



## REPORT TO CABINET – 27TH FEBRUARY 2019

**SUBJECT: BEDWELTY SCHOOL PLAYING FIELDS**

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

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

- 1.1 To seek views from Cabinet on the proposed disposal of two football fields situated within the grounds of the former Bedwellty Comprehensive School, Aberbargoed (shown hatched red on the Plan attached at Appendix 1) for residential development.

### **2. SUMMARY**

- 2.1 At its meeting on 25<sup>th</sup> April 2018, Cabinet resolved that the playing fields would be declared surplus at the end of the season (20<sup>th</sup> May 2018). 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 would commence. This report now sets out the findings of the consultation process and makes a recommendation to Cabinet in respect of disposal.

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

- 3.1 The Well-being of Future Generations (Wales) Act 2015 is about improving the social, economic, environmental and cultural well-being 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 AFC.
- 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. The pavilion that supported the playing pitches was situated on the land sold for residential development. As the purchaser required vacant possession by the end of May 2018, the pavilion (a modular style building) was subsequently removed from the site and scrapped. Members should note that the pavilion was not fit for purpose and had been sited at several other locations.

- 4.3 In addition to the pavilion, parking at the site is particularly problematic and inevitably nuisance parking on the main road and surrounding streets would continue if the site were to be retained.
- 4.4 At its meeting on 25<sup>th</sup> April 2018, Cabinet resolved that the playing fields would be declared surplus at the end of the season (20<sup>th</sup> May 2018). 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 would commence. This report now sets out the findings of the consultation process.
- 4.5 The consultation process commenced on the 4<sup>th</sup> October and ran until 5.00 p.m. on the 22<sup>nd</sup> November 2018, for a period of 7 weeks. Disposal Notices and plans were displayed at the site and letters hand delivered to local residents. E-mail communication was sent to all key stakeholders (Play Wales, Open Spaces Society, Sports Council for Wales, Fields in trust and the only known user). Disposal Notices were also circulated for two consecutive weeks (9<sup>th</sup> and 16<sup>th</sup> October) in the South Wales Argus. The consultation was also live on the Council's website and copies of all the documents were available for inspection at main reception at Penallta House during normal office hours.
- 4.6 Three responses were received from local residents, all of who were supportive of the site being disposed of. One local resident expressed concerns over congestion from car parking during fixtures. A joint response was received from Sport Wales and Fields in Trust who both objected to the potential loss of the facility. The objection centres on the fact that Fleur-de-Lys AFC will be sharing facilities with Fleur-de-Lys RFC and one pitch cannot be considered equivalent provision. In terms of local provision, there are 7 playing fields located within the local vicinity (Two adjacent to Hanger 81, Aberbargoed, one in Pengam and four within Cefn Fforest). Consequently, there is no shortage of provision within the locality and all the local teams are/can be accommodated (this is demonstrated on the plan attached at Appendix 3). Within the objection, reference is also made to the relocation of the pavilion, which should have been considered prior to the sale of the adjoining land. As the request to be relocated to Trelyn Park came from Fleur-de-Lys AFC, this was already considered. As set out in a previous report, the pavilion was not fit for purpose and potential relocation costs and parking provision were estimated at circa £90K for which the Council has no budget.
- In 2015, an extensive review of existing outdoor recreational facilities was undertaken and no shortfall of provision within this locality was identified. However, the Council has capital monies and propose to invest in improving the playing surface (drainage etc.) at The Ynys, which will bring the field back into beneficial use. This field can then be utilised by either Fleur-de-Lys AFC, Fleur-de-Lys RFC or any other clubs. It is anticipated that these works will be completed by the start of the 2020 playing season.
- 4.7 In addition, despite positive dialogue with Fleur-de-Lys AFC, written representation was received in relation to the facilities at Trelyn Park. The points raised regarding the condition of the pitch can be addressed by undertaking an enhanced maintenance programme (e.g. rolling, chain harrowing, verti draining etc.) which has already commenced.
- Reference was also made to safeguarding concerns within the pavilion. Officers have already met both clubs on site to consider options to amend/restrict access inside the pavilion. If there are any other concerns, officers will continue to work with the club(s) to resolve any issues (copies of the written responses are attached as Appendix 2).
- 4.8 At its meeting on the 3<sup>rd</sup> October, Cabinet resolved to dispose of the site (assuming the site is declared surplus) and to allow the Interim Head of Property Services, in conjunction with the Cabinet Member for Homes and Places to negotiate a sale to Llanmoor Developments. However, if the current market value cannot be achieved then the site will be sold on the open market via a competitive tender process. In either case, the sale will include a contractual commitment that 15% of the homes are affordable.
- 4.9 If Cabinet are minded to endorse the recommendation at 10.1, the Authority must:-

1. Publish, on two consecutive weeks in at least one newspaper circulating in the Authority's area, a notice informing the public of:
  - (a) The Authority's decision to dispose of the playing field; and
  - (b) Informing the public of the place or places and times at which the Decision Report may be inspected and the period in which it would be possible to do so. The minimum period is 6 weeks after the date the notice is first published in a newspaper;
2. Make the Decision Report available for inspection during normal office hours at the Authority's principal office (if it has one) and, if reasonably practicable, at one or more other places in its area.
3. No later than the day on which the decision notice is first published:
  - (a) Display a copy in at least one place on or near the playing field to which the disposal relates and, in any event, at each official entrance to the playing field, for not less than 6 weeks;
  - (b) Place a copy on its website (where it has one) for not less than 6 weeks; and
  - (c) Send a copy of the notice and Decision Report to any person from whom the Authority received a substantive representation on the proposed disposal which the Local Authority considered in accordance with Regulation 6.
4. Provide a copy of the Decision Report to any other person or body who requests it. The Local Authority may provide a copy free of charge, or for a reasonable charge as determined by the Authority.
5. Under Regulation 8(8), an Authority may not proceed with a proposed disposal until a period of 12 weeks has elapsed from the day on which the notice is first published. This is intended to provide a reasonable minimum period in which objectors may initiate a legal challenge to the Authority's decision.

## **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 Following the completion of the consultation process, the Equalities Impact Assessment (EIA) has been updated in accordance with the Council's Strategic Equality Plan and supplementary guidance. A copy of the revised EIA is attached at Appendix 3. No potential for unlawful discrimination and/or low level or minor negative impact has been identified.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 If the playing fields are sold for residential development, a capital receipt of circa £500K could be achieved. However, this will very much depend on the prevailing market appetite. Since the facility was declared surplus at the end of the 2017/18 playing season, there have been

marginal savings in relation to materials such as grass seed, grass cutting, line marking compound etc.

## **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 That the playing fields shown hatched red on the plan attached at Appendix 1 are sold for residential development.

## **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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Appendix 1 Site Plan  
Appendix 2 Copies of Written Responses to Consultation  
Appendix 3 Updated Equalities Impact Assessment  
Appendix 4 Plan Highlighting Existing Provision

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

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