

EXECUTIVE BOARD

26TH FEBRUARY 2018

COMMUNITY ASSET TRANSFER UPDATE PARKS, PLAYGROUNDS & AMENITY AREAS

Recommendations / key decisions required:

1. To note the present status of various transfers to Town and Community Councils and other organisations.
2. To decide on the future of those assets that have been the subject of consultation.

Reasons:

1. To provide an update on progress.
2. To agree a way forward for those assets that have not received expressions of interest, in accordance with previous deadlines set by Executive Board.

Relevant scrutiny committee to be consulted - NO

Executive Board Decision Required - YES

Council Decision Required - NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDERS:-
Cllr. David Jenkins and Cllr. Hazel Evans

Directorate: Environment

Name of Head of Service: Jonathan Fearn

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Head of Property

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EXECUTIVE SUMMARY

EXECUTIVE BOARD 26TH FEBRUARY 2018

COMMUNITY ASSET TRANSFER UPDATE PARKS, PLAYGROUNDS & AMENITY AREAS

Background

The community asset transfer of parks, playgrounds and amenity areas has been the subject of various reports to members over the last few years.

On the 26th June 2017, the Executive Board agreed the following:

- 1) That in order to promote the transfer process in the final year leading up to 31st March 2018 deadline, it was proposed that all interested parties were allowed a grant of 2x the annual maintenance irrespective of the reasons for any delay to date. It was also recommended that, to reflect the concession being made, and in order to incentivise early completion of the remaining transfers, the Maintenance Grant was to be reduced by 1/24th per month from 1st April 2017, up to the date of transfer.
- 2) That the assets that had not received an Expression of Interest were to form part of a consultation exercise with various stakeholders on the future of the relevant assets.
- 3) That the deadline for transfers to benefit from Maintenance and Improvement Grants remains as 31st March 2018.

Current Position

Discussions have continued with all organisations to promote local management and maintenance of facilities and to progress transfers in accordance with the agreed procedures.

The table in **Appendix 1** sets out the current position in each area and identifies the following:

- A) Town and Community Councils and other Organisations that have completed transfers either on leases or on licences pending conclusion of the legal formalities. (Representing **51%** of the assets under consideration).
- B) Assets that are currently in the process of being transferred with a number of the assets nearing completion. (Representing **35%** of the assets under consideration).

- C) Assets that have not received an Expression of Interest and that have formed part of a consultation exercise recently carried out with various stakeholders on the future of the various assets. (Representing **14%** of the assets under consideration).

Update on Consultation and Proposed Way Forward

It was agreed by members that the assets which had not received an Expression of Interest were to form part of a consultation exercise with various stakeholders on the future of the relevant assets.

Drop-in sessions were arranged at the beginning of October 2017 for those people wishing to express an interest in taking over the management and maintenance of the remaining facilities with a final transfer deadline of 31st March 2018. These drop-in sessions took place between 3pm and 7pm at the Amman Centre on 3rd October 2017, Carmarthen Education Centre on 4th October 2017 and at Llanelli Library on the 5th October 2017. These sessions were subsequently followed by an online consultation which expired on the 8th December 2017 and gave members of the public an opportunity to express their interest in the various assets listed or make other comments.

The result of the consultation has been relatively positive with a number of Town and Community Councils re-considering the transfer of some of the assets within their area. Since reporting to the Executive Board on the 22nd January 2018, constructive discussions are currently taking place regarding the transfer of the following assets:

- Golwg yr Amman, Glanamman - Cwmamman Town Council
- Dyffryn Cennen Playground, Ffairfach - Dyffryn Cennen Community Council
- Talyclun Playground, Llangennech - Llanedi Community Council
- Dan y Banc Playground, Felinfoel - Llanelli Rural Council
- Llannon Playground - Llannon Community Council
- Bancffosfelen Playground - Pontyberem Community Council
- Part of Ystradowen Recreation Ground - Quarter Bach Community Council

The table in **Appendix 2** highlights the results of the consultation. Pages 1-3 relate to assets that did not receive an Expression of Interest (EOI) following consultation whilst pages 4-5 highlight the assets that were the subject of EOI's. Members are asked to consider the recommendation for each asset and make a decision as to whether we retain or dispose of the assets.

Members' attention is drawn to the following matters:

- An Equality Impact Assessment has been carried out on each asset with only the report on Maesawelon Playground in Dryslwyn highlighting an impact due to the lack of similar amenities within walking distance.
- Three of the playgrounds have benefited from Section 106 funding which could influence the final outcome. The relevant documents are currently being reviewed by the Council's Legal Section to determine any implications. Members should be aware that in the case of Bryn Park, Llangennech significant Section 106 money was used in its provision in 2014.
- The recommendation for Llansteffan Beach Playground is similar to the others, however members should note that the Community Council has requested that it should be retained by the County Council as a Leisure asset due to it being located within a tourist area.

Plans for each asset can be found in **Appendix 3**.

DETAILED REPORT ATTACHED?	YES (Appendix 1, 2 and 3 attached)
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **Jonathan Fearn** (Head of Property)

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	YES	NONE	YES	NONE	YES

Policy, Crime & Disorder and Equalities

The proposals contributes to the Making Better Use of Resources Theme and is in accordance with adopted Community Asset Transfer procedures.

Legal

The proposals will require legal input to formalise the agreements. Asset transfers, in accordance with the adopted procedures are undertaken on a long-leasehold basis. All assets will have been the subject of Public Open Space Notices where relevant in accordance with s123 of the Local Government Act 1972.

Finance

The proposals involve one-off Maintenance Grants and potential Improvement Grants to bring about longer term revenue savings. The Improvement and Maintenance Grant payments are funded by existing budgets.

Risk Management Issues

The asset transfers of parks, playgrounds and amenity areas pass insurance responsibility via the lease to the tenant, reducing the County Council's liability.

Physical Assets

Asset transfers ensure the continued use of the assets concerned for the benefit of present and future generations and would result in a reduction in the number of assets directly managed by the County Council.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Jonathan Fearn, Head of Property

Scrutiny Committee – Not applicable

Local Member(s) - Consulted as part of the asset transfer process and prior to any disposal.

Community / Town Council - Various consultations / workshops and meetings held.

Relevant Partners - Various consultations / workshops and meetings held with sporting groups and third sector bodies.

Staff Side Representatives and other Organisations - Not applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

Title of Document	Locations that the papers are available for public inspection
Community Asset Transfer Procedures	http://www.carmarthenshire.gov.wales/media/1109397/Community-Asset-Transfer-Procedures-2013-16.pdf
Executive Board, 15th December 2014, Item 11: TRANSFER OF PARKS, PLAYGROUNDS AND AMENITY AREAS	http://online.carmarthenshire.gov.uk/agendas/eng/EXEB20141215/index.asp
Executive Board, 4 th January 2016, Item 5: COMMUNITY ASSET TRANSFER - UPDATE	http://democracy.carmarthenshire.gov.wales/ieListDocuments.aspx?CId=131&MId=125&Ver=4
Executive Board, 20th June 2016, Item 12,: TRANSFER OF PARKS, PLAYGROUNDS, AMENITY AREAS - COMMUNITY ASSET TRANSFER UPDATE	http://democracy.carmarthenshire.gov.wales/ieListDocuments.aspx?CId=131&MId=350&Ver=4
Executive Board, 26th June 2017, Item 10,: TRANSFER OF PARKS, PLAYGROUNDS, AMENITY AREAS - COMMUNITY ASSET TRANSFER UPDATE	http://democracy.carmarthenshire.gov.wales/documents/s13879/SUMMARY.pdf