

Report To: Cabinet

Date of Meeting: 24th March 2015

**Lead Member / Officer: Cllr Julian Thompson Hill – Lead Member Finance and Assets
Paul McGrady – Head of Finance and Assets**

Report Author: C D Mathews, Commercial Development Manager

Title: To declare surplus to Council requirements the Council land buildings at Nant Hall Road, Prestatyn with a view to disposing on the open market.

1. What is the report about?

The declaration of Council land and buildings at Nant Hall Road, Prestatyn as surplus to requirements.

2. What is the reason for making this report?

A decision is required to declare the following surplus to the Councils requirements;

Plot 1

Extending to 0.170ha / 0.42acres as shown edged red on the attached plan comprises 6-8 Nant Hall Road associated car parking and the public convenience.

Plot 2

Extending to 0.636 ha / 1.57 acres as shown edged red on the attached plan and comprises the former Library, Ty Nant offices and associated car park

3. What are the Recommendations?

To declare the land and buildings detailed in Section 2.0 above as surplus to requirements with a view to being disposed of on the open market on an Expression of Interest basis.

4. Report details.

4.1 The Council has vacated 6-8 Nant Hall Road, Ty Nant and the Former Library. The WC block and Nant Hall Road car park are still operational at the present time.

4.2 Betsi Cadwaladr University Health Board (BCUHB) have a team providing Primary Care Services in North Denbighshire operating from the ground floor of 6-8 Nant Hall Road with four hot desks for DCC Housing staff. The first floor is currently used by the Police as a back office facility.

- 4.3 Prestatyn Town Council (PTC) have use of a Mayors Parlour and monthly use of the Chamber based on established user provisions that predate Local Government Reorganisation in 1974. The Council has consulted with PTC and their representations are provided in Section 8.0.
- 4.4 The former Library is currently let to the Artisans Collective Community Interest Company for a short term contracted out Lease with early break provisions.
- 4.5 The public convenience to the rear of 6-8 Nant Hall Road is operational and will remain open pending an agreed closure timeline with the service department.
- 4.6 The 76 space pay and display car park was included within review by Mott McDonald and its recommendation for car parking provision in Prestatyn is provided in Para 8.3.
- 4.7 The Church of Wales hold an easement to access their land to the south of the car park. The Council has put forward a proposal whereby they surrender their rights of access across the Councils land conditional on making land available on the western boundary of the car park to create an adoptable highway to serve both the Councils land and the Church.
- 4.8 There is a public right of way that bisects the site shown by the bold purple line. The section of highway running to the C of W Community Hall shown in purple is owned by the Council but is subject to rights of way from the Church.
- 4.9 The Council is currently consulting on a draft Development Brief to include adjacent third party landownerships. It is anticipated that the report on the consultation on the Development Brief will report to the June 2015 Planning Committee.
- 4.10 The site will be disposed of as part of an Expression of Interest on the open market where the Council seeks to obtain the 'best' scheme for the town and the site.

5. How does the decision contribute to the Corporate Priorities?

- 5.1 Corporate Aims & Objectives
The disposal of these land and buildings will assist the Council in modernising and delivering efficiencies to its customers.
- 5.2 Corporate Asset Objectives
The reduction in the Councils asset base will deliver revenue savings of circa £110,000 in year one.
- 5.3 Natural Environment and Rural Communities Act/Biodiversity Duty
A Biodiversity Survey for the site will be made available to interested parties.
- 5.4 Equalities Act
See EqIA attached.

- 5.5 Carbon Reduction Commitment
The disposal of the properties will reduce the Councils carbon footprint by 149.5 tonnes per annum.
- 5.6 Town and Country Planning
The Council will dispose of the property with a Development Brief prepared by Planning Services and adopted by the Councils Planning Committee.
- 5.7 The property is a Key Strategic Site for employment and wealth creation and the disposal by means of an Expression of Interest exercise to achieve a scheme that is weighted to deliver the economic ambitions the Council has for the site.

6. What will it cost and how will it affect other services?

Revenue costs associated with the ownership of the buildings will be required until the site is sold. Third party occupiers in 6-8 Nant Hall Road will require common areas and services to be maintained to a certain standard whilst the disposal process is ongoing.

7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.

Please see attached EqIA for further information.

8. What consultations have been carried out with Scrutiny and others?

- 8.1 Lead Member has been consulted both in his capacity as a local member as part of the Member Area Group and as Lead Member at Asset management Group on 5th March 2015 where the decision to declare the property surplus was approved.
- 8.2 The Prestatyn Member Area Group has discussed this site on 6th November 2014 and again on 28th January 2015. Although supportive of the disposal of the land edged red a majority of MAG Members supported the retention of the Council Chamber within 6-8 Nant Hall Road for future Council meetings.
- 8.3 Highways and Environmental Services have been approached about the sale of the WC block at the rear of 6-8 Nant Hall Road and have no objection in principle to its closure. The summary and recommendation of the car park review is as follows

‘It is concluded that the current parking and traffic management arrangements in Prestatyn serve the retail needs of the town adequately. Only the following measures are recommended to complement the retail offer in Prestatyn:

1. Change all on-street parking to 1 hour limited waiting and improve enforcement
2. Retain at least some of the spare capacity offered by the Offa’s Tavern and Council Offices car parks to accommodate future growth that the town had

adequate parking for the short to medium term allowing for the loss of the Council and Town Councils car park on Nant Hall Road’.

8.4 Prestatyn Town Council has provided the following written representations in consultations with them:

8.4.1 Sec 23(8) Local Authorities (Wales) (Property Etc) Order 1973 – Established User Rights 6-8 Nant Hall Road, Prestatyn.

The Town Council wish to retain use of the Council Chambers, Municipal Offices, Prestatyn.

The Finance and Management Committee was mindful of the wider commercial development of the site and demand to have further discussion with the County Council. It is paramount for local government / local services that this area should feature in the towns future service plans, There is also the opportunity to maintain / deliver shared accommodation with other public serviced and voluntary bodies.

8.4.2 A resolution was passed on the 14th January 2015 by the Finance and Management Committee (subject to PTC ratification) as follows:

1. That DCC be requested to ensure car parking events / civic area, potential shared use of Ty Nant and or Municipal Building as shared public building and the provision of public conveniences are included in any future development proposals.
2. That further detailed consultation upon future development proposals and options for the above site are required prior to the disposal by the County Council

9. Chief Finance Officer Statement

The disposal of the Councils property assets reduces the Councils liabilities and generates capital receipts to assist in the delivery of the Councils Corporate Plan.

10. What risks are there and is there anything we can do to reduce them?

Third party occupations;
North Wales Police, BCUHB, Prestatyn Town Council, Church of Wales, adjacent residential owners holding access rights off rear gardens.
Car Park Stopping Up Order – Highways Act 1980.
Negotiations and offers of alternative accommodation (as far as the Council is able to offer).

11. Power to make the Decision

S123 of the Local Government Act 1972 gives the power to dispose of land and buildings.