

## STONELEIGH RAILWAY STATION COMMUNITY LICENCE

<b>Head of Service:</b>	Mark Shephard, Head of Property and Regeneration
<b>Report Author</b>	Victoria Potts
<b>Wards affected:</b>	Stoneleigh Ward;
<b>Urgent Decision?(yes/no)</b>	No
<b>If yes, reason urgent decision required:</b>	
<b>Appendices (attached):</b>	Appendix 1 – Stoneleigh Railway Station Community licence

### Summary

To facilitate the community of Stoneleigh to establish and maintain a community garden next to Stoneleigh Railway Station.

### Recommendation (s)

#### The Committee is asked to:

- (1) Agree to enter into a Community Licence between Network Rail and EEBC once a group of volunteers has been established, to enable the volunteers in Stoneleigh to establish a community garden next to Stoneleigh Railway Station.**
- (2) Nominate and Authorise the Director of Environment, Housing and Regeneration and Head of Legal to progress the community licence to completion and take all actions and decisions as are necessary and appropriate to ensure that it is not the Council who is responsible for maintaining the community garden.**

## 1 Reason for Recommendation

- 1.1 To support Stoneleigh to establish a community garden next to Stoneleigh railway station following completion of the Access for All project.
- 1.2 Ensure the Council is protected from additional burdens which are unbudgeted and not resourced.

## 2 Background

# Strategy and Resources Committee

## 23 July 2024

- 2.1 A community licence grants privileges on Network Rail land or infrastructure free of charge to community groups. It is typically needed for an activity that is short term (a year or less) and/or that does not involve any intrusive or permanent change to Network Rail managed land or property. For example: gardening in planters; picking up litter; clearing vegetation and graffiti; most types of community art displays.
- 2.2 Community licences can be renewed. Some groups, for example, have maintained gardens in raised beds at stations for several years, by having a community licence that is renewed annually.
- 2.3 There is typically no charge associated with community licences.
- 2.4 The scheme will establish a community garden with raised planters next to Stoneleigh Railway Station. Community volunteers will manage the planting and maintenance of the community garden.
- 2.5 The area of the community garden is indicated in Appendix 1. This area of land will be leftover following the completion of the Access for All project at Stoneleigh Railway Station which will see step free and obstacle free access from street to platform.
- 2.6 A community garden will provide for improved public realm on entering and existing the station.
- 2.7 This community licence serves to support a local group of volunteers (yet to be established), but in the event the volunteers are not established, do not create a community garden, do not maintain the garden at least once every four weeks or fail to comply with the terms of the licence in any way, the Council will seek to give notice on the licence as to avoid any unbudgeted costs and resource associated with planting and maintaining the garden. It will, however, be the Council's responsibility to return the land to Network Rail is an acceptable condition.

### **3 Risk Assessment**

#### Legal or other duties

##### 3.1 Equality Impact Assessment

3.1.1 None.

##### 3.2 Crime & Disorder

3.2.1 None.

##### 3.3 Safeguarding

3.3.1 None.

##### 3.4 Dependencies

# Strategy and Resources Committee

## 23 July 2024

3.4.1 None.

3.5 Other

3.5.1 The Licence means that the Council is liable to create and maintain a community garden in the absence of volunteers. There are risks for the council in the absence of an active and successful volunteering group, but these are minimised by the Council being able to give notice to terminate the licence.

### 4 Financial Implications

4.1 There are no financial implications of this report.

4.2 **Section 151 Officer's comments:** None arising from the contents of this report.

### 5 Legal Implications

5.1 **Legal Officer's comments:** The licence is prescriptive as to the council's responsibilities so there will need to be supervision on the part of the Council for ensuring that the volunteers comply with the obligations. Legal will need to be involved before any licence is entered into.

5.2 The licence can be terminated immediately by either party on written notice at any time.

### 6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- Green and vibrant: A better place to live where people enjoy their surroundings.

6.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

6.3 **Climate & Environmental Impact of recommendations:** None.

6.4 **Sustainability Policy & Community Safety Implications:** None.

6.5 **Partnerships:** This would be a partnership between EEBC and the local community of Stoneleigh who would volunteer to look after the community garden.

### 7 Background papers

7.1 There are no background documents in relation to this report.