

Meeting of:	Cabinet
Date of Meeting:	Monday, 2 November, 2020
Relevant Scrutiny Committee:	Healthy Living and Social Care
Report Title:	Bowls Clubs – New Leases
Purpose of Report:	To seek approval to grant new leases to the various Bowling clubs to allow completion on the transfer of these premises.
Report Owner:	Cabinet Member for Leisure, Arts and Culture
Responsible Officer:	Miles Punter - Director of Environment and Housing Services
Elected Member and Officer Consultation:	<p>Matt Sewell - Accountant Neighbourhood Services</p> <p>Lorna Cross - Operational Manager - Property</p> <p>Committee Reports - Legal</p> <p>Cabinet Member for Leisure, Arts and Culture</p>
Policy Framework:	This a matter for Executive decision by Cabinet
<p>Executive Summary:</p> <ul style="list-style-type: none"> • This report seeks Cabinet approval to advertise the loss of Public Open Space to complete the transfer of the eight formerly directly managed bowling greens from the Council’s direct management to a self-managing model. This will then allow individual leases to be completed for each club. • Significant progress has been made with the Bowling Clubs over the past year and all became self-managed from October 2020 with the final stage of the process that is required to complete the transfer being the signing of leases. 	

Recommendations

1. That authority is granted to the Monitoring Officer/Head of Legal and Democratic Services to advertise the disposal of the land on which the Murchfied, Millwood, Romilly, Belle Vue, Cadoxton, Central, Cowbridge and Rhoose Bowling Clubs (as detailed in Appendix 'A') are located by way of 25-year leases in accordance with s123 Local Government Act 1972.
2. That, if objections are received as a result of the advertisement process outlined in recommendation 1, these objections will be reported back to Cabinet.
3. That authority is granted to the Director of Environment and Housing Services in consultation with the Head of Finance to negotiate terms and the Monitoring Officer /Head of Legal and Democratic Services to execute the Leases.

Reasons for Recommendations

1. The 25-year leases of the bowling greens are classed as a disposal for the purposes of the Playing Field Regulations (Community Involvement in Disposal Decisions) (Wales) Regulations 2015. However there is an exemption for the need to give notice and consult on the proposal to dispose if the decision to dispose would not have an adverse impact on the use of the playing field as a sports or recreational facility by the public and the playing field is to be retained as a sports or recreational facility for use by the public, whether or not such use is subject to payment and the disposal is being made to a body whose aims or objectives include the promotion of sporting or recreational activities. The Bowling Club leases will all contain clauses to continue to allow members of the public to use the bowling greens at a charge decided by the club and therefore this exemption has been relied upon.
2. However, even if the disposal is exempt from the Playing Field Regulations the land is currently legally designated as Public Open Space (POS) and as such the Council is obliged to advertise the potential loss of POS pursuant to Section 123 of the Local Government Act 1972. In order that Cabinet may consider any objections and to comply with the provisions of the Act.
3. To complete the process of the transfer of the Bowling greens to a self-management model.

1. Background

- 1.1 As part of its Sustainable approach to the provision of single user outdoor sports facilities the Cabinet approved the transfer of the Councils eight Bowling clubs to a self-managing model on 18th February 2019 (Minute No. C594).

2. Key Issues for Consideration

- 2.1 The land on which the Bowling clubs are located is designated as Public Open Space (POS) and this report seeks consent to undertake the process required to

remove the designation. Only when the designation is removed will leases be capable of being granted.

- 2.2** The process for the removal of the designation is set out in section 123 of the Local Government Act 1972. The process requires that the Council advertises the potential loss of Public Open Space and considers any objections received.
- 2.3** The Bowling Clubs have been self-managing since October 2019 as work on their leases has continued. Negotiations on the various leases are now nearing completion and formal authorisation to dispose of the property is required for the leases to be signed.
- 2.4** Appendix (1) shows the various areas that the leases will cover for each of the Clubs.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1** The fees previously charged for the use of Bowls facilities in the Vale of Glamorgan did not cover the costs associated with providing and maintaining the facilities. The new ways of working that the leases will complete provide for a self-sustaining model that is already showing benefits. These include a higher quality of provision in the majority of cases as the clubs have taken the decision to increase the quality of green maintenance. Clubhouses were also being used more activities as clubs looked to increase revenue before the virus implications struck. The clubs have however been able to benefit from grants to assist with the effects of the virus that have not been available to facilities maintained by the Council.
- 3.2** The proposals in this report will enable the Council to continue to work towards the Well-being Outcome, An Active and Healthy Vale and in particular work being undertaken to deliver our objective 'encouraging and promoting active and healthy lifestyles. Activities will also contribute to our objective of 'reducing poverty and social exclusion'. In delivering these objectives the Council will also be contributing to all of the national well-being goals, in particular 'a healthier Wales'.
- 3.3** Through the Council's transformational change programme, Reshaping Services, we have sought to ensure priority services are maintained at a time of budgetary constraints, by identifying new ways of working. These proposals build on existing work undertaken through Reshaping Services and ensure that the Council can continue to work towards the delivery of our Well-being Objectives.
- 3.4** Significant work has been undertaken to be taken to inform the users of the bowling facilities of proposed changes that has led to this point of completion of leases.

4. Resources and Legal Considerations

Financial

- 4.1** The proposed new lease (to include the additional area of land) will be charged at £10 per annum.
- 4.2** The Council is to pay a contribution to each club of a maximum of £1000 to cover legal and surveyor's fees.

Employment

- 4.3** Although no additional in-house employment will be created, many of the bowling clubs are employing local contractors to maintain their greens.

Legal (Including Equalities)

- 4.4** The proposed leases must be advertised as a disposal of Public Open Space in accordance with the requirements of s123 of the Local Government Act 1972.
- 4.5** Any objections to the disposal of the Public Open Space will be reported back to Cabinet for consideration prior to any final decision being taken. If no objections are received the matter will be progressed as set out in the recommendations of this report.
- 4.6** The leaseholders are not excluded from sections 24-28 of the LTA 1954 and will retain the automatic right to renewal of the lease at the end of the contractual term.

5. Background Papers

None.

Recreation Ground

DINAS POWELL / DINAS POWELL

Murchfield Community Hall

Ten
Cou

Bowling
Green

Play Area

Parkside

14

7

1

SUNNYCROFT CLOSE

1:750

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10



13

Sub Sta

12

20

Weir

Gas Governor

FFORDD CWM CIDI

Bowling Green

Tennis Courts

Cwm Cidi

12

2

6

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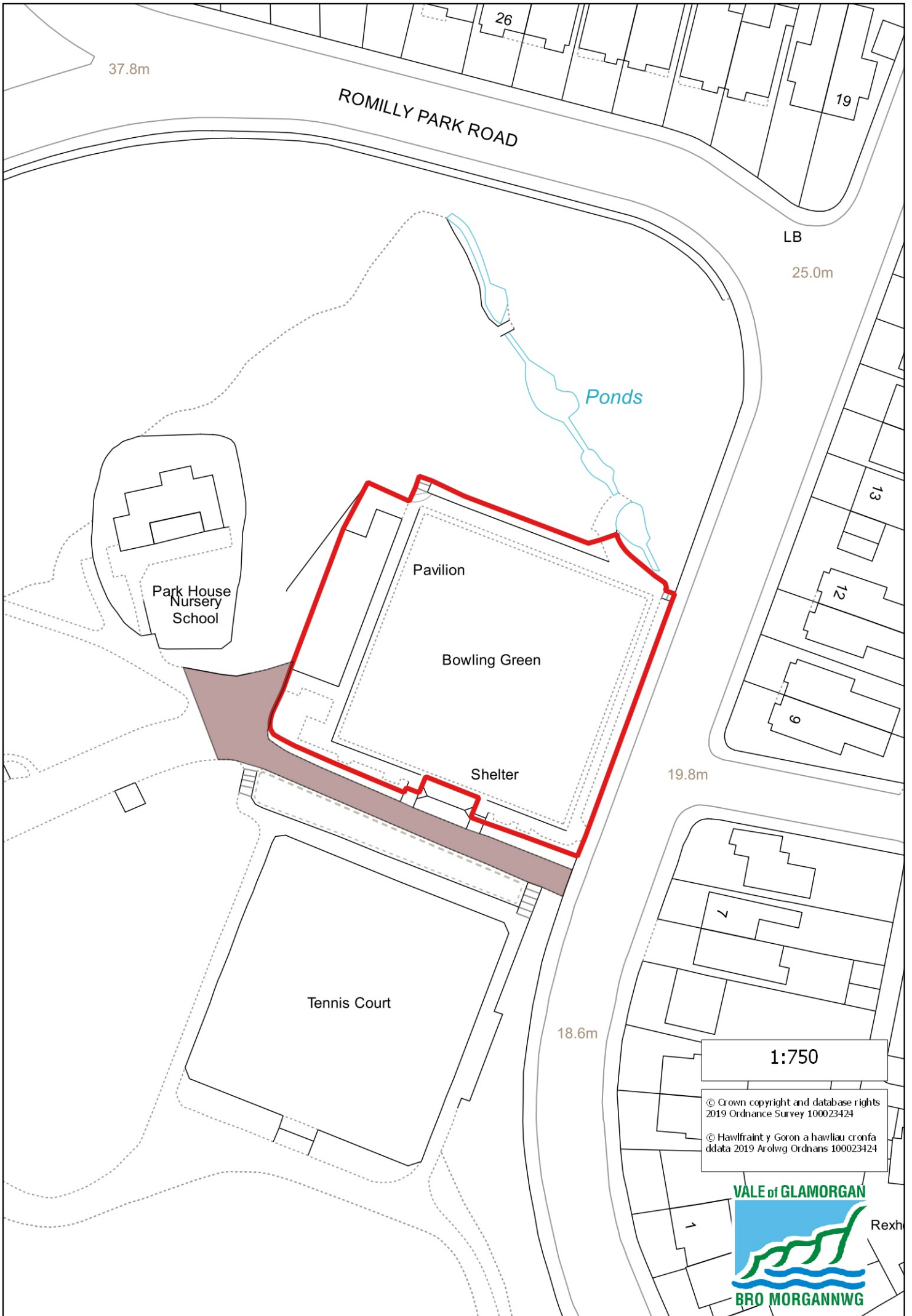
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VALE of GLAMORGAN



BRO MORGANNWG



37.8m

ROMILLY PARK ROAD

26

19

LB

25.0m

Ponds

Park House
Nursery
School

Pavilion

Bowling Green

Shelter

19.8m

Tennis Court

18.6m

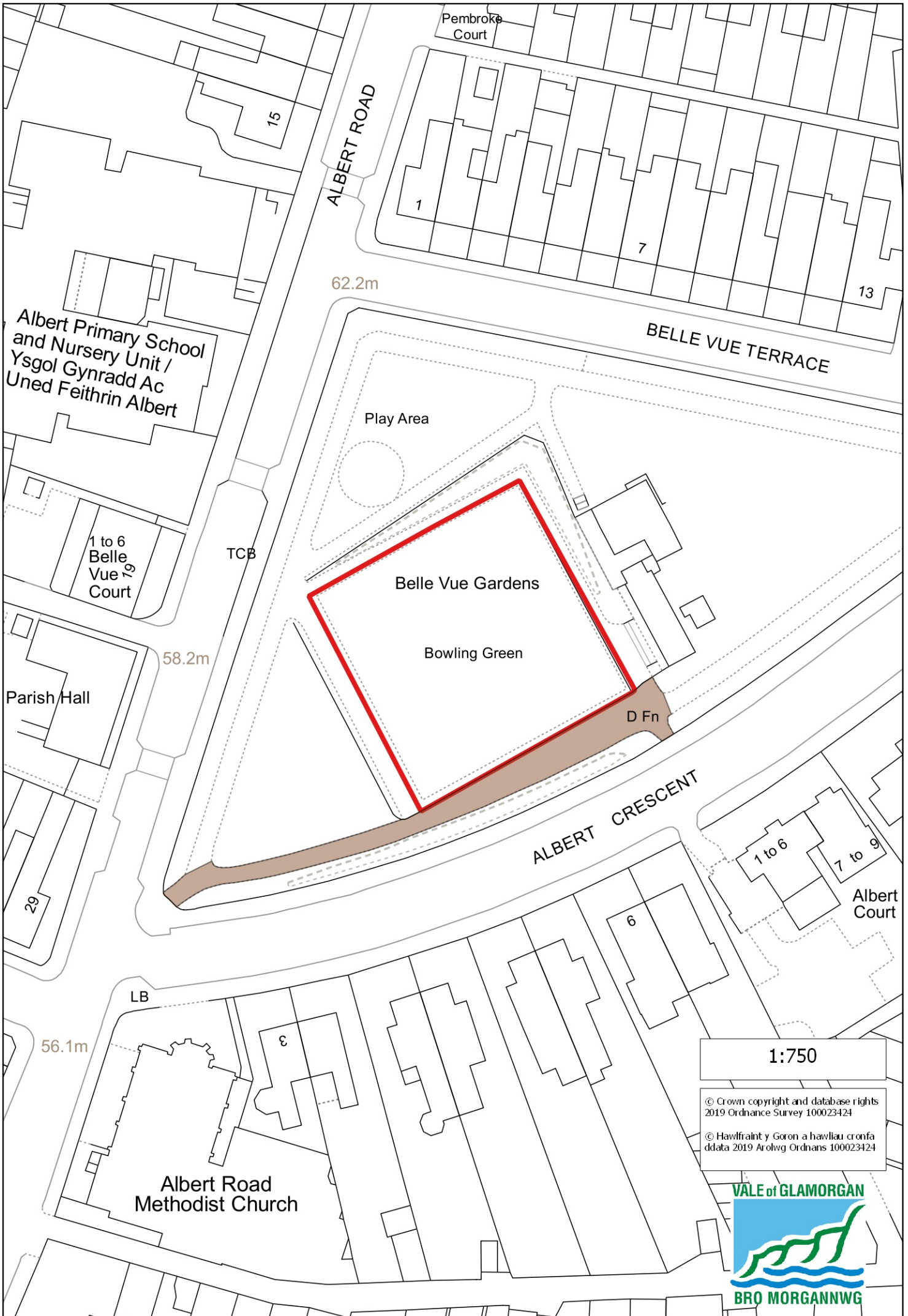
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Rexh



Albert Primary School
and Nursery Unit /
Ysgol Gynradd Ac
Uned Feithrin Albert

1 to 6
Belle
Vue Court

Parish Hall

29

56.1m

LB

Albert Road
Methodist Church

Pembroke
Court

ALBERT ROAD

62.2m

Play Area

Belle Vue Gardens

Bowling Green

7

13

BELLE VUE TERRACE

D Fn

ALBERT CRESCENT

1 to 6

7 to 9

Albert
Court

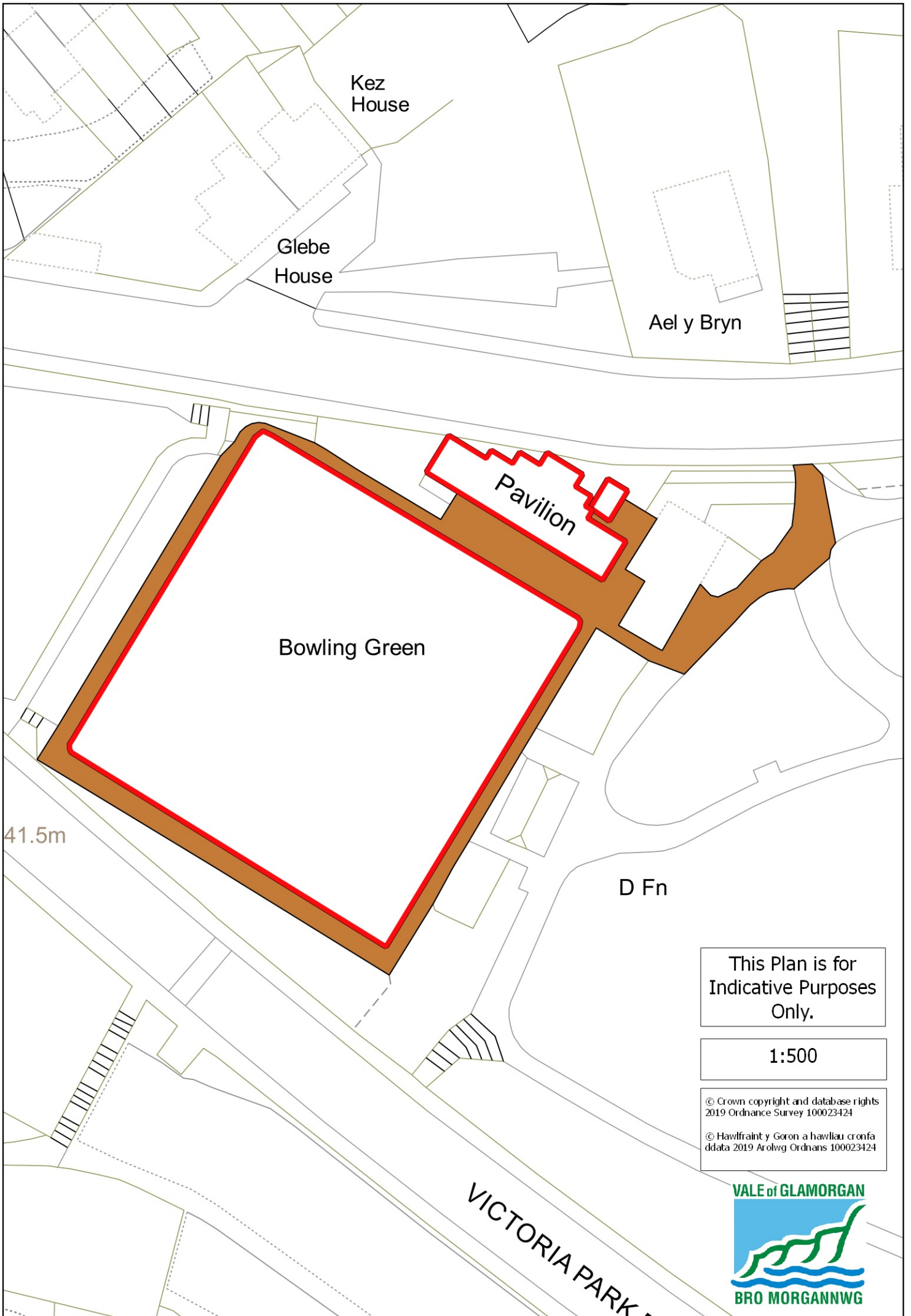
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Kez House

Glebe House

Ael y Bryn

Pavilion

Bowling Green

41.5m

D Fn

VICTORIA PARK

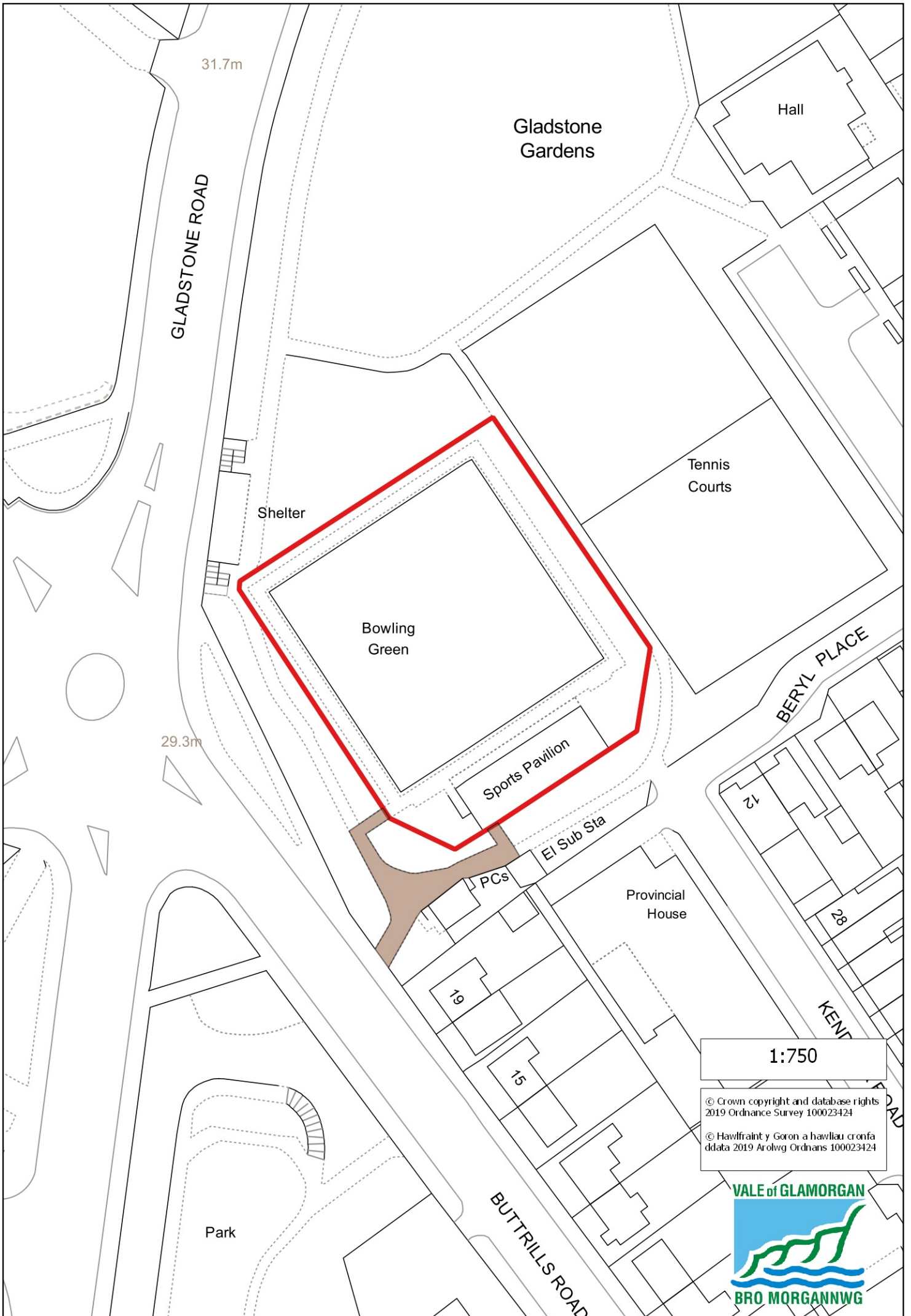
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31.7m

GLADSTONE ROAD

Gladstone Gardens

Hall

Tennis Courts

Shelter

Bowling Green

Sports Pavilion

BERYL PLACE

29.3m

El Sub Sta

Provincial House

PCs

12

28

KENDAL ROAD

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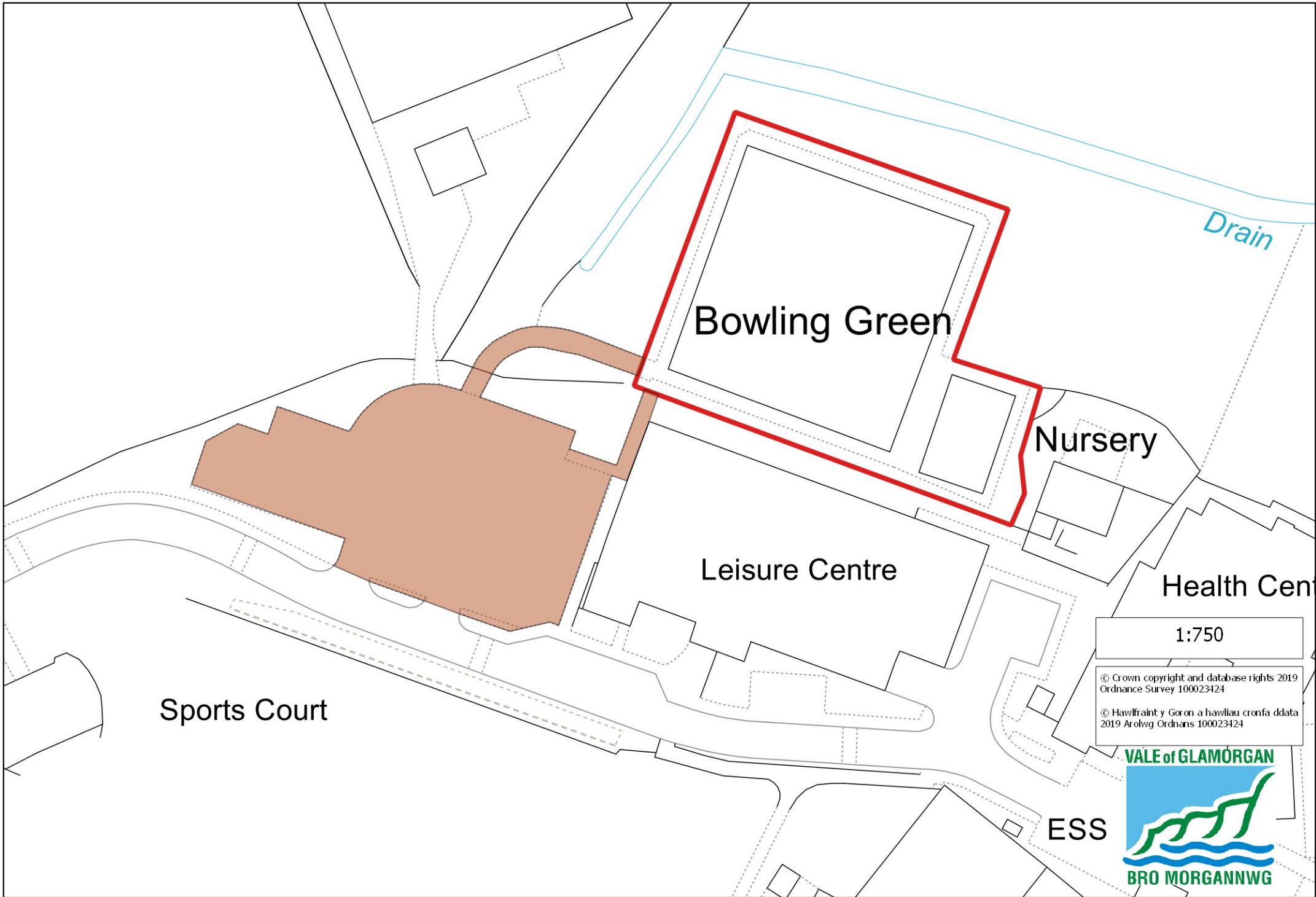
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Park

BUTTRILLS ROAD



Bowling Green

Nursery

Leisure Centre

Health Centre

Sports Court

Drain

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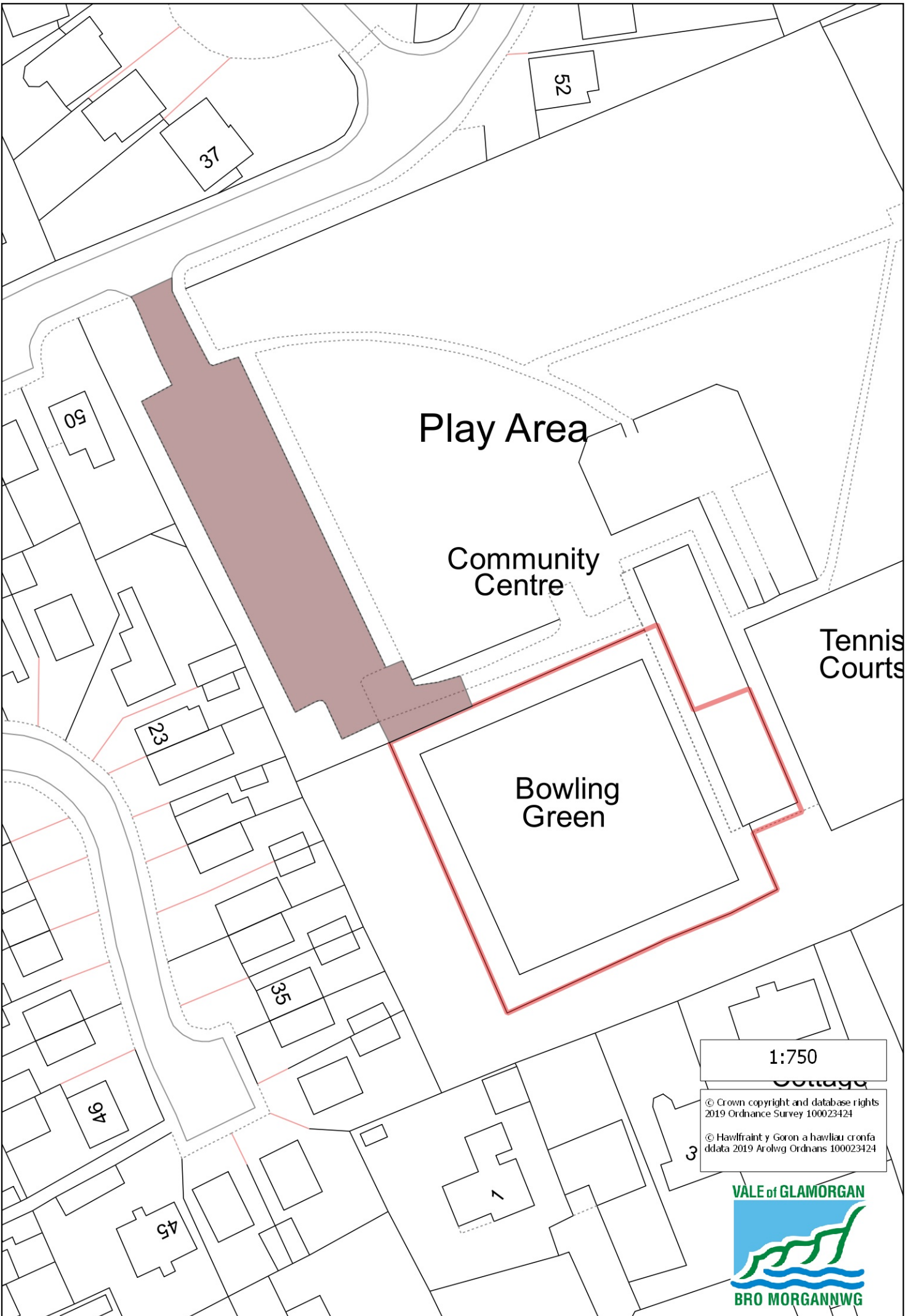
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VALE of GLAMORGAN



ESS

BRO MORGANNWG



Play Area

Community Centre

Tennis Courts

Bowling Green

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