

APPENDIX C

WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 9 JUNE 2009

Title:

**DEVOLUTION OF PROPERTY TO GODALMING TOWN COUNCIL AND
FARNHAM TOWN COUNCIL**

**[Portfolio Holders: Cllr Mike Band and Cllr Stephan Reynolds]
[Wards Affected: All Godalming and Farnham Wards]**

Summary and purpose:

The Executive is asked to consider proposals for devolving property to Godalming Town Council and Farnham Town Council.

How this report relates to the Council's Corporate Priorities:

Waverley's adoption of the policy of subsidiarity requires that property should be devolved to parish and town councils where it is required for the services undertaken by these councils.

Equality and Diversity Implications:

Are there no equality and diversity implications arising from this report.

Resource/Value for Money implications:

The financial implications relating to each of the property transfers or leasing arrangements under consideration are set out in the main body of the report.

Legal Implications:

The Council's legal services team will be involved in drawing up the necessary legal documents involved in transferring property.

Background

1. Waverley's adoption of the policy of subsidiarity requires that property should be devolved to parish and town councils where it is required for the services undertaken by these councils. Farnham and Godalming Town Councils have both indicated their desire to acquire certain property from Waverley on this basis and this report concerns the means by which these properties could be transferred.

Requests for property transfer received from Godalming Town Council

2. Godalming Town Council have requested the transfer of the Phillips Memorial, the Wilfrid Noyce Centre and some small areas of land. These properties are shown on the plans annexed.

Phillips Memorial

3. The Phillips Memorial is a Grade II listed building within the flood plain. A number of representations were received in early 2008 regarding the deteriorating condition of the memorial, and requesting it be refurbished in time for the centenary of the sinking of the Titanic in 2012. In response to this, this Council's Parks & Landscape Section have commenced a project to carry out this work. Preliminary consultation has now started, £50k has been provisionally allocated in the 2010/11 capital budget, and a pre-application enquiry has been submitted to the Heritage Lottery Fund for £250k match funding to enable a comprehensive refurbishment project, encompassing the whole site, to be carried out in time for 2012. Haslemere LTC currently hold two separate leases at the recreation ground, one for the main courts shown in light grey on the attached plan (lease dated 27 February 1996) and one for the adjacent mini tennis courts shown hatched grey on the attached plan (lease dated 13 September 2005). The new clubhouse, shown in dark grey on the attached plan, will straddle the two existing leases. The leases have a further 22 years remaining and both contain break clauses.
4. Under CIPFA rules, the Memorial is considered a community asset and is therefore not valued: the value within the Council's asset register is its historic cost. The Memorial is a public structure, with no market value, and costs Waverley to maintain. It is therefore suggested that the Phillips Memorial could be transferred to Godalming at nil consideration. However, in light of the proposals outlined in paragraph 6 above, and bearing in mind the fact that the Town Council's does not wish to take responsibility for the Memorial until it is brought up to a serviceable condition, it is suggested that any transfer does not take place until after the current refurbishment project is completed, which is likely to be in 2012.

Wilfred Noyce Centre

5. The Centre was originally constructed by Godalming Borough Council in the 1960's and leased to Surrey County Council. The freehold transferred to Waverley Borough Council on its creation as successor authority to Godalming Borough Council in 1972. The building was brought into good structural repair, though not refurbished, when Surrey assigned its lease of the building to Godalming in 2005. As Godalming wish to undertake significant investment in the building, it has a need for better security than the existing lease that expires in 2013.
6. As can be seen on the plan in the Annexe to this report, the Wilfrid Noyce Centre is situated on the edge of Crown Court Car Park in what could be a potential development site. Godalming Town Council has recognised this and has offered to take the transfer subject to restrictive covenants. However it is suggested that a better way to protect Waverley's interests is to grant the Town Council a long lease (125 years) of the site at a peppercorn with the ability to move the function to more commodious premises should the site be required as part of a development plan.

7. The Centre provides Waverley with a rent of £3,110 per annum. It may be considered appropriate to require the payment of a premium or a transfer fee to cover the loss of income. The market value on sale would include an element of hope value: if it is proposed to restrict Godalming's use of the premises to existing use value then any capital sum should reflect this.

Small area of land – Perrior Road footpath to Godalming Allotments

8. There is a footpath that runs from Perrior Road to one area of Godalming's allotments. Godalming has requested that this be transferred to them, which would appear reasonable. This area should be transferred subject to all existing rights.

Further requests for transfer of property

9. Godalming Town Council has indicated that it will be bringing forward other properties for consideration once the above requests have been resolved.

Requests for property transfer received from Farnham Town Council

10. *Information awaited from Farnham Town Council – to be reported at Executive briefing.*

Recommendation

It is recommended that the requests received from the Godalming and Farnham Town Councils be progressed as outlined in the report with detailed terms and conditions to be agreed with the Estates and Valuation Manager and the Legal Services Manager.

Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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