but not implemented.

5. Is the whole of MacAndrews Field going to be used?

No; the objections that have been received by the Town Council are all based on the assumption that the whole of MacAndrews Field is to be sold.

Only half of the field is intended to be sold. The current proposal is that the eastern half of the field will be sold. The western half of the field will be unaffected and will remain available for recreational use.

DRAFT

Further, it is also proposed that the car parking area for the new surgery could be designed for dual use to accommodate a multi sports area for use by the community at the evenings and weekends. Consequently, the sporting facilities at MacAndrews field could be improved (something a few young people have requested), even if some of the field will be sold.

6. Where are children going to play if MacAndrews is sold?

As only part of MacAndrews Field will be sold, children will still use the Field. Given the interest that has been generated by this proposal in MacAndrews Field, the Town Council hopes that community groups will now take an active interest in the improvement of the facilities on the field and perhaps the working group previously proposed will be formed to consult and then bid for funding to enhance the area.

The Town Council consulted with residents in the period 2002 to 2005 about improving facilities at MacAndrew's Field (including taking the consultation onto MacAndrews Field) but it received very mixed responses, with no clear direction emerging. As part of the District Council investment in open spaces during 2009 further consultation across the town was undertaken and 3 responses were received – none of them wanting much change apart from remedial works, such as clearing up dog mess. The Town Council is very much encouraged by the new interest in Field and its facilities, and hopes this interest will continue.

In addition to MacAndrews Field, other parks and open spaces for Ivybridge have had significant investment over the last year as part of the District Council investment totalling some £300,000 with £45,000 coming from a Playbuilders grant for St Johns Play Space. Investment in Filham Park to create allotments, cricket and improved rugby areas total some £160,000 as well as a new air and army cadet centre and BMX area proposals.

7. When?

Contrary to reports, the Town Council has not yet sold the land. All that has been resolved is an agreement in principle to negotiate a sale. The Town Council has instructed its solicitors, Foot Anstey, and the District Valuer to negotiate terms on its behalf, which will then go back to the Town Councillors for consideration and approval.

Assuming that terms are agreed and approved by the town councillors contracts will then need to be negotiated and signed. The medical centre will then need to apply for planning permission for the development. The anticipated timescale for the submission of a planning application is October. The District Council will then have up to 13 weeks to determine that application.

8. How will the funds be used?

The funds will be reinvested in local facilities. These could include MacAndrews Field, the Leisure Centre and the other community projects in Ivybridge.

DRAFT

The funds are not required, nor can they be used, for day to day running costs of the Town Council.

9. The park was given to the Town Council for recreation. Is there a covenant requiring the land to be used only for recreation?

The park was given to the Town Council for recreational use. A restrictive covenant was imposed on the land by Mr MacAndrew on the transfer to the Town Council. That covenant has been removed and there are now no restrictive covenants burdening the land.

A separate frequently asked questions paper about the covenant prepared by Foot Anstey is available.

10. Why is the Town Council even contemplating selling off green space, when it is in such short supply in Ivybridge?

The Town Council was satisfied that there were no other available sites. It also had to balance the significant benefit to the community as a whole of improved medical services against the loss of just part of the Field and the objections of a minority living near the Field.

Ivybridge has been well served by its Councillors over many decades and is now fortunate in having several parks owned and operated by either the Town Council or District Council. It is also blessed with being on the southern edge of Dartmoor National Park - so there is significant green space available to residents and is a reason why many people choose to live in the town.

The Town Council has spent a lot of time and money in providing significant improvements to areas such as Filham Park and Longtimber Woods (see also question 6).

MacAndrews Field will remain part of the green recreational spaces available, and the facilities there could be improved to provide for more adults and children in the neighbouring area.

DRAFT