



## **CABINET – 25TH APRIL 2018**

**SUBJECT: BEDWELLY SCHOOL PLAYING FIELDS**

**REPORT BY: INTERIM CORPORATE DIRECTOR OF COMMUNITIES**

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### **1. PURPOSE OF REPORT**

- 1.1 To seek views from Cabinet on a proposal to declare two football fields situated within the grounds of the former Bedwellty Comprehensive School, Aberbargoed shown hatched red on the Plan attached at Appendix 1, as surplus and to undertake statutory consultation as required by the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010 and associated Playing Fields (Community Involvement in Disposal Decisions) (Wales) Regulations 2015 the outcome of which could allow the sale of the site for residential development. This will be the subject of a further report to Cabinet.

### **2. SUMMARY**

- 2.1 Bedwellty Comprehensive School was closed in 2005 and subsequently demolished. The playing fields were initially unused but more recently have been used by Fleur-de-Lys Senior AFC.
- 2.2 The adjacent site has been sold for housing and the pavilion that serves the playing fields must be removed or relocated no later than 31<sup>st</sup> May 2018.
- 2.3 An alternative and more conveniently located home ground is available for Fleur-de-Lys Senior AFC and Cabinet approval is sought to declare the playing field site surplus at the end of the current season and to commence consultations that could allow the sale of the site for residential development.

### **3. LINKS TO STRATEGY**

- 3.1 The Wellbeing of Future Generations (Wales) Act 2015 is about improving the social, economic, environmental and cultural wellbeing of Wales. It requires public bodies to think more about the long term, working with people and communities, looking to prevent problems and take a more joined up approach. This will create a Wales that we all want to live in, now and in the future. The Act puts in place seven wellbeing goals and the contents of this report links into two i.e. "A Wales of Vibrant Culture and Thriving Welsh Language, a Globally Responsive Wales"

### **4. THE REPORT**

- 4.1 Bedwellty County Secondary School was officially opened in 1937. In 1973 the school became a Comprehensive and it was closed in 2005 and subsequently demolished. Although initially the two school football fields were unused they were brought back into beneficial use by the Parks Department in 2015 to provide facilities for Fleur-de-Lys Senior AFC as the ground conditions at their previous home ground, The Ynys, were unsatisfactory.

- 4.2 In January 2018, the Authority sold the site of the former school, outlined in blue on the site plan in Appendix 1, for residential development. However, the two football fields highlighted in red on the same plan were retained.
- 4.3 The pavilion that supports the playing pitches is currently situated on the land sold for residential development. The purchaser of the site requires vacant possession by the end of May 2018. If the Authority were to relocate the existing pavilion from its current location onto the area being retained, this would result in the loss of one football pitch. However, members should note that the pavilion is currently not fit for purpose and has been sited at several previous locations. Assuming it remains a necessary facility and it withstood the move it is estimated that re-siting the pavilion and connecting it to services would cost circa £40,000.
- 4.4 In addition, provision would need to be made for car parking, which is particularly problematic within the retained site and this could cost a further £50,000. It would not however, be possible to accommodate all car parking on site so inevitably nuisance parking on the main road and surrounding street would continue to happen if the playing fields are retained. There is no budget provision for the aforementioned costs.
- 4.5 Officers have entered into dialogue with Fleur-de-Lys Senior AFC who are currently the sole users of this facility. It has been established that they can be accommodated within the existing provision at Trelyn Park, Fleur-de-Lys. In doing so this will ensure that the existing provision at Trelyn Park is fully utilised. The club are in favour of the relocation to their home village.
- 4.6 Consultation has taken place with the two Ward Members for Aberbargoed (Councillors Alan Higgs and Alan Collins), who are both supportive of the disposal of the two football fields for residential development. However, should Cabinet endorse the recommendation then full consultation will be carried out on the proposed disposal and the outcome reported back to Cabinet for consideration.
- 4.7 If Fleur-de-Lys Senior AFC are relocated the playing fields would be declared surplus and the Authority could then take steps to comply with the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010 and associated Playing Fields (Community Involvement in Disposal Decisions) (Wales) Regulations 2015 (the Regulations). The 2010 measure provides a power for the Welsh Minister to make provision, by regulations, for the involvement of communities in decisions by Local Authorities about the proposed disposal of land consisting of, or forming part of a playing field. The primary purpose of the Measure and associated Regulations is to:
- Require a Local Authority to publish information on the impact of the proposed disposal of a playing field on the health and well-being of the community, by reference to a number of key strategies, plans and assessments for the area in which the playing field is located: and
  - Strengthen arrangements for consulting the community, playing field users and relevant national bodies before a Local Authority takes a final decision to proceed with a proposed disposal.

In order to comply with the Regulations detailed above, the timeline for disposal could be circa 12 months.

- 4.8 The Regulations provide that a Local Authority must, before making a decision to dispose of a playing field, give notice of its intention to do so and undertake consultation as set out in the Regulations and associated statutory guidance. Having considered all representations a Local Authority must prepare a report (“a Decisions Report”) summarising representations and the reasons for its decision to dispose or not to dispose of the playing field. Where a decision is made to proceed with a decision to dispose, further prescribed notice must be given and a Local Authority may not proceed with a proposed disposal until 12 weeks has elapsed from the date of the publication of the first notice confirming a decision to proceed.

- 4.9 Should a decision be made to proceed to dispose in accordance with the provisions of the Regulations, the site could then be marketed for sale for residential development. Based upon the sale price achieved for the adjacent land that was sold in December 2017, the sale of this site for residential development should achieve a capital receipt of circa £500,000. However, this clearly depends on the prevailing market appetite. A proportion of the residential development would be for affordable homes. These matters will however be the subject of a further report to Cabinet should members be minded to endorse the recommendations set out in paragraph 10 below.

## **5. WELL-BEING OF FUTURE GENERATIONS**

- 5.1 This report contributes to the wellbeing goals as set out in the Links to Strategy section above. The proposal is consistent with the five ways of working set out within the sustainable development principal contained in the Act. In particular, relevant stakeholders have been involved in developing this proposal. In addition the recommendation takes a long term view in recognising that more suitable alternative playing provision is available.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 Given that the playing fields are used solely by Fleur-de-Lys AFC and they are very content to be offered alternative playing facilities (with improved changing room provision) within the heart of Fleur-de-Lys village, combined with the fact that the measure referred to in paragraph 4.8 above will require additional more detailed consultation, it is suggested that any equalities implications will be captured through this process.
- 6.2 At this initial stage an Equalities Impact Assessment screening has been completed in accordance with the Council's Strategic Equality plan and supplementary guidance. No potential for unlawful discrimination and / or low level or minor negative impact has been identified; therefore a full Equalities Impact Assessment has not been carried out.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 If the playing fields are retained it is estimated that a one off cost of circa £90,000 will be incurred. There is no current budget provision to cover these costs.
- 7.2 If the playing field site is sold for residential development a capital receipt of circa £500K could be achieved. However, this clearly depends on the prevailing market appetite. In addition, there will be marginal revenue savings relating to materials such as grass seed, line marking compound, cleaning materials etc.
- 7.3 Any costs associated with the statutory consultation process will be met from existing budgets and undertaken by existing resources.

## **8. PERSONNEL IMPLICATIONS**

- 8.1 There are no personnel implications associated with this report.

## **9. CONSULTATIONS**

- 9.1 This report reflects the views of the listed consultees.

## 10. RECOMMENDATIONS

- 10.1 It is recommended that the playing fields shown hatched red on the plan attached at Appendix 1 are taken out of use at the end of the current season (20<sup>th</sup> May 2018) and declared surplus.
- 10.2 The process of complying with the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010 and Playing Fields (Community Involvement in Disposal Decisions) (Wales) Regulations 2015 is commenced and a further report is brought back to Cabinet with the outcome of the consultation which will contain recommendations on the reallocation of the land or to undertake the process required to dispose of the playing fields.

## 11. REASONS FOR THE RECOMMENDATIONS

- 11.1 To enable existing assets to be utilised to their full potential and thus reduce maintenance expenditure. To enable the Authority to receive a capital receipt and to release the land for residential development that would include affordable homes.
- 11.2 To fulfil the requirements of the statutory process required where a Local Authority proposes to dispose of a playing field.

## 12. STATUTORY POWER

- 12.1 Local Government Act 2000.  
Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010.  
Playing Fields (Community Involvement in Disposal Decisions) (Wales) Regulations 2015.

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Background Papers:  
Welsh Government Statutory Guidance – on the Playing Fields (Community Involvement in Disposal Decisions) (Wales) (Regulations) 2015

Appendices:  
Appendix 1 Site Plan

