

APPENDIX W

WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 2ND FEBRUARY 2010

Title:

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

**[Portfolio Holders: Cllr Mike Band and Cllr 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 the revised Part 1 of Schedule 12A to the Local Government Act 1972, namely:-

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 the transfer of the Council Offices South Street to Farnham Town Council and the transfer of the Borough Hall to Godalming Town Council.
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. The Executive at their meeting on 1st December 2009 agreed that the Property Portfolio Holder (Cllr Mike Band) and the Deputy Chief Executive be delegated to negotiate the terms and conditions for the transfer of the Borough Hall.

Progress on the transfer of the Borough Hall to Godalming Town Council

3. The Borough Hall complex forms an integral part of the structure of the Council Offices. The Council Chamber, which would not be transferred, extends over part of the area to be transferred. In view of the complexities of transferring a property with a flying freehold and the future redevelopment potential for the entire offices and Borough Hall site it is considered prudent to give Godalming a lease of 125 years rather than the freehold of the property.
4. It is proposed that the transfer should be completed for the start of the new financial year on 1 April 2010. Terms are being negotiated and the (Exempt) Annexe contains details of those at present proposed, full details of the terms negotiated will be reported to the next meeting of the Executive.
5. The financial implication of the transfer involves a proposed three year tapered funding arrangement by Waverley to Godalming Town Council, the details of which are set out in the (Exempt) Annexe.
6. The financial proposal is being considered by Godalming Town Council at its meeting on 21st January 2010 and the outcome will be reported to the Executive at the meeting.

Progress on the transfer of the Farnham Council Offices building to Farnham Town Council

7. Meetings have been held with representatives of Farnham Town Council and positive progress is being made on the potential terms of a transfer of the Farnham Council Offices building to the Town Council. Details of the preliminary negotiations based on a potential nil cost transfer are set out in the Exempt Annexe attached.
8. On the basis that the outline preliminary business case set out in the Exempt Annexe appears broadly acceptable, the Executive are being asked to agree in principle progressing a nil cost transfer. The outcome of negotiations and

the detailed business case would be reported in detail to the next meeting of the Executive.

Recommendation

It is recommended that for the Borough Hall, the Executive

1. note the progress on the transfer of property to Godalming Town Council;
2. approve the tapered funding arrangement with Godalming Town Council for the transfer of the Borough Hall as set out in the report;
3. receive a further report with the specific terms of the proposed lease for the transfer of the Borough Hall at its next meeting; and

For the Farnham Council Offices the Executive approve that;

4. in principle Waverley Borough Council agree to the transfer of the Farnham Council Offices at nil value to Farnham Town Council on the terms set out in (Exempt) Annex, and
5. the outcome of the final negotiations and business case be reported back to the next meeting of the Executive for agreement.

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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Comms/exec/2009-10/011