



Portfolio Holder Decision
Making Session and date/time

25th August 2015

Item

GATACRE PLAYING FIELDS & PAVILION, OSWESTRY

Responsible Officer Steph Jackson

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1. Summary

- 1.1 As part of the Council's core objective to strengthen our local towns and villages, the Strategic Asset Management team are working with town and parish councils, as well as the voluntary sector, to enable the transfer of suitable land and buildings to community groups and organisations. The Community Asset Transfer (CAT) policy provides a framework and guidance to assess which transfers are viable and implement their transfer.
- 1.2 A report summarising the assessment of an application made by Cae Glas Cricket Club in respect of Gatacre Playing Fields and Pavilion, Oswestry has been considered by the Area Commissioner and the recommendation is to progress to transfer by way of a 30 year lease which, in accordance with the CAT policy, is subject to Portfolio Holder approval.
- 1.3 The Gatacre Playing Field Pavilion is in need of repair, the Cae Glas Cricket Club have secured funding to provide a refurbishment to the pavilion and whilst they wish to continue to provide a cricketing venue they are interested in widening recreational use of the site. The lease proposed will formally satisfy the funder of the redevelopment.

2. Recommendations

- 2.1 That, in principle, the Cae Glas Cricket Club are granted a 30 year lease of the Gatacre Playing Fields and Pavilion with delegated authority to the Head of Commercial Services to agree final terms of the lease and to complete the transaction.
- 2.2 Delegated authority is given to the Head of Commercial Services to consider any objections received as a result of the statutory advertisement under the Local Government Act 1972 and to take the final decision as to disposal in light of those objections.
- 2.3 Reasons for decision:
 - 2.3.1 The organisation has used Gatacre since 1976, running two Saturday league teams and a midweek team. The organisation has undertaken public consultation which indicates clear local support for the facility, and increasing support if the pavilion was refurbished.

2.3.2 The organisation has an established management structure. The organisation has helped manage the pavilion for the last two years, and maintained the cricket square for the last ten years. They advise that they will constitute a user management group to oversee future management and maintenance of the pavilion. Their financial accounts include adequate provision for maintenance, repairs and insurance.

2.3.3 If the Council were to retain the pavilion it would need considerable investment due to its present condition.

2.3.4 The organisation have satisfied the criteria set out in the CAT policy.

REPORT

3. Risk Assessment and Opportunities Appraisal

3.1 The Cae Glas Club has used Gatacre since 1976 and have been assessed to be able to maintain the site. As the pavilion is in need of repair the lease will allow for its refurbishment. If the group fail to maintain the site the risk is that the site is returned to the Council with a refurbished pavilion.

4. Financial Implications

4.1 The site is currently maintained by the Outdoor Recreation team within its countywide budget with responsibility for grounds maintenance. Outdoor Recreation funding will be provided to the club as the recreation space is deemed public space as per the QEII agreement, and regardless of an asset transfer the Council has an obligation to ensure the grounds meet the appropriate standard.

4.2 Approval has been sought from Fields in Trust for the grant of the 30 year lease in accordance with the Trust's requirements. At the time of the writing of the report a decision is awaited.

4.3 Rent is proposed below market value at a peppercorn, because the organisation will not be operating the facility on a commercial basis but will enable grant funding for a complete refurbishment of the pavilion. The Club will take responsibility of the repairs, maintenance and insurance responsibilities.

5. Background

5.1 The Cae Glas Cricket Club have made use of the Gatacre Playing Fields and Pavilion since 1976.

5.2 The pavilion has fallen into poor repair and the club have managed to secure funding to refurbish the pavilion not only to help the Cricket Club but to broaden participation in sport.

5.3 The Council's financial position means that identifying funding for this type of project is becoming increasingly difficult.

5.4 The proposed transfer complies with State Aid.

6. Additional Information

6.1 The Council is obliged to advertise an intention to dispose of land held as open space and take account of any objections received before determining whether to dispose of the land or not. The proposed disposal was advertised as stipulated in Section 123 Local Government Act 1972 in the Shropshire Star on the 5th and 12th of August. As at the date of writing this report no objections have been received. Given the short timescale involved between the closing date for objections and the preparation of this report it is proposed to delegate the decision to consider any objections received and progress the disposal to the Head of Commercial Services.

6.2 The proposed grant of the lease for a peppercorn is a sum that is less than market value for a lease of the playing fields. The disposal by way of the grant of the lease at a peppercorn rent is covered by the Circular 6/03 Local Government Act 1972 General Disposal Consent 2003. This consent allows for the disposal of a property at less than best consideration where the disposal contributes to the promotion or improvement of one or more of economic, social and environmental wellbeing in the Council's area and where the difference in value is less than £2 million.

7. Conclusion

7.1 As the Council are currently working with voluntary sector groups, to enable the transfer of suitable land and buildings to community groups and organisations in accordance with the Council's CAT Policy it is recommended that a 30 year lease is approved.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information):
Key Decision: Yes
Included within Forward Plan: Yes
If a Key Decision and not included in the Forward Plan have the General Exception or Special Urgency Procedures been complied with: N/A
Name and Portfolio of Executive Member responsible for this area of responsibility: Councillor Mike Owen, Resources and Support
Local Member: Councillor Vince Hunt
Appendices:

Declaration of Interest

- I have no interest to declare in respect of this report

Signed Date

NAME:

PORTFOLIO HOLDER FOR:

- I have to declare an interest in respect of this report

Signed Date

NAME:

PORTFOLIO HOLDER FOR:

(Note: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter.)

For the reasons set out in the report, I agree the recommendation(s) in the report entitled

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Signed

Portfolio Holder for

Date

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and pro-forma is returned to Democratic Services for processing.

Additional comment:

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Note: If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, Head of Legal and Democratic Services, Chief Executive and the Head of Finance, Governance and Assurance (S151 Officer) and, if there are staffing implications the Head of Human Resources (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Portfolio Holder: Your decision will now be published and communicated to all Members of Council. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication.