

CYNGOR SIR POWYS COUNTY COUNCIL

PORTFOLIO HOLDER DELEGATED DECISION

by

County Councillor James Evans

Portfolio Holder Corporate Governance, Housing & Public Protection

June 2020

REPORT AUTHOR: Dafydd Evans, Service Manager Housing Solutions

REPORT TITLE: The purchase of common land from National Resources Wales (NRW) as part of the common land exchange transaction to enable the development of a permanent Gypsy and Traveller site in Machynlleth.

REPORT FOR: Decision and Information

1. Purpose

- 1.1 Approval for the purchase of common land from NRW (Natural Resources Wales), in accordance with the common land exchange approved by Welsh Government Ministers on 14th January 2019, enabling the development of a permanent Gypsy and Traveller site in Machynlleth.
- 1.2 To provide an update on the development of the Machynlleth 5 pitch Gypsy and Traveller site.

2. Background

- 2.1 The need to provide a permanent Gypsy and Traveller Site in Machynlleth was identified in the Welsh Ministers approved Gypsy and Traveller Accommodation Needs Assessment (GTAA) in 2016 and the approved Local Development Plan (LDP). The need identified was for a permanent site with 5 pitches.
- 2.2 The Council formed a Gypsy and Traveller working group to consider suitable sites in Machynlleth. On the 1st August 2017 the Council secured planning approval for the 5 pitches and commenced discussions with Machynlleth Golf Club, the owners of the land for development.
- 2.3 The site identified has been used by the same family as an unofficial site for over ten years. The land subject to planning permission was common land and a deregistration of the common land and exchange was required in order to allow the development.

- 2.4 On the 14th January 2019, Welsh Ministers approved the deregistration of the land and the replacement of the common land with exchange land owned by NRW.
- 2.5 Since January 2019 the Council has been negotiating with Machynlleth Golf Club regarding securing the land and a 50 year lease has been agreed with Machynlleth Golf Club.
- 2.6 The Council has a duty to provide a site as identified in the GTAA and accordingly the development of a site has been approved in the Councils Capital Programme. The current capital allocation for the site is £1.285 million. This approval is for the development of the site only and does not include provision for the purchase of land from the NRW enabling the exchange of common land.
- 2.7 The new site development has been offered out to tender via Engineering Design Services with an approximate start on site August 2020.
- 2.8 Engineering Design Services have worked with Commercial Services to draw up appropriate clauses relevant to the Covid19 outbreak and any consequential events which may occur in the project.

3. Advice

- 3.1 Welsh Ministers approved the exchange of common land with land owned by NRW on the 14th January 2019. The development of the Gypsy and Traveller site in Machynlleth is approved within the Council Capital programme, however, this approval does not include the purchase of land from NRW.
- 3.2 The Head of Housing agreed in 2018 that upon exchange the Council would purchase the exchange land from NRW.
- 3.3 The Portfolio Holder is requested to approve the purchase of land from NRW for the sum of £10,275 in order to satisfy the common land exchange terms set out and agreed with NRW and as stated to Welsh Ministers.
- 3.4 The one off purchase of the NRW land will be funded from the Housing General Fund revenue budget 2020/21.

4. Resource Implications

- 4.1 The cost of the land has been negotiated and agreed by Property Services at a figure of £10,275 plus professional fees.
- 4.2 Property Manager notes that officers in Property Services have provided advice and will continue to support the recommendations and decision as required.

4.3 The purchase price and associated fees will be funded from the Housing General Fund revenue budget.

4.4 The Capital Accountant has confirmed the purchase of the land will be treated as capital expenditure funded from revenue.

4.5 The Head of Finance (Section 151 Officer) can support the recommendation.

5. Legal implications

5.1 The Property Lawyer (North) can confirm the lease for the new site is close to being agreed, and the common land re-allocation needs to be addressed as a consequence.

5.2 The Head of Legal and Democratic Services (Monitoring Officer) has commented as follows: "I note the legal comment and have nothing to add to the report".

6. Comment from local member(s)

6.1 Councillor Michael Williams supports the proposal.

7. Integrated Impact Assessment

7.1 Impact Assessment attached: "The purchase of the land from NRW and the development of the permanent site in accordance with the provisions of the Housing (Wales) Act 2014 will ensure that the five households are accommodated in appropriate accommodation, can access services and continue to be an integral part of the Machynlleth community."

8. Recommendation

8.1 Purchase of the common land exchange land from National Resources Wales (NRW) for the sum of £10,275, which will enable the development of the Gypsy and Traveller site in Machynlleth.

8.2 Note that the development of the site is currently out to tender.

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Appendix 1