

CYNGOR SIR POWYS COUNTY COUNCIL
PORTFOLIO HOLDER DELEGATED DECISION
by
COUNTY COUNCILLOR JAMES EVANS

**PORTFOLIO HOLDER CORPORATE GOVERNANCE, HOUSING &
PUBLIC PROTECTION**
January 2019

REPORT AUTHOR: Service Manager Housing Solutions

SUBJECT: Lease of Play Area to Castle Caereinion Community Council with break clauses.

REPORT FOR: Decision

1. Summary

1.1 This report seeks approval to lease the play area, owned by the Housing Revenue Account, in Castle Caereinion to the Community Council which will enable investment by the Community Council into the facilities whilst the Housing Service retains the option to consider alternative use of the land in the long term.

2. Proposal

2.1 The Community Council and the Local Member have requested that the Housing Service consider transferring the well positioned play area to the Community Council so that it can be maintained and facilities improved for the village.

2.2 The land could be used to provide additional council housing however Mid Wales Housing Association are in the process of developing an additional 6 affordable dwellings in the village and at this time the Housing Service has not identified a need to provide additional council housing in the village.

2.3 The Housing Service requested a valuation of the land (copy email attached below) and as the land maybe required in the future for development the valuation suggests a £50 per annum lease with break clauses.

2.4 The Community Council have considered the option of a lease with break clauses and have advised the service that they would wish to enter into a lease agreement.

3. Options Considered / Available

- 3.1 The Housing Service and the Community Council have reached an agreement to lease the land for a period of ten years with break clauses. This will enable the Community Council to invest in and improve facilities in the village whilst the Housing Service has the option should a need arise in the future to consider developing Council Housing.

4. Preferred Choice and Reasons

- 4.1 The option has been agreed between the Housing Service and the Community Council taking account of the Community Council requirements and the strategic requirements of the service.

5. Impact Assessment

- 5.1 Is an impact assessment required? No

6. Corporate Improvement Plan

- 6.1 The Community Council will improve facilities in the village which will benefit the community.

7. Local Member(s)

- 7.1 The Local Member supports the transfer of the play area to the Community Council.

8. Other Front Line Services

- 8.1 Does the recommendation impact on other services run by the Council or on behalf of the Council? No

9. Communications

- 9.1 Have Communications seen a copy of this report? No

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

- 10.1 Legal – Professional Lead and Locum Property Solicitor – Legal services will support the proposal and provide legal advice and assistance where necessary. The deeds do not include any covenants or restrictions affecting use. Provided the CAT Policy provisions are followed the proposal is within the Council's powers and a suitable lease could be granted.

- 10.2 Finance - The Community Council have agreed to maintain and improve the facilities at the play area within the village of Castle Caereinion for possibly the next ten years. The lease agreement for the land, with

appropriate break clauses has been agreed by both parties and appears to be the best way forward.

11. Scrutiny

11.1 Has this report been scrutinised? No

13. Statutory Officers

12.1 The Deputy Monitoring Officer notes the legal comment and has nothing further to add.

12.2 The Head of Financial Services (Deputy Section 151 Officer) notes the comments from Finance.

Recommendation:	Reason for Recommendation:
The Housing Service and the Community Council enter into a ten year lease with break clauses for the Play Area in Housing Revenue Account Ownership in Castle Caereinion.	The Community Council can improve facilities in the village and the Housing Service can consider Council Housing in the future, if a need is identified.

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

Relevant Local Member(s):	
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Person(s) To Implement Decision:	Dafydd Evans, Service Manager Housing Solutions.
Date By When Decision To Be Implemented:	January 2019

Is a review of the impact of the decision required?	N
If yes, date of review	
Person responsible for the review	
Date review to be presented to Portfolio Holder/ Cabinet for information or further action	

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Background Papers used to prepare Report:



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