

# Report to: Assets and Operations Committee

**Report Ref:** A1909  
**Meeting Date:** 2<sup>nd</sup> September 2019  
**Agenda Item:** 7  
**Prepared By:** Town Clerk



**Subject:** Asset Transfer

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## 1.0 BACKGROUND

The former Knutsford Urban District Council (1895-1974) was responsible for the management of an array of public services and assets. Following local government reorganisation in 1974 the majority of urban districts were replaced new parish (town) councils and, depending on the new district councils which were formed, the parishes and town councils were left with varying assets. In Knutsford all assets were vested in Macclesfield Borough Council with the exception of 60 King Street (an argument that it was 'parish property' enabled the town council to keep it) and the cemetery, which whilst vested in the town council was managed by the borough council.

The idea of the transfer of assets from the borough council to the parish and town councils was part of the original plans for establishing the new Cheshire East Council and similar transfers have taken place across the country. The Town Council began discussing the potential for transfers in 2010/11 with the perceived benefits being that locally run assets would better reflect the wishes of the community, involve less bureaucracy and deliver better value for money.

### 1.1 INITIAL TRANSFER PRIORITIES

The initial discussions resulted in the council expressing an interest to take on the following assets:

<b>Public Toilets</b>	Malt Street and Bexton Road transferred in 2013 (freehold) Transfer of Northwich Road did not progress as the property was leased by Cheshire East Council and the landlord did not consent to a transfer.
<b>Markets</b>	Indoor Market transferred in 2014 (freehold) along with a licence to use Silk Mill Street car park for an outdoor market three days per week for 10 years and a transfer of the market rights for the town.
<b>Allotments</b>	Warren Avenue and Sparrow Lane allotments <sup>1</sup> transferred in 2015 (leasehold). The Mereheath Lane site did not transfer as it was leased by Cheshire East Council and it was determined that the allotment society would deal directly with the landlord.
<b>St Johns Wood</b>	Following discussions the transfer did not progress due to the school

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<sup>1</sup> The Town Council already owned part of the Sparrow Lane site freehold



<b>Community Centre</b>	becoming an academy, increased community use at the Sports Barn was negotiated instead.
<b>Council Offices</b>	Initially on phase two for transfer. Freehold transfer agreed in 2017 and awaited.
<b>Civic Centre and Cinema</b>	Cheshire East Council withdrew the offer of a transfer and instead leased it to a private operator.
<b>Play Areas</b>	An expression of interest was initially expressed for the play areas at Longridge, Southfields, the Moor, Manor Crescent (former play area, currently void) and the Longridge MUGA. The transfer was not progressed.

## 1.2 2014 REVIEW

Following the adoption of the 2020 Vision, the council established a new working group to consider further asset transfers. Following its deliberations, council resolved to:

1. Request the transfer (subject to business case) of
  - a. The open space at St Helena/North Downs/Longridge
  - b. The open space at Ashworth Park
  - c. Silk Mill Street Car Park
  - d. Booths Garden
2. Consider the transfer of former play areas on Manor Crescent and Mobberley Road dependent upon the thoughts of local residents, and the taxi office, after the transfers under (1)
3. To monitor the following assets and consider a transfer if there was a substantial decline in standards or the areas were at risk of being lost to the public
  - a. The Barncroft
  - b. Southfields Play area
4. To take no action on the following assets:
  - a. Bus shelters and Bus Station
  - b. Library
  - c. St Johns Churchyard
  - d. Woodland near the Moor

## 1.3 ASSETS POLICY

In 2019 the council adopted an assets policy which set out that it should only seek to acquire assets (defined as land and buildings) which are within the Neighbourhood Plan area and add to or preserve services and public realm it provides to residents and visitors. The policy confirmed the established practice that the acquisition of any assets be subject to the approval of a business case by Full Council.

## 1.4 CHESHIRE EAST COUNCIL POLICY



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In 2016 Cheshire East Council adopted a new asset transfer framework, the most significant change was that any assets (excluding the categories of transfer already approved with the town council) would be on a leasehold basis with a term of 30 years except in exceptional circumstances. The framework also confirmed that car parks would not transfer and that no dowries would be paid as part of any transfer.

Following the previous committee meeting the Town Clerk has written to the new Leader of Cheshire East Council requesting confirmation as to whether its policy and priority of transfers has changed. No reply has been received.

## **2.0 CURRENT POSITIONS**

### **2.1 COUNCIL OFFICES**

The council approved a business case to take on the council offices and its grounds (subsequently amended to include the library grounds also) as a freehold transfer. This has been approved by Cheshire East Council and in February 2019 a public open space disposal process was commenced. The council is awaiting Cheshire East Council signing an officer decision to conclude the process and refer the matter to its legal department so the legal stage of the transfer can commence.

### **2.2 ASHWORTH PARK**

Transfer of a small open space on Ashworth Park, backing onto the railway.

A business case for this transfer was approved in principle by the Assets and Operations Committee in June 2016 with the aim to create a play area in a part of town which was recognised as being too far (beyond 5-10 minutes walking distance) from the existing provision. A consultation was undertaken with residents in autumn 2016. Following consideration of the consultation feedback in January 2017 it was resolved not to progress a transfer.

### **2.3 SILK MILL STREET CAR PARK**

The rationale for this transfer was that the car park would serve the Market Hall and provide the council with maximum flexibility to operate it a marketplace. Whilst the council did not receive an official response from Cheshire East Council, it was told by a former Portfolio Holder for Assets that the transfer of any car park was not likely to take place.

### **2.4 BOOTHS GARDEN**

Transfer of the garden area behind Booths supermarket on Stanley Road.

A business case for this transfer was prepared in 2016. It was recognised that the benefits of transfer (an improvement to the neglected and poorly designed garden) could be realised without an asset transfer. The matter was referred to the council's Environment Committee to explore further. In spring 2019 the Environment Committee commissioned improvements to the area but consent is currently awaited from Cheshire East Council before this can take place. The Environment Committee recommended that council consider the transfer of the asset, this is pending a response from Cheshire East Council in relation to the proposed works.



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## **2.5 ST HELENA'S (LONGRIDGE/NORTH DOWNS)**

Transfer of two large open spaces on Longridge, including the scheduled ancient monument site of the chapel of St Helena.

Noting the slow progress in other transfers, in January 2018 council resolved to pause work on this transfer (including the preparation of a business case) until Cheshire East Council was in a position to progress further asset transfers.

## **3.0 DECISIONS REQUIRED**

The committee should note the information and consider the council's current position on the transfer of assets.



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