

TAFLEN BENDERFYNIAD AELOD CABINET CABINET MEMBER'S DECISION NOTICE

PWNC/SUBJECT:

Gwerthu rhydd-ddaliad Ysgol Y Parc, i 'Gyngor Cymuned Llanycil' / Sell the freehold interest in Ysgol Y Parc, to 'Llanycil Community Council'.

AELOD CABINET/CABINET MEMBER:

Cynghorydd Dafydd Meurig / Councillor Dafydd Meurig

PENDERFYNIAD/DECISION:

Bod rhydd-ddaliad yr eiddo a adbyddir fel safle Ysgol Gymunedol y Parc, Y Parc Bala, Gwynedd LL23 7YW ynghyd â'r tir cysylltiedig (amlinellwyd yn goch ar y cynllun) yn cael ei drosglwyddo i Gyngor Cymuned Llanycil ar delerau ac amodau i'w pennu gan yr Uwch Reolwr Eiddo Corfforaethol.

That the freehold of the property known as Ysgol Gymunedol y Parc, Y Parc Bala, Gwynedd LL23 7YW, together with the associated land (edged red on the attached plan) be transferred to 'Gyngor Cymuned Llanycil' on terms and conditions to be determined by the Senior Manager – Corporate Property.

RHESYMAU DROS Y PENDERFYNIAD / REASONS FOR THE DECISION

Yn ei gyfarfod 15.09.2009 mabwysiadodd Bwrdd y Cyngor Bolisi Ol-ddefnydd Ad-Drefnu Ysgolion.

Cydnabyddai'r Polisi fod y Cynllun Ad-Drefnu Ysgolion yn debygol o arwain at sefyllfaoedd ble bydd safleoedd ysgolion yn weddill i anghenion y Cyngor ar gyfer cyflwyno gwasanaeth.

Penderfynwyd byddai safleoedd sydd yn cael eu datgan yn weddill i anghenion yn sgil y Cynllun Ad-drefnu Ysgolion yn cael eu gwaredu, a hynny yn unol â'r egwyddorion, polisiâu gwaredu eiddo a'r gofynion statudol arferol. Rhan greiddiol o'r polisi ôl ddefnydd oedd rhoi cyfle teg i'r cymunedau sy'n cael eu heffeithio pan fo ysgol yn cau, i ystyried llunio cynllun busnes i gefnogi cymryd perchnogaeth o'r eiddo. Penderfynwyd hefyd y dylid cyflwyno adroddiad gwerthu penodol ar gyfer pob safle ysgol am sêl bendith y Pwyllgor Ardal perthnasol. Yn dilyn yr ad-drefniad cyfansoddiadol yn 2012, gorffwysa'r awdurdod cyfatebol gyda'r Aelod Cabinet Perthnasol.

Er mwyn cyflawni ei ddyletswydd dan Adran 123 o Ddeddf Llywodraeth Leol 1972, rhaid i'r Cyngor sicrhau'r pris gorau posib wrth waredu eiddo. Gan hynny, polisi'r Cyngor yw gwaredu ar y farchnad agored fel bod gan unrhyw un sydd â diddordeb gyfle i brynu neu brydlesu. Bydd hyn yn sicrhau'r pris gorau ac yn sicrhau tryloywder. Fodd bynnag, mae rhai eiddo na fyddent oherwydd eu maint, eu natur a'u lleoliad, dim ond o ddiddordeb i un defnyddiwr yn unig. Mewn achosion o'r fath argymhellir peidio gwaredu ar y farchnad agored ond yn hytrach gwerthu neu ei osod yn uniongyrchol i'r unig brynwr neu denant tebygol drwy drafodaeth breifat. Gofynnir am ganiatâd penodol i wneud hyn ym mhob achos.

Oherwydd bodolaeth prydles ddiogel ar ran sylweddol o'r eiddo mae'r sefyllfa fel y disgrifir uchod; golyga'r brydles â'r hawliau cysylltiedig nad yw'r eiddo yn ddeniadol i'r farchnad ac felly trwy waredu'r safle i'r prynwyr gyda sel bendith y prydlesai mae sicrhau gwarediad y safle fwyaf effeithiol. Hefyd, bydd gwerthu i Gyngor Cymuned Llanycil, fydd yn eu tro yn prydlesu i Bwyllgor Rheoli Canolfan Cymdeithas Y Parc yn sicrhau argaeledd yr eiddo ar gyfer budd cymunedol.

Golyga effaith y brydles a chynhwysiad cymalau yn y gwerthiant i gyfyngu defnydd y safle i 'Ganolfan Gymunedol' yn unig, mae gwerth enwol sydd gan yr eiddo.

Ni does unrhyw fwriad gwerthu am lai na gwerth y farchnad.

In its meeting of the 15.09.2009 the Council Board adopted Post-use Policies pertaining to the Re-organisation of Primary Schools.

The Policy recognises that the Re-organisation of Primary Schools is likely to result in situations where school sites are surplus to the Council's requirements for the provision of services.

It was resolved that school sites declared surplus to requirements as a consequence of the Re-organisation of Primary Schools would be disposed of in accordance with the usual property disposal principles and policies and statutory requirements. A core part of the post-use policy was to invite the communities effected by a school closure to consider formulating a business plan for the community ownership of the school site.

It was also resolved that a sale report should be submitted to the Area Committee for approval in relation to all school sites. Following the constitutional reorganisation in 2012, the equivalent authority now rests with the relevant Cabinet Member.

In order to discharge its duty pursuant to Section 123 of the Local Government Act 1972, the Council must ensure best value when disposing of any surplus property. Therefore, it is the Council's policy to dispose on the open market ensuring that all interested parties have an opportunity to buy or rent. This will ensure that the best price possible is achieved and ensures transparency. However, there are certain portions of land that are due to their size, nature and location only of interest to one prospective user. In such cases; it is recommended that the property is not disposed of on the open market; rather that it should be sold or let to the one prospective purchaser or tenant. Particular authority is sought in each such case.

Due to a substantial part of the property being subject to a secure lease this situation is as described above; the lease and associated rights mean that the property is unattractive to perspective purchasers and therefore it is by selling the site to the purchasers with the lessee's approval that the disposal of the site can be most effectively secured. Also, the sale to Llanycil Community Council, who will in turn lease the building to Canolfan Cymdeithas Y Parc Management Committee, will ensure the continued provision of the property for community use.

The impact of the lease together with the inclusion of covenants restricting the use of the site to use as a 'Community Centre' that the property only has nominal value.

There is no intention to dispose for less than market value.

BARN Y SWYDDOGION STATUDOL / VIEWS OF STATUTORY OFFICERS

1. Y Prif Weithredwr/Chief Executive:-

"Dim i'w ychwanegu/ *Nothing to add*"

2. Swyddog Monitro/ Monitoring Officer:-

"Gan nodi amgylchiadau penodol y trawsgludiad arfaethedig a'r ymwrmiad i sicyrhau pris y farchnad rwy'n fodlon gyda priodoldeb y daflen benderfyniad.

Noting the specific circumstances of the proposed transfer and the commitment to ensure market value I am content with the propriety of the decision notice."

3. Prif Swyddog Cyllid/Chief Finance Officer:-

"Dan yr amgylchiadau, credaf fod yr hyn a awgrymir yn rhesymol ac yn adlewyrchiad teg o'r opsiynau sydd ar gael. Nid oes gennyf wrthwynebiad, felly, o safbwynt priodoldeb ariannol.

Under the circumstances, I believe that the suggestions are reasonable and a fair reflection of the available options. I have no objection, therefore, from the perspective of financial propriety."

BARN YR AELOD LLEOL / VIEW OF LOCAL MEMBER

Y Cynghorydd / Councillor Elwyn Edwards

"Yn gwbl gefnogol i'r trosglwyddiad" / *"Wholly supportive of the transfer"*

LLOFNOD / SIGNED

DYDDIAD/DATE



23.02.2015

