

CYNGOR SIR POWYS COUNTY COUNCIL.

PORTFOLIO HOLDER DELEGATED DECISION

By

**County Councillor Rosemary Harris
(Portfolio Holder for Property, Buildings and Assets)**

Date: April 2017

REPORT AUTHOR: David Pritchard Valuer

SUBJECT: Community Asset Transfer of the freehold of Llangammarch Wells Playground and adjacent land.

REPORT FOR: **Decision**

1.0 Summary

1.1 This report deals with land at Llangammarch Wells comprises an existing playground and a small area of community garden land. The sites are currently vested in the Leisure and Recreation Service. The property is identified on the Plan at Appendix 1. This Report seeks to follow the Community Asset Transfer (CAT).policy with regards to the freehold asset transfer to Llangammarch Community Council.

2.0 Proposal

2.1 Llangammarch Community Council wish to secure the freehold of the sites to secure their future 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 these cases. The Town Council have completed an Expression of Interest (EOI) see Appendix 2. This has been supported by the Strategic Asset Board.

2.3 As the proposed CAT are linked to protecting a community service provision a Business Case (a formal Council template) is not always required.

2.4 As the request is for a freehold transfer an independent market valuations was commissioned. The District Valuation Service reported a current market valuation of £2.750 (two thousand seven hundred and fifty pounds).

2.5 The Town Council have requested the transfer of the freehold of the sites for a nominal £1.

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

3.0 One Plan

3.1 A priority of the One Plan is to “remodel Council services to respond to reduced funding” which this proposal supports. It also helps to “support people within the community to live fulfilled lives” through the provision of leisure services and open space.

3.2 The proposed transfers would retain the sites for community use.

4.0 Options Considered/Available

4.1 Option 1
Proceed with the Freehold transfer to Llangammarch Community Council at a consideration of £1 allowing the Community Council to secure the future of the site. This Option will also provide a revenue saving.

Option 2
Proceed with the request but refuse to transfer the freehold at less than the reported market value of £2,750.

5.0 Preferred Choice and Reasons

5.1 The preferred choice is as detailed in Option 1 a transfer of ownership to Llangammarch Community Town Council which offers the best opportunity for the sustainability of the sites and secures their long terms future as community assets.

Members should note that a potential capital receipt totalling £2,750 will be given up by this option but will also provide an annual revenue saving.

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 site in its existing use as community assets. Llangammarch Community Council have demonstrated through their existing management of their existing community sites and in the EOI that they are an established and competent body.

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

7.1 Not considered relevant.

8.0 Local Member(s)

8.1 Cllr Timothy Van Rees Local Member comments I am in full agreement with this 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, BPU)

10.1 The Capital and Financial Planning Accountant supports the recommendation to transfer the asset to the Town Council

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 Comment: No proactive communications 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

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

15.0 **Future Status of the Report**

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.

The view of the Monitoring Officer is that:

Recommendation:	Reason for Recommendation:
<p>1.The Portfolio Holder agrees to transfer the freehold of land at Llangamrchr Wells for £1 as shown edged red on the attached Plan provided that:-</p> <ul style="list-style-type: none"> i. A covenant be contained in the transfer ensuring that the site is maintained and used for community use. ii. A clause be inserted in the transfer protecting the County Council that in the event that at some future date Llangammarch Community Council wish to dispose of the site then the Community Council must first offer the County Council the opportunity to transfer the site back for the original consideration of £1 but subject to an allowance to reflect the value of any significant capital improvement undertaken by Llangammarch Community Council during their ownership. 	<p>In the interests of good Asset Management and to sustain the future use of a community asset.</p>

Recommendation:		Reason for Recommendation:	
Relevant Policy (ies):	CAP		
Within Policy:	Y	Within Budget:	Y

Relevant Local Member(s):	Cllr Timothy Van Rees
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Person(s) To Implement Decision:	David Pritchard
Date By When Decision To Be Implemented:	asap

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Background Papers used to prepare Report:

CABINET REPORT TEMPLATE VERSION 3