

Greenfields FAQs

Has the Town Council now bought back the piece of land at Greenfields?

Shrewsbury Town Council and CSE Developments (Shropshire) Limited have agreed terms of settlement to secure the transfer of ownership of the parcel of land at Greenfields Recreation Ground back to the Town Council.

Leader of the Town Council, Alan Mosley said:

‘The agreement has been reached on a costs only basis taking into account the best interests of the residents of Shrewsbury while taking note of legal judgments in the Courts and the views of those living local to the area. Indeed, we have fulfilled promises made and are delighted to now announce the completion of the sale of the land has now been concluded and we now look forward to being able to reopen the land as public space as soon as possible.’

What does the Town Council intend to do with the land now it has bought it back?

The first priority is that the land be made safe for public use. We have carried out an initial assessment and will start by flailing back the brambles and nettles followed by filling in any holes. This has to be done in conjunction with the restrictions of the Wildlife and Countryside Act however and no work will be done which might contravene this. Hence, fencing will be retained until this work has been completed.

The Town Council is working with the local community interest groups to determine future plans for the land in keeping with our continued commitment to nature recovery and providing open spaces to support the health and well-being of residents. It is likely that the land will be presented and maintained as a nature recovery and countryside site to be used for the enjoyment of the whole town.

Where will the money come to buy back the land? Will council tax bills rise to pay for it?

The Town Council will not increase the precept (charged to residents via Council Tax) to pay for the repurchase of the land. Instead, we have made a commitment to fund the repurchase from existing reserves including utilising the original funds received for the land plus any interest accrued since the sale to ensure that there will be no impact upon staff or services.

The settlement agreement was for £1.34m resulting in a net cost to the Town Council of to date of £600k.

In addition, the Town Council is seeking to offset the additional amount of the claim by pursuing compensation from other parties we believe are responsible for the errors in 2017. Hence, we are unable to declare the final net costs of the repurchase until that process is completed.

Why did Shrewsbury Town Council make a decision to sell the piece of land initially?

In 2010, the Town Council deemed the piece of land in question was surplus to requirements and so entered into a land swap arrangement so that Shropshire Council could offer the piece of land at Greenfields as part of a Government scheme for self-build Eco-homes. Outline planning permission was obtained for eight such homes with relatively little opposition. However, the Government withdrew the scheme and the planning permission became dormant.

Why is the Town Council buying back a piece of land from a developer now? What happened to lead to this situation?

Shrewsbury Town Council sold the parcel of land to a local developer in 2017 with outline planning permission for the eight houses. At the time, the Town Council sold the parcel of land with the sincere belief that it was not recreational land. It is now clear that this belief was wrong.

Subsequent to the sale of the land, the developer made a full planning application to Shropshire for a development of 15 houses.

A Greenfields Community Group was formed and their research found that the land was in fact legally part of the Greenfields Recreational grounds and held in trust to the community.

The GCG put their case to a Judicial Review and later made appeal to the High Court. Although the GCG's position regarding the Trust was accepted, neither case resulted in an order to stop the sale or quash the planning permission.

During this time STC commissioned the Michael Redfern KC to produce a report on STC's position. This followed an audit Public Information report which referred to serious errors of governance.

The Redfern report endorsed the view that STC had made significant mistakes in their classification of the land and confirmed that as 'recreational' land the sale should have been specifically advertised in the local press.

On 1 March 2023, following an appeal from the Greenfields Community Group, the Supreme Court ruled that the granting of planning permission by Shropshire Council for housing on part of the recreation land should be quashed.

Although the Supreme Court's judgement was specifically related to an appeal against Shropshire Council, Shrewsbury Town Council was referred to in their decision and the outcome obviously had an impact upon us.

Shrewsbury Town Council have accepted our errors in this matter including not advertising our intention of selling the portion of recreation space at Greenfields which we had identified as surplus to our needs in 2010. Our intention was to sell a piece of land that we saw as not needed in order to raise funds to support and develop Town Council facilities throughout the Bagley area and in other parts of the town.

We would like to clarify however that the Town Council never had any intention of disposing of the much larger pieces of land in Greenfields which contain the multi sports court, the play area and the open spaces enjoyed by many residents. Changes to these areas has never been considered, nor will they ever be, and they will always be maintained and improved as the need arises.

In 2021, the Town Council, following a Public Interest Report from the Town Council's external auditor, we commissioned an independent investigation into what went wrong, carried out by Michael Redfern KC. Following the publication of the Redfern Report in May 2022, the Town Council publicly apologised for our mistakes and agreed to seek to return the land to public ownership. We have also adopted a much more rigorous policy to ensure that our mistake cannot occur again.

The Town Council remains committed to providing open spaces to support the health and well-being of residents as evidenced by our recent purchase of two large areas of land at Frankwell and Weir Hill and creation of a beaver re-introduction scheme at the Old River Bed nearby to Greenfields Recreation Ground.

What has the Town Council done to make sure this kind of situation never arises again?

The Town Council has now adopted a rigorous policy to ensure that our mistakes cannot occur again. This includes adopting an Asset Disposal Policy in 2023 which includes in its objectives the plan to facilitate the overall management of risk for all capitalised equipment, land, buildings and software for the organisation. Land/property will only be deemed surplus to the Council's requirements where:

- it makes no contribution to the delivery of the Town Council's services, strategic or corporate objectives; OR an alternative site or method of delivery has been identified which would be more cost effective in delivering the Town Council's services, strategic or corporate objectives;

- it has no potential for strategic or regeneration/redevelopment purposes in the near future;
- it will not contribute to the provision of a sustainable pattern of development through a lack of fitness for purpose, cost of maintenance, lack of accessibility, poor location or similar reason;
- it makes no significant contribution to protecting and enhancing the natural, built and historic environment, including making minimal contribution to helping to improve biodiversity.

The review must examine whether there are any covenants on the use of any land proposed for disposal.

The review must examine whether the provisions of Section 123 of the Local Government Act apply.

How did the mistakes occur?

Obviously, the initial errors were made in the early years of the Town Council in 2010 with the designation of the parcel of land for Eco-Home building and the original planning application. It is now clear that not enough research undertaken to establish the correct designation of the land during its sale. There was an acceptance of anecdotal evidence about the land use and the separation of the site from the main Greenfields Recreation Ground. However, more detailed research would likely have revealed the existence of the Trust and legal incorporation of the land within the Greenfields Recreation Ground. Therefore, the need to publicly advertise the sale of recreation land should have been recognised but was not.