

Portfolio Holder for Property Buildings and Housing



County Hall
Llandrindod Wells
Powys
LD1 5LG

3 March 2017

For further information please contact

Stephen Boyd
steve.boyd@powys.gov.uk
01597 826374

**NOTICE OF INTENDED PORTFOLIO HOLDER DELEGATED
DECISION**

The Portfolio Holder has received the following report for a decision to be taken under delegated authority. The decision will be taken on **9 March 2017** (i.e. 3 clear days after the date of this note). The decision will be published on the Council's website but will not be implemented until 5 clear days after the date of publication of the decision) to comply with the call-in process set out in Rule 7.37 of the Constitution.

1.	FREEHOLD COMMUNITY ASSET TRANSFER OF NORTHSIDE COMMUNITY HALL NEWTOWN
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(Pages 3 - 20)

2.	CATERING SERVICE: REVIEW OF SERVICES PROVIDED AND FEES AND CHARGES FOR 2017
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(Pages 21 - 34)

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CYNGOR SIR POWYS COUNTY COUNCIL.**PORTFOLIO HOLDER DELEGATED DECISION****By****County Councillor Rosemarie Harris****(Portfolio Holder for Property, Building and Housing)****and****County Councillor Graham Brown****(Portfolio Holder for Commissioning and Procurement)****March 2017****REPORT AUTHOR: David Pritchard Valuer****SUBJECT: Freehold Community Asset Transfer of Northside
Community Hall Newtown**

REPORT FOR: Decision

1.0 Summary

1.1 This report outlines the proposal to complete a freehold Community Asset transfer to Newtown Town Council of Northside Community Hall Newtown. The Town Council have leased the property since 1978 at a rental of £1 per annum. A Plan of the site can be found in Appendix 1.

2.0 Proposal

2.1 Discussions with Newtown Town Council have been taking place with regards a possible freehold transfer of the asset to them for a nominal £1 consideration. If the transfer takes place the Town Council intends to continue to manage the buildings for community use.

2.2 The Policy outlined in the Corporate Asset Policy (CAP) Part 5 Community Asset Transfer (CAT) has been adopted and followed in this case. The Town Council's completed an Expression of Interest (EOI) see Appendix 2 and this has been supported by The Strategic Asset Board (SAB).

2.5 As the proposed CAT is linked to protecting a community provision a Business Case is not always required. In this case the service lead (Leisure and Recreation) have demonstrated and provided a written undertaking that the application is deemed sustainable and fits in with the One Powys Plan.

2.6 As the request was for a freehold transfer, an independent market valuation was commissioned. The District Valuation Service reported an unrestricted market value of £50,000 (fifty thousand pounds) and a value of £35,000 (thirty five thousand pounds) based on it being sold

subject to a covenant that the building shall be appropriately maintained and used for community use.

2.7 Following Cabinet approval (C159-2015) the Portfolio Holder for Property, Buildings and Housing can now agree Community Asset Transfer where the market value of an individual asset is up to a threshold of £75,000 subject to the Ward Member being supportive of the transfer. Hence Portfolio Holder approval being sought in this case.

2.8 The Capital and Financial Planning Accountant comments in 10.1 refer to current carrying amounts as recorded by the statutory asset valuations. The Capital Accountant is required to recognise a loss/gain as appropriate on any capital disposal and this loss is included in the year end Statement of Accounts.

2.9 The asset valuation has a valuation date of 2016 and relates to the existing use value of the site. It does not relate to the current market value as confirmed by the District Valuation Service's current report.

3.0 One Powys Plan

3.1 The proposed transfer would retain the property for community use and ensure the ongoing upkeep and sustainability of this asset.

4.0 Options Considered/Available

4.1 Option 1

Proceed with the freehold transfer to the Town Council for £1 allowing them to continue to operate them for existing community use with a restrictive covenant requiring the buildings to be used for community use only in the future. Should the Town Council wish to sell the building in the future, they will first be required to offer it back to the County Council

4.2 Option 2

Proceed with the freehold transfer to the Town Council for £1 allowing them to continue to operate them as existing with no covenant.

5.0 Preferred Choice and Reasons

5.1 The preferred choice is Option 1 a transfer of the freehold ownership to the Town Council, which offers the best opportunity for the sustainability of the site and secures its long term future in the existing use whilst protecting the County Council as regards its future use and option to re purchase should the Town Council wish to dispose of the asset in the future.

6.0 Sustainability and Environmental Issues/Equalities/Crime and Disorder,/Welsh Language/Other Policies etc

6.1 The preferred option is considered to be the best option to sustain the future of the property and its existing use as a community asset. The Town Council has clearly demonstrated in the EOI the intention to continue the buildings existing use.

7.0 Children and Young People's Impact Statement - Safeguarding and Wellbeing

7.1 It is not considered that this proposal has an affect.

8.0 Local Member(s)

8.1 Cllr Gemma Bowker has confirmed her support for the recommendation.

9.0 Other Front Line Services

9.1 It is not considered that the proposal has implication for other frontline services.

10.0 Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)

10.1 The Capital and Financial Planning Accountant supports the recommendation to transfer the asset to the Town Council. The property has a net book value at 31st March 2016 of £40,425. The transfer will record a loss in the Statement of Accounts and this will be charged against the unusable reserves.

10.2 The Professional Lead-Legal has no comment to make on the proposal itself as it meets the general terms and conditions required for CAT disposal.

10.3 The Professional Lead for Strategic Property supports the proposal.

11.0 Local Service Board/Partnerships/Stakeholders etc

11.1 It is not considered that the proposal has implications

12.0 Corporate Communications

12.1 Communications Manager Comments: No action required.

13.0 Statutory Officers

- 13.1 The Strategic Director Resources (S151 Officer) notes the comments made by Finance and that the 'loss' will be against the unusable reserves.
- 13.2 The Deputy Monitoring Officer notes the legal comment and has nothing further to add.

14.0 Members' Interests

- 14.1 The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If the portfolio holder has an interest they should declare it, complete the relevant notification form and refer the matter to Cabinet for decision.

15.0 Future Status of the Report

- 15.1 Members are invited to consider the future status of this report and whether it can be made available to the press and public either immediately following the meeting or at some specified point in the future.

Recommendation:	Reason for Recommendation:
<p>The Portfolio Holders agree to forego a potential capital receipt of £50,000 for the freehold of the Northside Community Hall in Newtown as shown edged red on the attached Plan and instead agree to transfer the property to Newtown Town Council for £1 each provided that :-</p> <p>(a) a covenant be contained in the transfer ensuring that the site is maintained and used for community use only.</p> <p>(b) a clause be inserted into the transfer protecting the County Council in the event that at some future date Newtown Town Council should wish to dispose of the site, the Town Council must first offer the County Council the opportunity to transfer each site back for the original consideration of £1 but subject to an allowance to reflect the value of any</p>	<p>In the interests of good Asset Management and to sustain the future use of a community asset.</p>

significant capital improvements undertaken by the Newtown Town Council during their period of ownership.	
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Relevant Policy (ies):	Corporate Asset Policy		
Within Policy:	Y	Within Budget:	Y

Relevant Local Member(s):	Cllr Gemma Bowker

Person(s) To Implement Decision:	David Pritchard
Date By When Decision To Be Implemented:	asap

Contact Officer Name:	Tel:	Fax:	Email:
David Pritchard	01597826602		david.pritchard@powys.gov.uk

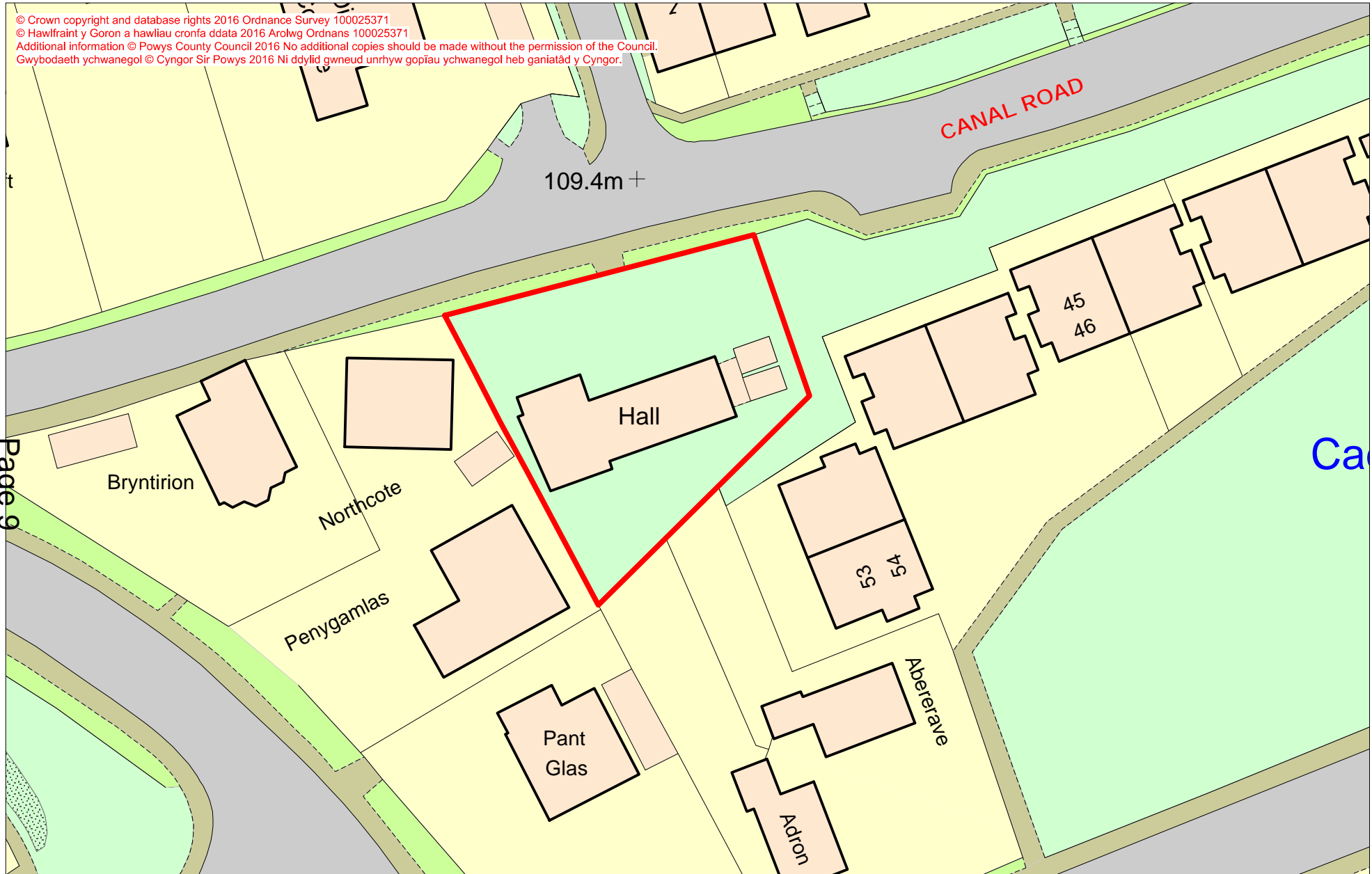
Background Papers used to prepare Report:

Office File

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EXPRESSION OF INTEREST FORM (EOI)

for a Community Asset Transfer (CAT)

from Powys County Council to a Third-Sector Organisation

Reference Number		Date Received	
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Guidance Notes

This “Expression of Interest” form is an important document. The information within it will help the Council to identify good community based proposals for sustainable uses of public buildings owned by Powys County Council.

The aims of a Community Asset Transfer from Powys County Council are:-

- To encourage people in take part in economic and community life
- To develop capacity in and connections between public, private, voluntary and community sectors in order to support economic and social development
- To safeguard buildings for community use

When initially assessing your completed “Expression of Interest”, the Council will consider:-

- Does the project meet at least one of the Council’s Community Asset Transfer aims?
- Does the proposal benefit the people of Powys?
- Does the project contribute to the Council’s corporate priorities and plan?

NOTE – You must be realistic about the amount of time it will take to do your proposal and what you can achieve.

If your EOI meets the Council’s criteria, you will be invited to submit a full, costed Business Case, which will then be considered for submission as a Community Asset Transfer application.

For advice on both developing your project and completing this “Business Case” form, email the Regeneration Team at regeneration@powys.gov.uk.

This form, once completed, it should be sent to:

The Valuation Team,
County Hall,
Llandrindod Wells
LD1 5LG

Or emailed to property.sales@powys.gov.uk

EXPRESSION OF INTEREST FORM (EOI)
for a Community Asset Transfer (CAT)
from Powys County Council to a Third-Sector Organisation

(This is not an application form for funding)

PROPOSED PROJECT NAME
Freehold Transfer to Newtown and Llanllwchaiarn Town Council of Northside Community Hall (New Hall)

CONTACT DETAILS	
Name of the LEAD group or organisation	Newtown and Llanllwchaiarn Town Council
Address of the LEAD group or organisation	Town Council Offices The Cross Broad Street Newtown Powys SY16 2BB
Name of the main contact person	Ed Humphreys – Town Clerk
Phone number	01686 625544
E-mail address	townclerk@newtown.org.uk
What year did your organisation start?	1974

YOUR THIRD-SECTOR STATUS

- Registered Charity Community Group Consortium
 Voluntary Organisation Town/Community Council Statutory Organisation
 Other _____

Does your group or organisation have:

You will be asked for these if you progress to a Business Case.

Item	Yes	No
a constitution	Local Government Act 1972	
terms of reference	Standing Orders & Financial Regulations	
A work plan	Town Plan	

TELL US ABOUT YOUR ORGANISATION (or GROUP)

WHAT PROPERTY ARE YOU INTERESTED IN?

Name of identified property	Northside Community Hall (New Hall)
Address	Canal Road, Newtown SY16 2HX
Names of Powys County Council <u>Officers</u> that you have spoken to about this property. <i>(This does not mean that the property has been agreed for use by PCC)</i>	David Pritchard
Names of Powys County <u>Councillors</u> that you have spoken to about this property. <i>(This does not mean that the property has been agreed for use by PCC)</i>	Gemma Bowker

- 1. What does your organisation do?** *(If you are a new organisation, what do you hope to do?). Enclose any brochures / marketing that you currently use to help explain what you do.*

Newtown and Llanllwchaiarn Town Council is a statutory body under the Local Government Act 1972. The council aims to discharge its duties in accordance with the Act supporting residents and businesses of the community delivering services directly, or commissioning services.

More information about the council and their activities can be found on our website www.newtown.org.uk. This site also includes information on the local area.

2. List any other organisations with which you are affiliated or work with.

The Town Council works with local and regional organisations in around Newtown and Powys, with strong links with community, voluntary, charitable, businesses and business representatives, and governmental/ local authorities. It has also formed co-operative links with other neighbouring community and town councils and in current discussions on forming a council cluster for purposes of the community delivery programme.

The council is represented formally on many organisations:

- Hafren Junior School Governing Body
- Ladywell Green Infants School Governing Body
- Maesyrrhandir Primary School Governing Body
- Penygloddfa School Governing Body
- St Mary's RC School Governing Body
- Treowen Primary School Governing Body
- Ysgol Dafydd Llwydd School Governing Body
- Action for Children Family Centre Committee (Skylark Way)
- Maldwyn Leisure Centre Local Consultative Committee
- Management Committee CAB
- Montgomery Canal Partnership
- Montgomeryshire Police Liaison Committee
- Newtown & District Civic Society
- Newtown Twinning Association
- Northside Community Hall Management Committee
- One Voice Wales Area Committee
- One Voice Wales Larger Councils Committee
- Oriel 31 Board of Trustees Management Committee
- Representative Body of Theatre Hafren
- Robert Owen Museum
- Sarah Brisco Trust
- Shrewsbury to Aberystwyth Railway Liaison Committee
- Treowen Community Hall Association

The Town Council also provides financial support grants for many local groups through its Newtown Community Fund scheme:

- A Voice for You
- Powys Citizens Advice
- Coleg Powys Senior Citizens
- Dial a Ride
- Hope Church
- Montgomeryshire Music Festival
- Newtown Carnival Trust

- Phoenix Community Furniture
- Severn Rivers Trust
- Treowen FC
- Urdd Gobaith Cymru
- Silver Band
- Explorer Scouts
- Rekindle
- 1st Newtown Scout Group
- Cruse Bereavement Care - Powys
- Newtown Local History Group
- Footloose Dance Group
- Newtown March & Open Air Contest
- Dial a Ride
- Montgomeryshire Youth Music
- Northside Residents Association
- Newtown Handbell Ringing Group
- Theatre Hafren
- Newtown Rotary Club
- Newtown Visually Impaired Group

Under its powers of twinning, the council is twinned with the District of Les Herbiers in France, and delivers its twinning work with the Newtown Twinning Association.

3. If you already operate a project or activity, where is it currently based and is it different to the idea for this building?

Toilets:

The council currently operates the gents, ladies, and disabled public toilets at these two sites under an operating licence with Powys CC from 19th October 2015. The toilets are situated in two car parks near the town centre and well used approx:

- Back Lane Gents 1600 pw
- Back Lane Ladies 1000 pw
- Gravel Gents 850 pw
- Gravel Ladies 600 pw

Charter Market:

Council already leases the Tuesday Charter Street Market from Powys CC

Playgrounds:

Council operates 4 playgrounds in the town centre and in the residential estates

Community Delivery:

Council is also resolved and/or in discussion to express an interest on:

Vaynor, Amenity land and riverside walk	(41,330 sqm)
Trehafren Fields Amenity Land and riverside walk	(153,700 m ²) including skate park.
Trehafren Hill Open Space	(74,950 sqm)
Vaynor, Sports field & Open Space	(48,740 sqm)
Dolerw Park Amenity land	(114,700 sqm)
Town Park Grounds	(38,700 sqm)
Severn Park Cafe	

Tourism:

Council operates a Tourist Information Service point in the town centre.

Museum:

Council provides a customer service for the Robert Owen Museum in Town Centre.

Community Fund:

Council provides a grant scheme under the community fund to provide financial support local organisations and clubs. It also provides £4,000 grant support for the Powys Citizens Advice.

Customer Services:

Council provides a 11am to 3pm front desk customer service point at its offices in Town Centre.

Open Spaces and benches

Council maintains several open and greenspaces in the community (mowing, planting tending), and provides picnic area and benches through the town centre

Hanging Baskets:

Council operates a hanging baskets programme in the summer in the Town Centre.

TELL US ABOUT YOUR IDEA FOR THE PROPERTY

4. What do you want to use the property for and why?

The property has been leased from the county council since 1st May 1978 for a peppercorn lease of £1 per annum, originally on a 21 year lease and is been 'held over' since 1999.

Northside Community Hall provides a well-used, valued and important resource to the public in the Northside area of Newtown; however the building is in need of modernisation and improvement.

The Town Council feels that the asset transfer of this building will, safeguard, protect and enhance the future of this valuable community resource. We will do this by working closely with the users of the building to improve the usability and efficiency of the building.

With several already well established groups using the facility such as:

- Canal Play Group - every weekday morning – term time
- Little World Day Nursery after school club – every weekday afternoon
- Kids out of School Holiday Club – every weekday throughout school holidays
- Newtown Spiritualist Church – every Sunday
- Along with regular and continued evening usage by other groups.

By offering guaranteed support, stability and consultation to the local hall management team and the local county councillor, we have a golden opportunity to make a real difference to the lives of many in the area and help promote wellbeing to all those who use this facility.

This EOI is to formally start the freehold transfer process. Without freehold ownership, the Town Council can not commit expenditure on improvements or modernisation on this building.

The Town Council wishes to see a continued community managed facility in this area of Newtown for the benefit of its residents and others.

5. To achieve this, how much will your idea cost?

(Consider development costs, design fees, capital proposals and revenue costs, as examples.)

It is proposed that the freehold will be transferred to the Town Council for a nil consideration. With modernisation and improvements costing approximately £60,000 over the next 5 years depending on outcomes of consultation.

6. How will you make it happen?

The transition will be achieved by legal services commissioned separately by each part.

The continued maintenance and liaison with the current and future lease holders will be managed by the Town Council's Amenities Manager, funded by the precept.

7. How do you propose to ensure the future of the property?

(i.e.: keeping it in good repair and running it.)

The Town Council will use existing staff with over 20 years of experience in building maintenance and estates management. We will continue to manage the building in partnership with the Northside Hall management committee with monies raised through rental, the precept and other Town Council funds as appropriate.

TELL US ABOUT YOUR COMMUNITY IDEA

8. Why do you believe that your idea is needed and what evidence / information justifies your project?

A condition survey was commissioned in August 2011 that identified £84,747 of improvements for the building to bring it up to an A or B grade. Some of this work has already been done but in order for the council to justify further expenditure and improvements we would need the freehold of the property, to maximise the benefits of this investment.

Newtown and Llanllwchaiarn Town Council are committed to promoting wellbeing within the town; to enrich people's lives by securing sufficient resources, and manage them efficiently for long term sustainability, to provide special places that people value, to be a respected partner and trusted guardian with a growing influence within the town. By securing the Northside Community Hall we hope that all these things will benefit the people in this area of Newtown.

9. Have you discussed your idea with other people / groups in your community?

This is important because, if you complete a Business Case form for a Community Asset Transfer (CAT) by Powys County Council, you will have to demonstrate that you have community support. *(NOTE – As part of its appraisal process, the Council may approach anyone you name below.)*

Cllr Linda Woodward and Cllr David Selby have met with representatives of the Hall Committee; the chair Ann Davies and one other member Monica Woosnam. They are supportive of continuing the relationship with the Town Council and the added security of a freehold transfer to secure investment in the building for the future.

10. If your idea has links to other projects? Describe what these are and the benefits.

It will be beneficial to the successful running of the hall in the interest of the local community. The building will, allow for individual hirers to link to other projects. Mainly through coffee mornings, fundraising events, social evenings and reunions etc.

11. What environmental impact will your idea have as it is delivered – in a positive and / or negative sense? What environmental considerations have you made?

All improvements and alterations to the building will focus not only on general maintenance but also on improved thermal and energy efficiencies, to have a positive impact on the environment.

12. How will you make it happen?

(Who will make it happen, what are your timescales, how will people know about it and how will you keep it going?)

With a successful transfer of this asset the Town Council's Amenities Manager will produce a condition survey for the building to highlight areas for improvement.

Priority improvements and legislative compliance work will be completed within the first 12 months with further improvements scheduled as required.

Funded by the precept a regular maintenance programme will see this building utilized to the best of its potential.

TELL US ABOUT COSTS AND FUNDING?

13. (This is only an EOI and we do not require detailed costing however, you will be required to provide them in a Business Case if your EOI is accepted.)

A) How much will it cost to set up your project?

Set up costs are minimal as the Town Council's current resources both in time and money are already in place.

B) What have you allowed for purchase / lease of the property?

The Town Council is seeking a consideration of £1 for the freehold asset transfer subject to appropriate user covenant with regards perpetual community use.

C) How much will it cost, annually, to run the project? (indicate over 5 years)

We already allocate a regular general maintenance fund of £500 per year and will look to increase this to £1000 as required.

Any capital improvements of approximately £60,000 will be funded directly from the precept.

D) Tell us how you will fund the above and the source of the funding?

Revenue Running Costs:

Town Council Precept.

CONTACT SIGNATURE

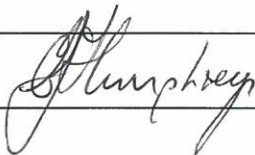
Signature of main contact person	
Name of main contact person (in BLOCK letters)	E J HUMPHREYS (Town Clerk)
Date	25/08/2016

Data Protection and Information Security

The information submitted in this "Expression of Interest" form will be processed in accordance with the Data Protection Act (1998).

For the administration, appraisal, approval, monitoring and auditing of this project, Powys County Council will hold your proposal information. We may need to share it with the Appraisal Panel, elected Members, Officers from the Council, and the Welsh Audit Commission – and any internal or external auditors required to audit the activities of the Council.

Please sign and date below, to confirm that the information supplied in this "Expression of Interest" form is accurate, and that you accept processing of your information as stated above.

Applicant's Signature		Date	25/08/2016
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This "Expression of Interest" form must be submitted electronically to property.sales@powys.gov.uk – and at the same time a signed printed copy must be submitted by post to:-

The Valuation Team
County Hall
Spa Road East
Llandrindod Wells
Powys LD1 5LG

This "Expression of Interest" form will not be reviewed until we have received both:-

- a. the electronic copy
- b. the signed and dated printed copy

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

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