



COFNOD O BENDERFYNIAD WEDI'I DDIRPRWYO GAN SWYDDOG
RECORD OF KEY DELEGATED OFFICER DECISION

Penderfyniad Allweddol / Key Decision ✓

PWNC / SUBJECT:

RCT Together – Community Asset Transfer of identified parcel of land within the Gelligaled Park, Ystrad to Gelligaled Park Community Action Group (Charitable Incorporated Organisation - registered charity No. 1186020)



DIBEN YR ADRODDIAD / PURPOSE OF REPORT:

To approve the grant of a 15 year lease of the identified parcel of land within Gelligaled Park, Ystrad to Gelligaled Park Community Action Group.

In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the Officer decision of the Director of Corporate Estates and the Director of Public Health, Protection and Community Services.

PENDERFYNIAD WEDI'I DDIRPRWYO / DELEGATED DECISION: (DATE) (11/11/21)

To approve the grant of a 15 year lease of the identified parcel of land within Gelligaled Park, Ystrad to Gelligaled Park Community Action Group (Charitable Incorporated Organisation - Charity No. 1186020) as set out in paragraph 5 of the accompanying officer report.

 Chief Officer Signature	Louise Davies Print Name	25.11.21 Date
 Chief Officer Signature	Dave Powell Print Name	25.11.21 Date

Mae'r penderfyniad yn cael ei wneud yn unol ag Adran 15 o Ddeddf Llywodraeth Leol 2000 (Swyddogaethau'r Corff Gweithredol) ac yn y cylch gorchwyl sy wedi'i nodi yn Adran 5 o Ran 3 o Gyfansoddiad y Cyngor.

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution.

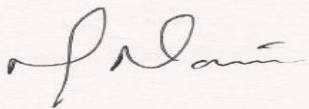
YMGYNGHORI / CONSULTATION



25.11.21

**LLOFNOD YR AELOD YMGYNGHOROL O'R CABINET
CONSULTEE CABINET MEMBER SIGNATURE**

DYDDIAD / DATE



25.11.21

**LLOFNOD YR AELOD YMGYNGHOROL O'R CABINET
CONSULTEE CABINET MEMBER SIGNATURE**

DYDDIAD / DAT

**LLOFNOD SWYDDOG YMGYNGHOROL
CONSULTEE OFFICER SIGNATURE (if required)**

DYDDIAD / DATE

RHEOLAU'R WEITHDREFN GALW-I-MEWN / CALL IN PROCEDURE RULES.

A YW'R PENDERFYNIAD YN UN BRYN A HEB FOD YN DESTUN PROSES GALW-I-MEWN GAN Y PWYLLGOR TROSOLWG A CHRAFFU?;

IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:

NAC YDY / NO ✓

Rheswm dros fod yn fater brys / Reason for urgency:

Os yw'n cael ei ystyried yn fater brys – llofnod y Llywydd, y Dirprwy Lywydd neu Bennaeth y Gwasanaeth Cyflogedig yn cadarnhau cytundeb fod y penderfyniad arfaethedig yn rhesymol yn yr holl amgylchiadau ido gael ei drin fel mater brys, yn unol a rheol gweithdrefn trosolwg a chraffu 17.2:

If deemed urgent - signature of Mayor or Deputy Mayor or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:

.....
(Llywydd / Presiding Member)

.....
(Dyddiad / Dated)

DS – Os yw hwn yn benderfyniad sy'n cael ei ail-ystyried yna does dim modd galw'r penderfyniad mewn a bydd y penderfyniad yn dod i rym o'r dyddiad mae'r penderfyniad wedi'i lofnodi.

NB - If this is a reconsidered decision then the decision Cannot be Called In and the decision will take effect from the date the decision is signed.

AT DDEFNYDD Y SWYDDFA YN UNIG / FOR CABINET OFFICE USE ONLY

DYDDIADAU CHHOEDDI A GWEITHREDU / PUBLICATION & IMPLEMENTATION DATES

CYHOEDDI / PUBLICATION

Cyhoeddi ar Wefan y Cyngor / Publication on the Councils Website:- ___25.11.21___

DYDDIAD / DATE

GWEITHREDU'R PENDERFYNIAD / IMPLEMENTATION OF THE DECISION

Nodwch: Fydd y penderfyniad hwn ddim yn dod i rym nac yn cael ei weithred'n llawn nes cyn pen 3 diwrnod Gwaith ar o lei gyhoeddi. Nod hyn yw ei alluogi I gael ei "Alw I Mewn" yn unol a Rheol 17.1, Rheolau Gweithdrefn Trosolwg a Chraffu.

Note: This decision will not come into force and may not be implemented until the expiry of 3 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

Yn amodol ar y drefn "Galw i Mewn", caiff y penderfyniad ei roi ar wait har /
Subject to Call In the implementation date will be

___01.12.21___
DYDDIAD DATE

WEDI'I GYMERADWYO I'W GYHOEDDI: / APPROVED FOR PUBLICATION:

Rhagor o wybodaeth / Further Information

Cyfadran / Directorate:	Public Health, Protection & Community Services
Enw'r Person Cyswllt / Contact Name:	Steve Smith
Swydd / Designation:	RCT Together – Community Development Officer
Rhif Ffon / Telephone Number:	01443 425368



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

DELEGATED OFFICER DECISION

11TH NOVEMBER 2021

RCT TOGETHER – COMMUNITY ASSET TRANSFER OF PARCEL OF LAND IN GELLIGALD PARK TO GELLIGELD PARK COMMUNITY ACTION GROUP (CHARITABLE INCORPORATED ORGANISATION)

REPORT OF THE DIRECTOR OF CORPORATE ESTATES AND THE DIRECTOR OF PUBLIC HEALTH, PROTECTION AND COMMUNITY SERVICES

AUTHOR(s): David Powell – Director for Corporate Estates and Steve Smith, Community Development Officer, RCT Together Team - 01443 425368

1. PURPOSE OF THE REPORT

- 1.1 To approve the grant of a 15 year lease of the identified parcel of land within Gelligald Park, Ystrad to Gelligald Park Community Action Group (Charity No. 1186020) by way of a 15 year lease.
- 1.2 In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended Officer decision of the Director of Corporate Estates and the Director of Public Health, Protection and Community Services.

2. RECOMMENDATIONS

It is recommended:

- 2.1 To endorse the grant of a 15 year lease of the identified parcel of land within Gelligald Park, Ystrad to Gelligald Park Community Action Group (Charitable Incorporated Organisation - Registered Charity No. 1186020), upon the following conditions being satisfied;
 - Existing Planning Permission conditions are met as outlined in planning application reference 21/1146/10.
 - All capital funding is secured to pay for all grounds works, installation of the Multi Use Games Area and any further mitigating works as outlined within the above planning conditions.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To enable Gelligald Park Community Action Group to transform an identified parcel of land (See Appendix 1) into an accessible Multi Use

Games Area (MUGA) to enable year-round, free use of the facilities by local children, young people and community members wishing to improve their social welfare, health and well-being. It will also enable the group to support local organisations with their delivery of play, youth and intergenerational activities as well as activities for the over 50s.

- 3.2 The group have secured planning permission and a third of the capital costs required to install the MUGA but require the completion of the lease in order to secure the remaining match-funding.

4. BACKGROUND

- 4.1 The Council's RCT Together Approach for progressing Community Asset Transfers was agreed by Cabinet at its meeting on the 30th October 2014. This approach sees the Council working with communities and partner agencies to sustain delivery of services that the Council may no longer be able to deliver on its own.
- 4.2 Applications are considered from "not for personal profit making" voluntary and community groups, social enterprises and Town and Community Councils for activities, services and facilities which benefit residents within Rhondda Cynon Taf.
- 4.3 At the Council meeting on the 19th May 2016, it was agreed that applications for asset transfer could be dealt with under the Council's Delegated Decisions framework. High level asset Transfers will need to be reported to Cabinet, if officers and the appropriate Cabinet Member feel this is appropriate.
- 4.4 A review of RCT Together was undertaken and approved by Cabinet at its meeting on 21st November 2018 to ensure any future Community Asset Transfers that are progressed, align with the Council's Community Hub development programme and can deliver the Council's strategic service requirements. Each Hub will support a neighbourhood network of preventative community services and activities that will support people living in our communities to improve their independence, resilience, health and well-being.

Overview of Gelligaled Park Community Action Group

- 4.5 Gelligaled Park Community Action Group is a Charitable Incorporated Organisation, Charity Number 1186020 registered since 2019.
- 4.6 The purpose of the group is to create and maintain facilities at Gelligaled Park, Ystrad for the benefit of the inhabitants of Ystrad Rhondda and the surrounding area. The purposes of the facilities are play, leisure and sport for individuals and groups who have need of such facilities irrespective of their age, physical or mental capacity, financial situation

or social and economic circumstances. The facilities will be available free of charge for the community in the interests of social welfare, health and well-being.

- 4.7 The group has a strong volunteer led trustee base and meet every two months to consider opportunities for encouraging greater use of the facilities. Trustees possess a range of skills, knowledge and expertise including finance, marketing, business and project management skills which enable them to satisfy financial, safeguarding and health and safety governance arrangements.

The Proposal

- 4.8 The group have undertaken a range of surveys and community consultation activities since 2018 to identify a number of community proposals for the park site. Their primary goal was based on strong feedback from the community to look at opportunities to develop a new multi-use games area (MUGA).
- 4.9 The installation of a MUGA on an area of land identified by RCT Parks Officers (See Appendix 1) will enable a range of accessible, all year round activities and sports such as basketball, football, cricket and netball to be supported by keeping the ball in play within the fenced activity area. The group recognise the importance of enabling all ages to access the outdoors for social interaction and access to physical activities which can address general health and wellbeing outcomes for residents in the Ystrad and surrounding areas. Activities such as walking football and walking rugby will also be supported for the over 50s.
- 4.10 The group recognise that the Covid 19 pandemic has presented limited opportunities for members of the community to undertake aerobic/fitness activities indoors.
- 4.11 The group have secured planning permission (with conditions) and are in the process of securing capital funding for the full installation costs for the MUGA and will be responsible for all costs associated with its long- term maintenance.
- 4.12 The group have completed a site risk assessment with appropriate mitigation measures in place.

Review of the Group's Business Plan

- 4.13 At its Panel meeting held on 9th November, officer recommendations were made to approve the Delegated Officer Decision as the group have undertaken ongoing consultation and engagement opportunities since 2018 and have demonstrated strong support from the local primary

schools, sports organisations and businesses who have pledged to both use and/or financially support the facility when installed. The group will work in partnership with these community partners to undertake a range of annual fundraising engagement activities which in itself will strengthen the community to take ownership of this facility.

- 4.14 A long term lease will enable the group to lever in the remaining capital funding required.
- 4.15 The group will use the expertise of the Council's Leisure and Parks team to undertake the necessary safety inspection checks for the site with a recharge back to the group.

5. EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 An Equality Impact Assessment screening form has been prepared for the purpose of this report. It has been found that a full report is not required at this time. The screening form can be accessed by contacting the author of the report or the Cabinet Business officer.

6. CONSULTATION

- 6.1 An Open Space Notice was advertised in the local press in accordance with the requirements of the Local Government Act 1972 inviting comments on the proposed disposal by way of lease. No comments or objections to the proposal were received.
- 6.2 Gelligaled Park Community Action Group have undertaken a series of discussions and surveys over the past 4 years within the wider community to assist in identifying priorities for the group to consider within the park. Over 71% of respondents favoured the installation of a Multi-Use Games Area.
- 6.3 The group have also received a number of "letters of support" from the local schools and sports groups who all wish to utilise the proposed community resource

7. FINANCIAL IMPLICATION(S)

- 7.1 There will be no ongoing cost implications to the Council associated with the leasehold transfer of the identified parcel of land at Gelligaled Park.
- 7.2 All costs associated with the ground works, installation, additional mitigation actions required and ongoing maintenance and regular inspections for the site will be the responsibility of Gelligaled Park Community Action Group.

- 7.3 The group have developed an annual fundraising strategy to ensure they have the sufficient funds for the required maintenance and required inspections which will be carried out by RCT Parks Team and the costs recharged back to the group.
- 7.4 The leasehold transfer will enable Gelligaled Park Community Action Group to lever in the remaining capital funding.

8. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 8.1 An Open Space Notice was published as part of the legal disposal process for Public Open Spaces as per the requirements of Section 123 (2A) of the Local Government Act 1972, which provides that before disposing (a lease is a form of disposal) of any land which is, or is part of, an open space the Council must first advertise the proposed disposal in the local press for two consecutive weeks and consider any objections raised.
- 8.2 No objections were received during the Open Space Notice process which has now concluded.
- 8.3 The Council's property legal team completed an examination of the Council's title deed for the land (report on title) shown edged in red in Appendix 1. There is nothing apparent within the deed wallet restricting the proposed use.
- 8.4 Under Section 123 of the Local Government Act 1972, Councils can dispose of land and buildings provided that best consideration is achieved. An "Open Market Rent" will be charged for use of this land parcel.
- 8.5 The proposal will contribute towards priorities identified within the Social Services and Wellbeing Act (Wales) 2014 and enable the Council to satisfy its duty to "promote social enterprises and co-operatives which involve people who need care and support"

9. LINKS TO THE COUNCILS CORPORATE PLAN/OTHER CORPORATE PRIORITIES/ SIP

- 9.1 The proposed leasehold transfer to Gelligaled Park Community Action Group will support The Council's Corporate Plan 2020 – 2024 "Making a Difference". The leasehold transfer will mean "Encouraging all residents to lead active and healthy lifestyles and maintain their mental wellbeing" and "Ensuring participation in sport and physical activity is accessible and inclusive for all by maintaining low cost, high value provision".
- 9.2 Specifically it will support the Council's priority for shared responsibility. "Working with residents and the community to share responsibility,

helping communities to do more for themselves and give them more control over what they can do to support local people in their communities”

9.3 Along with 44 public bodies across Wales, the Council is subject to the statutory requirements of the Well-being of Future Generations (Wales) Act 2015 which sets a common vision for the long-term well-being of people and communities through seven national well-being goals and provides a framework for public services to work differently through five sustainable development principles. The principles include: thinking about the long-term impact of our actions; seeking to prevent issues from occurring in the first place or from worsening; involving people and communities in decisions made that affect them; working together with other organisations and integrating our work to understand the ‘knock-on’ effects of what we do.

9.4 The Council is approaching this principle in different ways and has launched RCT Together as a means of encouraging and involving residents in how services are best sustained in communities:

“The Council’s vision is to develop a new relationship with residents that enable them to be independent and resilient and to take on greater responsibility for their local communities. This is not about the Council shifting its responsibility – it is about recognising that residents want to be more involved in what happens in their community”

9.5 The RCT Together approach is a key initiative of the Council and supports the principle set out in the Corporate Plan 2020 – 2024 by supporting communities to do more for themselves and give them more control over what they can do to support local people in their communities to strengthen their resilience and wellbeing.

10. CONCLUSION

10.1 The benefits of transferring an asset to a Community Group on a long lease are substantial and varied; unlocking community enterprise, encouraging volunteer commitment, helping utilise local intelligence and allowing the organisation to attract the necessary capital investment to create and sustain a thriving community asset.

10.2 The grant of a 15 year lease to Gelligaled Park Community Group will support the organisation to meet the identified needs of the community to provide an all year round accessible sports/games area which will benefit children, young people and families through encouraging play, sport, exercise and the associated social benefits. The recommendation is therefore to approve the lease.



LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

DELEGATED OFFICER DECISION

11th NOVEMBER 2021

**REPORT TO ACCOMPANY A DECISION OF THE DIRECTOR OF
CORPORATES ESTATES AND THE DIRECTOR OF PUBLIC HEALTH,
PROTECTION AND COMMUNITY SERVICES**

**RCT TOGETHER – COMMUNITY ASSET TRANSFER OF PARCEL OF
LAND IN GELLIGALED PARK TO GELLIGELD PARK COMMUNITY
ACTION GROUP (CHARITABLE INCORPORATED ORGANISATION)**

Background Papers:

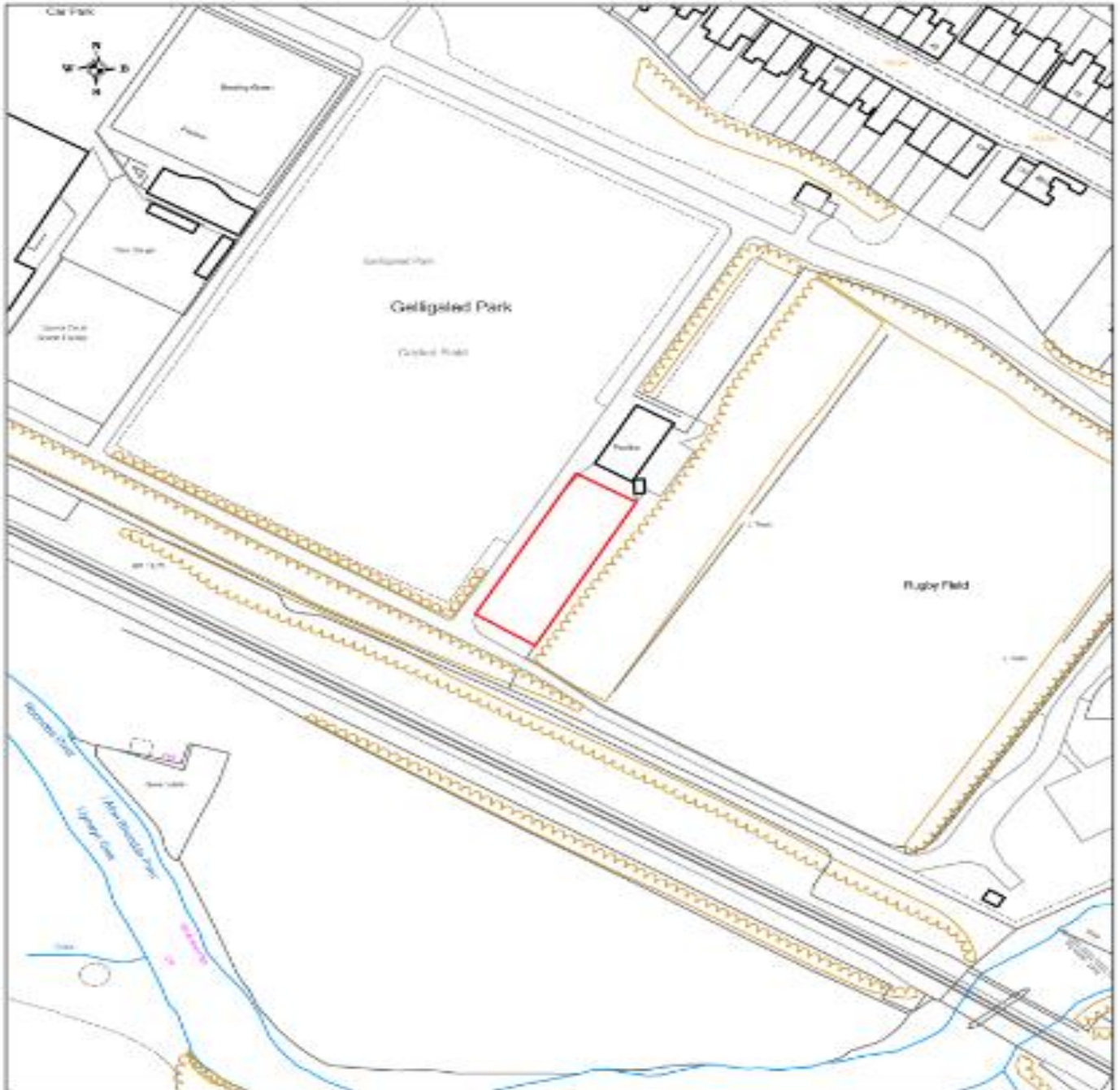
- Cabinet – 30th October 2014;
- Cabinet - 19th May 2016;
- RCT Together – Review of the Community Asset Transfer Process; Cabinet 21st November 2018.

Officer to contact:

Steve Smith, RCT Together Community Development Team
Tel: 01443 425368

Relevant Scrutiny Committee

Public Service Delivery, Communities and Prosperity Scrutiny Committee.



Title: MUGA - Gelligaled Park, Ystrad, Rhondda

Scale @ A4: 1 : 1250
Location: 299131E
194642N
Date: 17/12/2018