

DECISION NOTICE OF AN INDIVIDUAL MEMBER OF GWYNEDD COUNCIL CABINET

DATE OF DECISION 8 February 2021

DATE DECISION PUBLISHED 9 February 2021

DATE DECISION WILL COME INTO FORCE and implemented,
unless the decision is called in, in accordance with section 7.25 of
the Gwynedd Council Constitution **16 February 2021**

Cabinet Member: Councillor Craig ab Iago, Cabinet Member for Housing

SUBJECT:

Transfer of the freehold of Ysgol Ganllwyd back to the beneficiaries of the original donors

DECISION

That the freehold of the property known as Ysgol Ganllwyd outlined in red on the attached plan, is transferred back to the successors in title of the original donors, in accordance with the requirements of the original transfer to the Council.

REASON WHY THE DECISION IS NEEDED

Please see attached Officer report

**DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS
APPROVED BY THE COUNCIL'S STANDARDS COMMITTEE**

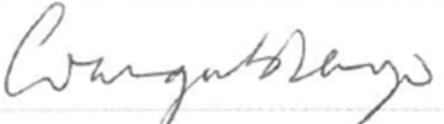
None

ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION

Consultation with
Gwynedd Council Statutory Officers
The Local Member

The results of the consultations are reported upon in the attached report

DECISION NOTICE OF AN INDIVIDUAL MEMBER OF GWYNEDD COUNCIL'S CABINET – OFFICER'S REPORT

Name and Title of Cabinet Member:	Councillor Craig ab Iago
Name and title of the Report's Author:	Lowri Cadwaladr Roberts Estates Manager
Date Decision was Taken:	08:02:2021
Cabinet Member's Signature:	

Subject:

Transfer of the freehold of Ysgol Ganllwyd back to the beneficiaries of the original donors.

Recommendation for the Decision:

That the freehold of the property known as Ysgol Ganllwyd outlined in red on the attached plan, is transferred back to the successors in title of the original donors, in accordance with the requirements of the original transfer to the Council.

The reason for the need for a Decision:

At its meeting on 15.09.2009 the Council Board adopted the Schools Reorganisation Post Closure Use Policy.

The Policy recognised that the Schools Reorganisation Plan was likely to lead to circumstances whereby school sites would be surplus to the Council's requirements to present a service.

It was resolved that sites declared as surplus to requirements as a result of the Schools Reorganisation Plan would be disposed, in accordance with the principles, property disposal policies and the usual statutory requirements. A core part of the post usage policy was to give the communities affected a fair opportunity when a school closes to consider formulating a business plan to support taking ownership of the property.

It was also resolved that a specific report on the sale should be submitted for each school site for the approval of the relevant Area Committee. Following the constitutional reorganisation in 2012, the corresponding authority lies with the relevant Cabinet Member.

In the case of Ysgol Ganllwyd we have to deviate from the above policy. The site was originally given to the predecessors of Gwynedd Council to develop a school on this site. A clause has been included in the original transfer that entails that the Council is required to transfer the property back to the beneficiaries of the original donors when the use of the site as a school ends.

Following an advertisements process in the local and national press, a beneficiary has been identified.

Rationale and justification for reaching the Decision:

The clause included in the original transfer means that it is not possible for the Council to deviate from the recommendation on this notice.

Record of any personal interest by any Cabinet Member consulted and any dispensations approved by the Standards Committee:

None.

Any consultations held before making the Decision:

None

Chief Executive – None

Chief Finance Officer – In this case the properties will be transferred back to the successors to the original donor and there will be no capital receipts. This is the legal position to which the Council must adhere, and therefore I have no further comments.

Monitoring Officer – The recommendations in the report have been the subject of advice from Legal Services. No observations to add in relation to propriety.

Local Member/s - Councillor Peredur Jenkins

I am not happy with the decision however we must accept the legal advice.

the Grid



Ganllwyd

