

Ermington Parish Council

Ermington Village Hall Project – Situation Report - 1 April 2019

Background

The Parish Council proposal to build a new village hall in the Play park area of the recreation ground arose because the current facilities provided by the Reading Rooms do not, for numerous reasons, meet the needs of parishioners. A working group of parishioners and councillors was formed in November 2015 to take the proposal forward. Since then numerous consultations have taken place with parishioners and community groups to establish support for the project and the needs of potential users. The positive response to these extensive consultation processes informed the Parish Council's discussion at its October 2017 meeting when it decided to proceed to a planning application.

2. The Parish Council meeting in January 2018 was presented with a petition and statement from a group named Friends of Ermington Park which objected to the Parish Council proposals. The Parish Council in conjunction with the Working Group organised an Open Day on 29 April 2018 primarily to address the concerns set out by the Friends of Ermington Park statement. The event was not a consultation exercise to determine whether or not to proceed but it did enable those attending to see the plans and costings for the project and discuss any concerns and aspirations with councillors and members of the Working Group. Attendees were given the opportunity to fill in a questionnaire which invited suggestions for improvements to the scheme. Comments received were helpful and positive. The Parish Council Chairman wrote to the Chairman of the Friends of Ermington Park on 18 May 2018 to report back on the feedback received from the Open Day in justification for moving the project forward.

Potential Barriers to the Project

Village Green Application

3. In May 2018 Devon County Council received an application from the Friends of Ermington Park to register Ermington Park as a Village Green under Section 15 of the Commons Act 2006. If the application is successful it will stop the current village hall proposal going ahead. Ermington Parish Council wrote to Devon County Council on 22 October 2018 saying why it thought the application should be rejected. Devon County Council has not yet given a decision on the application and has sought specialist advice from a barrister on the application.

The Physical Training and Recreation Act 1937

4. Ermington Recreation Field/Ermington Park is managed under the above Act and Section 4 of the Act will need to be considered to establish whether or not it will allow the provision of a car park. Opinion from the South Hams/West Devon legal department is that the Parish Council can build a village hall and ancillary car park and be in compliance with Section 4 of the Act. The advice is offered

“without prejudice” and given with the suggestion that independent legal advice be sought by obtaining counsel’s opinion before proceeding. There is a system for obtaining direct access to a barrister to cut costs which the Parish Council will need to consider if it wishes to obtain independent legal advice.

The Way Forward

5. The project has, in effect, been on “hold” since the submission of the Village Green application. The April 2019 meeting of Ermington Parish Council is the last one before the Local Elections scheduled for 2 May. The newly elected council will need to consider what steps it wants to take in relation to the project. It is clear that moving the project forward in its present form should wait for:

- i. The outcome of the Village Green application,
- ii. Legal advice on the potential restrictions of the Physical Training Act 1937
- iii. A Parish Council decision on the design options for a village hall. This was first discussed at the Parish Council meeting in July 2018. Two options are available, the original as presented at the Open Day and a revised version produced subsequently taking account of a similar project in Broadhempston.

6. It will be important for the new Parish Council to have a discussion with the Working Group. A report from the Chair of the Group is attached which indicates that the Group remains committed to the need for a village hall and looks forward to further debate with the Parish Council following the election.

Cllr John Kerlake
Chairman
Ermington Parish Council
1 April 2019