

## Portfolio Holder for Property and Waste

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County Hall  
Llandrindod Wells  
Powys  
LD1 5LG  
20 September 2017

For further information please contact

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### 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 **INSERT DATE** (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.	<b>COMMUNITY ASSET TRANSFER NEWTOWN</b>
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**CYNGOR SIR POWYS COUNTY COUNCIL**  
**PORTFOLIO HOLDER DELEGATED DECISION**  
**by**  
**COUNTY COUNCILLOR PHYL DAVIES**  
**(PORTFOLIO HOLDER FOR PROPERTY AND WASTE)**  
**September 2017**

**REPORT AUTHOR:** Lead Professional, Strategic Property

**SUBJECT:** Community Asset Transfer- Newtown

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**REPORT FOR:** Decision

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**1. Summary**

- 1.1 We have received a number of Expressions of Interest from Newtown and Llanllwchaiarn Town Council ("NLTC"). These mainly relate to recreation land held under the Leisure and Recreation Service but include very small areas of Housing land and Adult Services land.
- 1.2 The land comprises approximately 101 acres in total and is shown on the attached Plan.
- 1.3 The Community Asset Transfer policy (contained in the Corporate Asset Policy) has been followed.
- 1.4 NLTC have ambitious plans to create a single park on the land and improve it with additional facilities. They are seeking Big Lottery funding of over £1m and have already progressed to stage 2 of their application. They state in their Expression of Interest:
- "As a result of a recent public consultation (Newtown Community Action Plan 2016 – 2020) which stated that *"Green spaces, environment and energy are the most important topic for the people of Newtown"*. The property will be used as part of the town's aspiration to create an interconnected town park. This park will offer a combination of reflective leisure, open space amenity grounds and wildlife preservation."
- 1.5 In addition NLTC have budgeted to invest £392k of their own funds over the next 5 years. They have told us that they would need to commit to invest a further £55k a year.
- 1.6 It is proposed to grant NLTC a 99 year lease of the land at a peppercorn rent.

- 1.7 We have carried out an independent valuation (District Valuer Services) of the land to demonstrate the leasehold value that the Council will be foregoing. The valuation has shown the land has a nominal annual rental value (£1 per asset).

## **2. Proposal**

- 2.1 That the land is transferred to NLTC on a 99 year lease.
- 2.2 That the lease contains appropriate covenants to keep the land as amenity land for the community, to prohibit development and to maintain the land during the term of the lease eg grass cutting etc.

## **3. Options Considered / Available**

- 3.1 Option 1  
Do nothing- the Leisure and Recreation Service do not have a budget to continue grass cutting on the sites. The Town Council's ambitious plans for the community will not be realised.
- 3.2 Option 2  
Support the proposal and grant a 99 year lease at a peppercorn rent to NLTC. This proposal will still save the Leisure & Recreation service c.£40k per annum in grass cutting costs and ensure that the Council has control over the land in the future. Nearly £1.5m investment will be unlocked to create an exciting attraction in Newtown.

## **4. Preferred Choice and Reasons**

- 4.1 Option 2 is the preferred choice as it will save an ongoing liability and support the Town Council achieve its plans for the town and unlocking nearly £1.5m of investment into Newtown.

## **5. Impact Assessment**

- 5.1 Is an impact assessment required? Yes/~~No~~
- 5.2 If yes is it attached? ~~Yes~~/No - awaited from Leisure & Recreation service- this is a transfer of the grass cutting responsibility and so the Head of Service envisages no negative impact from the saving as the grass cutting will continue

## **6. Corporate Improvement Plan**

- 6.1 The transfer will assist the Council to achieve its objectives.

- 6.2 Remodelling council services to respond to reduced funding- the transfer will save the Leisure & Recreation service c £40k pa in grass cutting costs.
- 6.3 Supporting people within the community to live fulfilled lives- the proposal from NLTC is to create a park which will enhance the local amenity.

**7. Local Member(s)**

- 7.1 Councillor David Selby comments- The transfer of this land from Powys Council to Newtown Town Council is an important step in securing Lottery funding in excess of £1M for the town (and therefore the County). Considerable work has been put into this bid and it has a very strong likelihood of success. I believe the local area I represent, Newtown and Powys as a whole will benefit from the investment that this transfer opens. I therefore support the transfer and thank officers and Cabinet Members for their work in negotiating and developing this proposal.

**8. Other Front Line Services**

Does the recommendation impact on other services run by the Council or on behalf of the Council? Yes/No

If so please provide their comments

**9. Communications**

Have Communications seen a copy of this report? Yes/No

Have they made a comment? If Yes insert here.

“The report is of considerable public interest and any decision will need to be extensively communicated through the press, website and social media to inform residents as widely as possible.”

**10. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)**

- 10.1 Legal- -The Professional Lead-Legal supports the recommended proposal in this report which complies with CAT policy and confirms that the Legal service will be happy to provided support and advice where required.

- 10.2 Finance:

Capital- The Capital and Financial Planning Accountant supports this Community Asset Transfer.

Finance Business Partner- Finance Business Partner notes the context of the report and the comments made by the Capital Accountant. The Finance Business Partner notes the potential revenue savings that will contribute towards the £60k saving outlined in the Medium Term Financial Strategy for 2018/19 for Leisure and Recreation.

10.3 Corporate Property supports this proposal.

**11. Scrutiny**

Has this report been scrutinised? Yes/ No?

If Yes what version or date of report has been scrutinised?

Please insert the comments.

What changes have been made since the date of Scrutiny and explain why Scrutiny recommendations have been accepted or rejected?

**12. Statutory Officers**

The Strategic Director Resources (S151 Officer) notes the comments made by finance. In addition the use of a lease as the mechanism to enable the Proposal to proceed provides assurance to the Council about longer term ownership of the assets.

The Solicitor to the Council (Monitoring Officer) has commented as follows: "I note the legal comment and have nothing to add to the report".

**13. Members' Interests**

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 he/she should declare it, complete the relevant notification form and refer the matter to the cabinet for decision.

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
<b>To transfer the land shown on the attached plan to Newtown and Llanllwchaiarn Town Council via a 99 year lease with appropriate covenants.</b>	<b>To save the holding service c.£40k pa and to support a community project which will enhance the local amenity and potentially improve the local community and economy of the Newtown area.</b>

<b>Relevant Policy (ies):</b>	Community Asset Transfer Policy contained in the
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Corporate Asset Policy			
<b>Within Policy:</b>	<b>Y / N</b>	<b>Within Budget:</b>	<b>Y / N</b>

<b>Relevant Local Member(s):</b>	<b>Councillor David Selby</b> <b>Councillor Joy Jones</b> <b>Councillor Daniel Rowlands</b> <b>Councillor Mark Barnes</b> <b>Councillor Neil Morrison</b>
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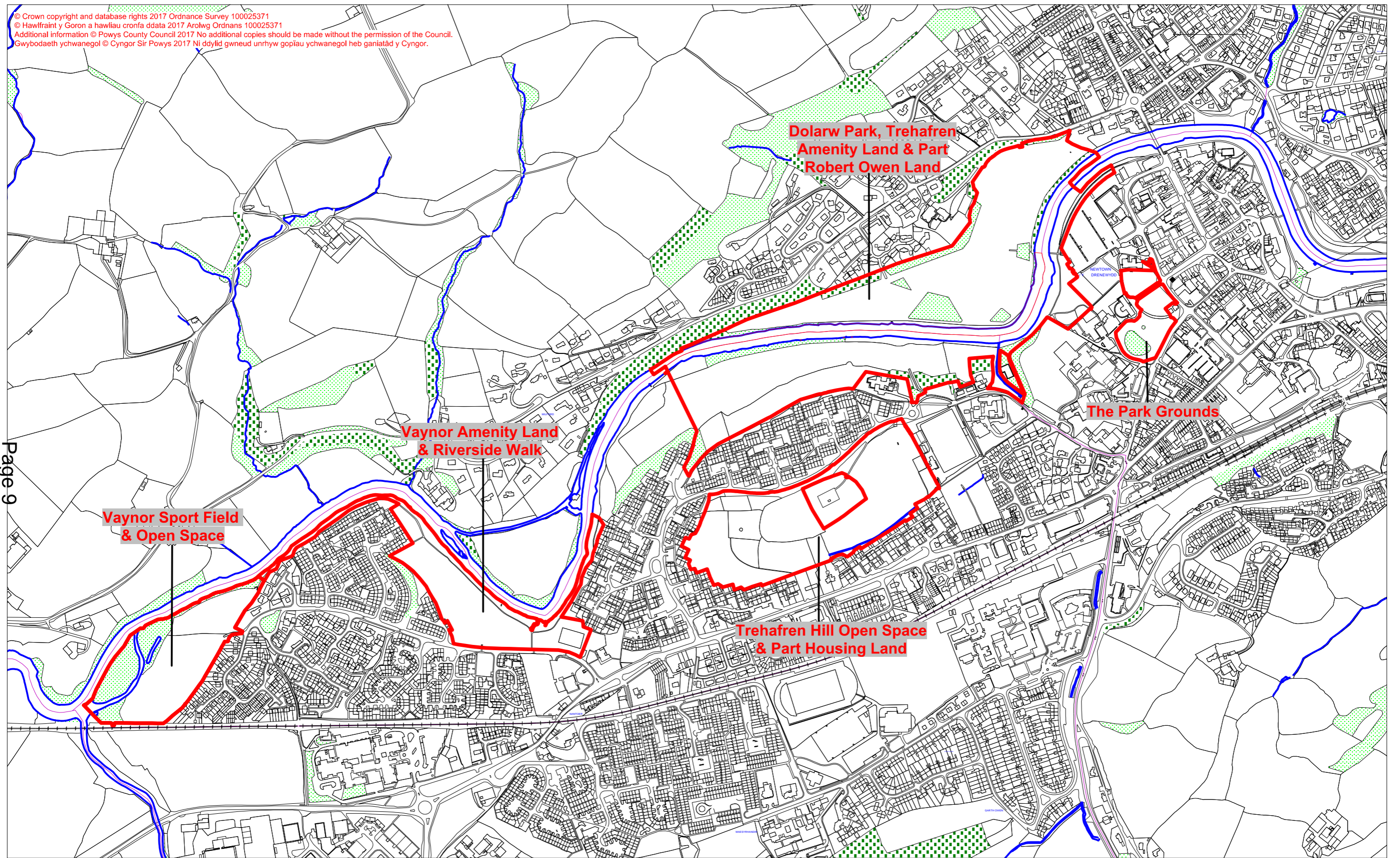
<b>Person(s) To Implement Decision:</b>	<b>Natasha Morgan</b>
<b>Date By When Decision To Be Implemented:</b>	<b>ASAP</b>

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**Background Papers used to prepare Report:**

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