

APPENDIX E

WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 1 DECEMBER 2009

Title:

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

**[Portfolio Holders: Cllrs Mike Band and Stefan Reynolds]
[Wards Affected: All Godalming and Farnham Wards]**

Note pursuant to Section 100B(5) of the Local Government Act 1972

An Annexe to this report contains exempt information by virtue of which the public is likely to be excluded during the item to which the report relates as specified in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, viz;

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Summary and purpose:

The Executive is asked to consider progress on 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:

There are 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 provides an update on the progress being made for transfer.
2. The Executive at their meeting in June 2009 agreed that the Property Portfolio Holder (Cllr Mike Band) and the Portfolio Holder for Communities and Partnerships (Cllr Stefan Reynolds) be authorised to set the detailed policy parameters for negotiation with Farnham Town Council.

Requests for property transfer received from Godalming Town Council

3. Phillips Memorial
As outlined in a report to the Executive in October, Waverley is seeking Heritage Lottery Funding for the refurbishment of the Phillips Memorial. In order to transfer the Memorial to Godalming and retain the funding, it would appear necessary for Godalming to join with Waverley in the funding application. However, as Godalming is seeking to refurbish the Pepperpot, it is happy to relinquish any present interest in the Phillips Memorial. It is satisfied that Waverley is undertaking the work that it would like to see done for the centennial of the sinking of the Titanic.
4. Perrior Road Footpath
The transfer of this footpath at nil consideration is in the hands of the Councils' legal representatives.
5. Wilfrid Noyce Centre
Godalming initially sought the freehold of the centre. However, following the discussions, it should be possible to provide Godalming with sufficient safeguards to enable a transfer on the basis of a 125 year lease. Negotiations are ongoing and the financial implications of the transfer will be presented with the proposed final terms and conditions.
6. Bandstand
Terms for the lease of the bandstand are being considered by Godalming Town Council.
7. Borough Hall
As was mentioned in the report of 9th June, Godalming Town Council are interested in having other properties transferred to them. High on the list is the Borough Hall complex, as shown outlined on the attached plan at Annexe 1. It is proposed that the transfer should be completed for the start of the new financial year on 1st April 2010. Terms are being negotiated and (Exempt) Annexe 3 contains details of those at present proposed. The financial implication of the transfer will be presented to the Executive with the proposed final terms and conditions.

Requests for property transfer received from Farnham Town Council

Locality Office

8. Limited progress has been made on the proposed transfer of the freehold of the Locality Office. However, a further meeting has been set up between members and officers of Waverley and representatives of Farnham in order to expedite this matter.

Allotments

9. Farnham is interested in acquiring further land for allotments as demand far exceeds supply. One possible area that could be transferred for this purpose has been identified and is shown outlined on the plan at Annexe 2. Other possibilities that are being investigated include leasing unused parts of recreation grounds.

Recommendation

It is recommended that:

1. the progress on the transfer of property to Godalming Town Council and Farnham Town Council be noted;
2. the request received from Godalming Town Council for the transfer of the Borough Hall be progressed as outlined in the report and Exempt Annexe with detailed terms and conditions delegated to the Deputy Chief Executive and the Property Portfolio Holder; and
3. further reports with recommendations on the specific terms for the transfer of property be submitted to the Executive in due course.

Background Papers

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

CONTACT OFFICER:

Name: Roger Standing **Telephone:** 01483 523221
E-mail: roger.standing@waverley.gov.uk