

Agenda



Delegated Decisions - Joint Cabinet Member

Date: Friday, 29 March 2019

To: Councillors Whitcutt & Giles

Item		Wards Affected
1	<u>Talybont Outdoor Education Centre, Brecon</u> (Pages 3 - 10)	All Wards

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Report

Cabinet Member for Assets, Equalities & Member Development (Deputy Leader) and Cabinet Member for Education & Skills

Part 1

Date: 1 April 2019

Subject Talybont Outdoor Education Centre, Brecon

Purpose To seek approval from the Cabinet Member for Education and Skills and Cabinet Member for Assets and Member Development (Deputy Leader) to declare Talybont Outdoor Education Centre surplus to the Council's requirements and to dispose of the freehold on terms agreed by the Head of Law and Regulation

Author Housing and Asset Manager

Ward Outside Newport Boundary

Summary Talybont Outdoor Pursuit Centre is due to close in February 2019 and will therefore cease to be operational. This report therefore details the reasons for closure and seeks approval to declare the property surplus to Councils requirements and to dispose of the freehold.

Proposal That the subject property be declared surplus and disposed of on terms recommended by Newport Norse and approved by the Head of Law and Regulation

Action by Head of Regeneration, Investment and Housing

Timetable Immediate

This report was prepared after consultation with:

- Strategic Director - Place
- Head of Finance – Chief Finance Officer
- Head of Law and Regulations – Monitoring Officer
- Head of People and Business Change
- Monmouthshire County Council
- Chief Education Officer
- Service Manager – Planning & Resources, Education
- CSAMG
- Housing & Assets Manager

Signed

Background

Talybont Outdoor Education centre is set in the village of Talybont-on-Usk which is 10 miles from Brecon in the eastern part of the Brecon Beacons National Park. The centre is a converted railway station used as an outdoor pursuits / education centre. The property is owned by Newport City Council. It was transferred into the sole ownership of Newport under the Property Transfer Order on local government reorganisation.

As part of the Joint Education framework agreement, Newport agreed that Talybont could continue to be used for the purposes of the Greater Gwent joint outdoor education service, with Monmouthshire County Council acting as the co-ordinating lead authority. Big Lottery provided funding as part of the Joint Education Framework agreement in 2006. Big Lottery has confirmed they no longer have an interest in the asset and no approval is required for transfer or sale of the asset. Newport City Council remains responsible for all maintenance at the facility.

Monmouthshire's Outdoor Education Service currently operates from three sites; Hilston Park, Gilwern and Talybont. Monmouthshire County Council owns both Hilston Park and Gilwern. For some years, Newport City Council was part of a Greater Gwent Outdoor Education SLA and, as a result, made a payment to Monmouthshire County Council which enabled free school meal pupils to access residential courses at a subsidised rate. This ceased when the Council withdrew from the SLA in April 2014 as part of approved budget savings. Since this date, the residential course fees were aligned for all Newport pupils. This has resulted in a slight decline in take-up of the provision. During the 2017/18 academic year, a total of 25 Newport school residential trips took place across the three sites, only 3 of which were to Talybont. Monmouthshire County Council has undertaken a financial review of the three sites and their investigation has shown that Talybont has been operating at a loss for a number of years. Occupancy rates are dwindling so the Council has decided to rationalise and concentrate on fewer sites. They have therefore informed Newport City Council that they wish to cease operating Talybont. Long term the Outdoor Education Service needs to be more sustainable and the closure will ensure a quality service is provided across the two remaining sites.

It was initially thought that Monmouthshire was seeking to purchase the Talybont site, however they have confirmed that they do not wish to progress this. Newport City Council's Education Service has no future use for the property. Other Service areas have been informed that the property will become available at the Council's Capital Strategy and Asset Management Group and also have no requirement for the property. Officers therefore propose that it is declared surplus to the Council's requirements. This will realise a Capital receipt for the Council.

The Education Service will work with Monmouthshire County Council to assist with closing the facility and dealing with any staffing implications. There are likely to be redundancies and these will be managed by Monmouthshire County Council, however all local authorities that are part of the Joint Outdoor Education framework would be expected to contribute to this.

The proposed date for the facility to close is 1 February 2019 and the property will be returned to Newport City Council with effect from 28 February 2019.

Due to the type of asset that this is and its location outside of Newport, it is likely that the property will be offered for sale through a National Auction company in order to get the widest marketing opportunity available. An overage clause will be included in any sale transfer if required.

Financial Summary

Currently Newport City Council's Education Service is responsible for maintenance of the building. The property is an aging asset and maintenance liability is likely to increase if the asset were to be kept. There may be a need to spend more money securing the property if a quick disposal is not achieved. During the first nine months of this current financial year, costs of £4200.00 have been incurred on maintenance, not including costs of Statutory inspections.

Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Failure to dispose of the property will result in the potential of no capital receipt being forthcoming.	L	L	Seek to conclude the sale expeditiously.	Newport City Council and Newport Norse
Risk of Vandalism and deterioration of the land.	L	L	The land should be inspected.	Newport City Council and Newport Norse.

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

Property Rationalisation Programme
 Medium Term Revenue Plan (MTRP)
 Strategic Asset Management Plan

Options Available and considered

- Newport City Council take on management of the Centre.
- That the subject property be declared surplus and disposed of on terms to be agreed by Head of Law and Regulation.

Preferred Option and Why

That the subject property be declared surplus and disposed of on terms to be agreed by Head of Law and Regulation.

Comments of Chief Financial Officer

The proposal regarding this property does not have any strategic or economic impact on the Authority, so a disposal would be beneficial by generating a capital receipt to be reinvested in the capital programme. In addition, the revenue maintenance associated with the overall site would cease.

Comments of Monitoring Officer

The proposed action is in accordance with the Council's statutory powers under sections 122 and 123 of the Local Government Act 1972 to re-appropriate and dispose of surplus property assets. The Talybont Outdoor Education Centre was transferred to Newport City Council on local government reorganisation in 1996 under the statutory Property Transfer Order, because it was classed as a residual out-of-county Gwent property and Newport was the lead authority for the closure of the Gwent CC accounts. However, it was agreed with the other Gwent authorities that the property should be appropriated for joint educational use and managed by Monmouthshire county council. Under the terms of the shared property agreements, the joint educational assets are effectively held on trust for the benefit of all local authorities in proportion to their respective population as at reorganisation. Therefore, any proceeds of sale from this property would need to be shared with the other Gwent authorities. Because all of the councils have agreed that the Centre is no longer required for educational use, and it is not required for any other council functions, then the land can be appropriated for general asset management purposes and sold.

The Council will have a statutory duty to secure the best price reasonably obtainable for the land, under section 123 of the Local Government Act, and also to comply with its fiduciary duty to the other councils under the implied trust on which the legal title is held. Best value can be demonstrated by a sale at public auction and appropriate "overage" provisions can be included in the transfer to ensure that the councils secure a share of any future redevelopment value.

Comments of Head of People and Business Change

There are no HR implications to this report.

From a Well-being of Future Generations (Wales) Act 2015 perspective the sustainable development principle has been considered when writing this report.

Comments of Non-Executive Members

Councillor C Ferris

It is a tragedy that this asset is being disposed of. Generations of our youngsters have gained so much from their time at Talybont, in the first of the National Parks ever established and the closest to our city. For many it has provided the first taste of the great outdoors and shown them of our wonderful natural heritage that we have in South Wales. I note that its upkeep has cost around £4,000 this past year, only around £100 a week which would be the equivalent of only one night's accommodation in an upmarket B&B ! Think how much joy and enrichment this facility has brought for so many down the years for so little.

Response

Whilst the property is owned by Newport City Council, its use by Newport schools is declining and indeed during the 2017/18 academic year only three schools elected to use this provision for residential courses. Monmouthshire County Council, which operates the site on our behalf, has confirmed that it has been operating at a loss for some years. Whilst the building remains in the ownership of the Council, the Education Service is responsible for maintenance of the building and, as an aging asset, the situation is predicted to worsen. Given the low usage by Newport schools and their choice to use other venues, as well as the current financial constraints, this cannot be sustained.

Councillor J Cleverly

I am sorry to see the closure of Talybont OEC, As in the past this has been a valuable asset to Outdoor Education and Young People. Talybont is set in a prime location for all Outdoor Education activities. It's a shame that Talybont is no longer sustainable, as Outdoor Education is a valuable resource for Young People to build their self Confidence and self Esteem.

Councillor J Watkins

The decision to close this facility is I fear a bad one. Whilst I am aware of the loss of funding from the Lottery surely Newport and Monmouth could have made more effort in terms of finding other funding opportunities together with showing a commitment to Learning outside the classroom as provided by this facility. LOTC is recognised as an important part of the offer to provide a comprehensive learning experience and can be a valuable tool in teaching children important life skills. On that basis facilities such as Talybont make a great contribution to LOTC, closing the facility down is in my view short sighted and a grave mistake.

Scrutiny Committees

N/A

Equalities Impact Assessment and the Equalities Act 2010

There is no requirement for an Equality Impact Assessment.

Children and Families (Wales) Measure

Although no targeted consultation takes place specifically aimed at children and young people, consultation on planning applications and appeals is open to all of our citizens regardless of their age. Depending on the scale of the proposed development, applications are publicised via letters to neighbouring occupiers, site notices, press notices and/or social media. People replying to consultations are not required to provide their age or any other personal data, and therefore this data is not held or recorded in any way, and responses are not separated out by age.

Wellbeing of Future Generations (Wales) Act 2015

Monmouthshire County Council have undertaken a review of the Gwent Outdoor Education Service and taken the decision to cease their operation at Talybont for the reasons highlighted in the report. This decision has been taken after considering the **long term** effects and benefits to the remaining service they operate at Hilston and Gilwern. They have **collaborated** with their partners Blaenau Gwent County Borough Council, Newport City Council and Torfaen County Borough Council to come to this decision.

For the purposes of this report, the decision has already been taken to close the facility by Monmouthshire County Council. In terms of the disposal the subject property does not fall within the Newport City Council boundary and is not required by any Council departments at Newport City Council. **Long term** it is therefore felt that the decision to dispose of the property will ensure the property is sold and **prevent** it from sitting vacant and deteriorating.

The consultation for opportunities in respect of future use of the Talybont Outdoor Education Centre was restricted to internal Council service areas and no future use was identified. The Council feels that the need to secure a capital receipt Capital Receipt is the overriding necessity and whilst not impacting on the NCC Well-being objectives directly the securing of financial stability is a paramount priority for the Council and the receipt will provide resources that will allow the Council to continue delivering on the objectives and therefore supports the NCC objectives indirectly.

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Consultation

Comments received from wider consultation, including comments from elected members, are detailed in each application report in the attached schedule.

Background Papers



Plan - LAND
Registry Jan 2019.pc

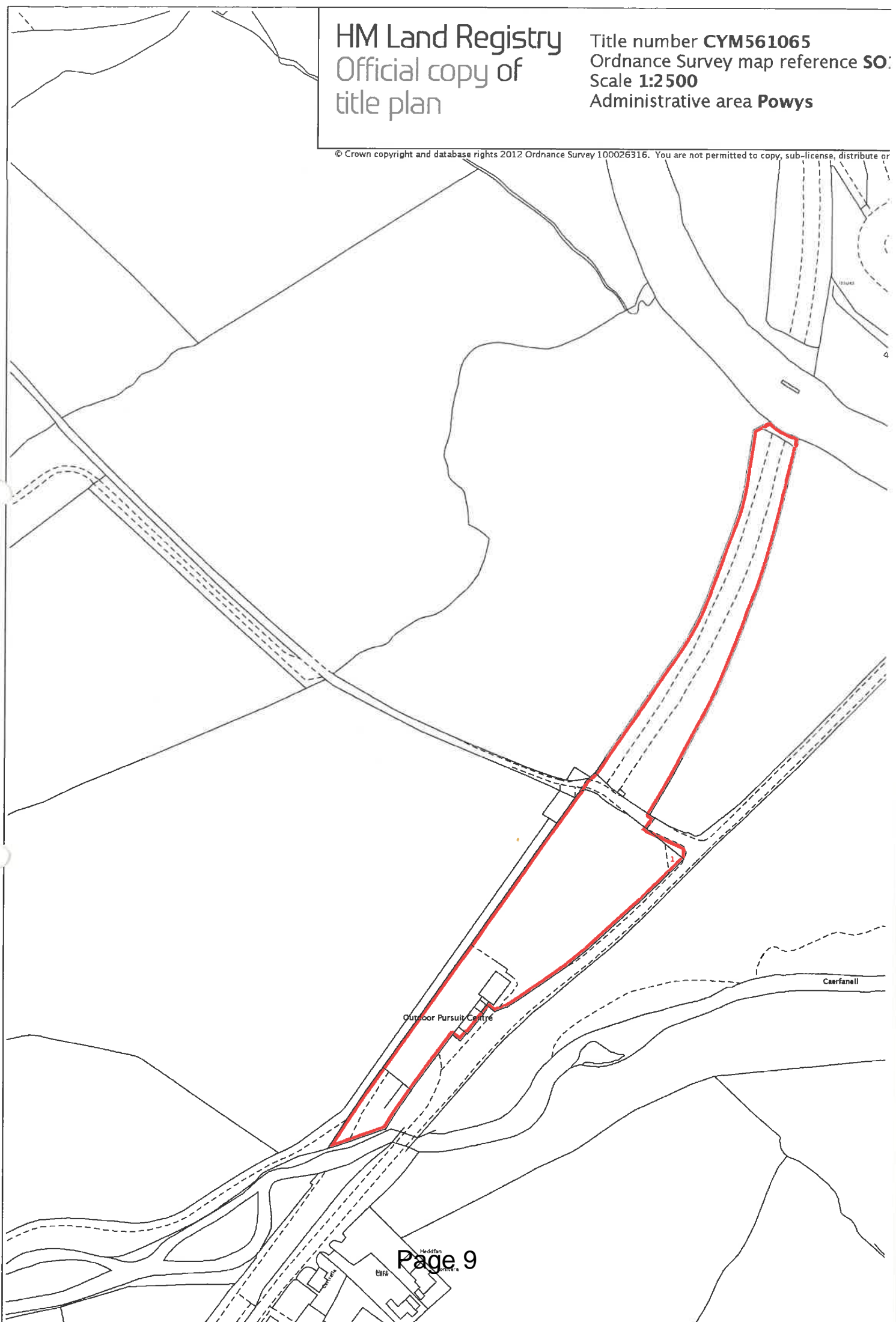
Dated: 1 April 2019

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HM Land Registry
Official copy of
title plan

Title number **CYM561065**
Ordnance Survey map reference **SO:**
Scale **1:2500**
Administrative area **Powys**

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