

CYNGOR SIR POWYS COUNTY COUNCIL.

PORTFOLIO HOLDER DELEGATED DECISION

By

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

and

**County Councillor Graham Brown
(Portfolio Holder for Commissioning and Procurement)**

August 2016

REPORT AUTHOR: David Pritchard Valuer

**SUBJECT: Community Asset Transfer of the freehold of Talgarth
Bowling Club**

REPORT FOR: Decision

1.0 Summary

1.1 This report deals with Talgarth Bowling Club which comprises of a club house/pavilion and green bowls, the site is currently vested in the Council's Recreation and Countryside Services. The property is identified on the Plan at Appendix 1. This Report seeks to adopt the principles of previous Cabinet and Portfolio Holder approvals with regard to the freehold transfer of Bowling Clubs under a Community Asset Transfer (CAT).

2.0 Proposal

2.1 Talgarth Town Council with the full support of Talgarth Bowling Club who are the existing tenants and user, wish to secure the freehold of the site for the future provision of the site as bowling venues for future generations. The Town Council will then enter into a new arrangement with Talgarth Bowling Club over the management of the site.

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 reviewing Officers Working Group and well as by the Strategic Asset Board.

- 2.3 As the proposed CATs are linked to protecting service provision a Business Case (a formal Council template) is not always required. In these cases the service lead (Countryside and Recreation) have demonstrated and provided a written undertaking (see 10.4) that the application is deemed sustainable and fits in with the One Plan.
- 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 £10,000 (ten thousand pounds) for Talgarth Bowling Club based on the site being sold subject to a covenant that it would be appropriately maintained and used as a community facilities. Talgarth Bowling Club have been on the site since 1921 and currently hold a lease on the Pavilion. The site has an established Community Use planning designation in the Brecon Beacons National Park Authority adopted Local Development Plan.
- 2.5 The Town Council have requested the transfer of the freehold of the property for a nominal £1. This follows on from Cabinet approval to transfer the freehold of Brecon Bowling Club (C252-2014) for £1 a transfer that has now been successfully completed together with the agreed transfers of both Builth and Knighton Bowling Clubs which are in the process of being completed.
- 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 being sought is this case.
- 2.7 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.
- 2.8 The asset valuation undertaken for Talgarth Bowling Club has a valuation date of 2013 and does not relate to current market values as confirmed by the District Valuation Service's current report.
- 2.9 The basis of assessing valuations for specialist assets such as bowling clubs (where there is no market comparable evidence) is by using the alternative valuation bases of depreciated replacement costs (DRC) or Existing Use Value (EUV).
- 2.10 In the case of Talgarth Bowling Club the valuation undertaken in 2013 was on the basis of its then existing use and took account the existence of the lease that was in place at that time and the nominal rental received against landlord responsibilities to carry out maintenance of the Greens.

- 2.11 The Countryside and Recreation Service has also confirmed that revenue savings of at least £11,000 per year will be achieved following the transfer.

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.
- 3.2 The proposed transfers would retain the properties for community use and the freehold transfers will allow the Clubs to seek sources of external funding to further develop both facilities.

4.0 Options Considered/Available

4.1 Option 1

Proceed with the Freehold transfer to Talgarth Bowling Club at a consideration of £1 allowing the Town Council to secure the future of bowling on the site.

Option 2

Proceed with the request but refuse to transfer the freehold at less than the reported market value of £10,000.

Option 3

Refuse the request for a freehold CAT which will result due to budgets cuts in the closure of the facility.

5.0 Preferred Choice and Reasons

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

Members should note that a potential capital receipt totalling £10,000 will be given up by this option.

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. Talgarth Bowling Club has demonstrated through their existing management and in the EOI that they are an established and competent constituted group.

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 William Powell Member for Talgarth supports the proposal.

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 comments that the carrying value of the Talgarth Bowling Club is currently £26,000. This asset may record a £16,000 loss to the authority which will be funded from unusable reserves.

10.2 The Legal Services support the recommended proposal and will assist and support where required.

10.3 The Senior Manager Regeneration and Corporate Property comments that the Authority will forego potential capital receipt if it chooses to transfer at £1. The decision is for members to balance supporting further this community cause verses the need to identify capital receipts.

10.4 Leisure and Recreation Services Manager fully supports the application by Talgarth Town Council to transfer the bowling green and associated pavilion from Powys County Council to the Town Council.

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

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.

Recommendation:	Reason for Recommendation:
<p>1.The Portfolio Holder agrees to forego a potential capital receipt of £10,000 for the freehold of the Talgarth Bowling Club site as shown edged red on the attached Plan and to transfer the property to Talgarth Town Council for £1 provided that:-</p> <p>i. A covenant be contained in the transfer ensuring that the site is maintained and used for community use.</p> <p>ii. A clause be inserted in the transfer protecting the County Council that in the event that at some future date Talgarth Town Council wish to dispose of the site then Talgarth Town Council must first offer the County Council the opportunity to transfer the site back for the original consideration of £10 but subject to an allowance to reflect the value of any significant capital improvement undertaken by Talgarth Town Council during their ownership.</p>	<p>In the interests of good Asset Management and to sustain the future use of a community asset.</p>

Relevant Policy (ies):	CAP
Within Policy:	Y
Within Budget:	Y

Relevant Local Member(s):	Cllr William Powell
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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: