

Committee: **Executive Committee**
Date of meeting: **16th March 2022**
Report Subject: **Acquisition of Highways Assets at Six Bells Abertillery**
Portfolio Holder: **Cllr. Joanna Wilkins, Executive Member Environment**
Report Submitted by: **Head of Community Services, Clive Rogers**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
09.03.22	10.03.22	11.03.22				16/03/2022		

1. Purpose of the Report

- 1.1 The purpose of this report is to provide the Executive Committee with options for the proposed acquisition of highways assets at Six Bells Abertillery.

2. Scope and Background

- 2.1 The Council has been approached by a consortium of residents at High Street, Six Bells, Abertillery, requesting the Council consider becoming the freehold owner of land currently within their ownership.
- 2.2 The land in question (see plan appendix 1) was purchased by the consortium from the National Health Service (NHS) in December 2019 to protect the interests of local residents and property owners.
- 2.3 The group would now like to offer the freehold interest for the highways assets at no charge to the Council, to include the following;
1. The lane at the rear of High Street Six Bells
 2. Road and lane between High Street and New High Street Six Bells (including the turning area)
 3. Pathway from New High Street and Graig Road Six Bells

A detailed site plan is attached at appendix 2

- 2.4 Officers have investigated this request and can confirm that the areas as identified in 2.3 above have already been formally adopted and are currently managed and maintained at the expense of the Council.
- 2.5 Other than any costs for legal fees (for which the group would be prepared to contribute) officers can see no apparent reason why these highways assets could not be formally transferred under freehold to Council ownership as maintenance costs are already being funded directly by the council.

3. **Options for Recommendation**

3.1 **Option 1**

Do nothing

The highways assets will remain in the ownership of the consortium and the Council will continue to fund future maintenance costs.

3.2 **Option 2 (Preferred Option)**

The Council agree to the request and make the necessary arrangements to complete and transfer the freehold interest to the Council.

3.4 **Recommendation**

3.4.1 It is recommended that:

Option 2 is approved and the freehold transfer to the Council is completed through appropriate consultation with the group and the Council's estates section.

4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

4.1 **Corporate Priorities**

4.1.1 This report supports the key priorities identified in the Corporate Plan namely – “Protect and enhance our environment and infrastructure to benefit our communities” in line with the Council's Highways Maintenance Plan (HMP).

4.1.2 This report supports the Corporate Priority to “reinvestment in highways and improvements to the residential network”.

4.2 **Well-being plan**

4.2.1 This report supports the Blaenau Gwent Wellbeing Plan 2018-2023 by ensuring that having a “Street Scene and Landscape” that is well maintained enhances the perception of the area and can contribute to Blaenau Gwent being a better place to live, visit, invest in and work.

5. **Implications Against Each Option**

5.1.1 Option 1

- The consortium could look to sell off the land to a private interest.
- Access to local residential areas could be restricted if an order to extinguish public highway by the landowner was agreed by statutory power.
- An agreement with the landowner would be required if the highway boundary needed to be adjusted.

5.1.2 Option 2

- Should option 2 not be supported then an opportunity may be lost to receive the land/assets and freehold ownership of the land at no cost to the council.
- In the event of a highway status being brought to an end under statutory procedures the land will remain with the Highway Authority to allow development to take place.

5.2 ***Impact on Budget (short and long term impact)***

5.2.1 **Revenue/Capital Costs**

5.2.1.1 The estimated costs associated with the proposed option will be as follows:

- Legal fee Council – (to be undertaken in-house by Estates)
- Legal Fees Consortium – estimated at £2,500

It is proposed at this point that Blaenau Gwent CBC will fund the costs, however, the consortium have offered to make a financial contribution to these costs.

5.2.1.2 The ongoing maintenance costs for the asset following freehold transfer will continue to be the responsibility of the council.

5.3 ***Risk including Mitigating Actions***

5.3.1 The risks associated with this report are as follows;

- An opportunity to fully acquire and improve the quality of the highway network will be lost.

5.4 ***Legal***

5.4.1 There will be a requirement to legally transfer the proposed highways assets to the council. The Council's Property Solicitor will be required to liaise with the Consortium's legal representative, review the draft documentation and complete the transfer to the Council.

5.5 ***Human Resources***

5.5.1 There are no direct staffing implications associated with this report.

6. **Supporting Evidence**

6.1 ***Performance Information and Data***
N/A

6.2 ***Expected outcome for the public***

- 6.2.1 The local community will have surety of access to residential properties for the foreseeable future.

6.3 ***Involvement (consultation, engagement, participation)***

- 6.3.1 Officers have undertaken consultation with local ward members and the local resident consortium concerned who are in full agreement with the transfer proposal.

6.4 ***Thinking for the Long term (forward planning)***

- 6.4.1 Protecting the residential highway network in Blaenau Gwent is key to ensure sustainability for the future, bringing these highways assets into Council ownership will protect the highway infrastructure and assist in meeting the service requirements of the future.

6.5 ***Preventative focus***

- 6.5.1 Accepting this land from the consortium will prevent the land being sold off to any private concern, thus making a prudent decision to act now rather than later when there may be purchase costs associated with any transfer.

6.6 ***Collaboration / partnership working***
N/A

6.7 ***Integration (across service areas)***

- 6.7.1 The highways maintenance team works closely with a number of services in the delivery of maintenance programmes including; education, regeneration and the council's engineering section.

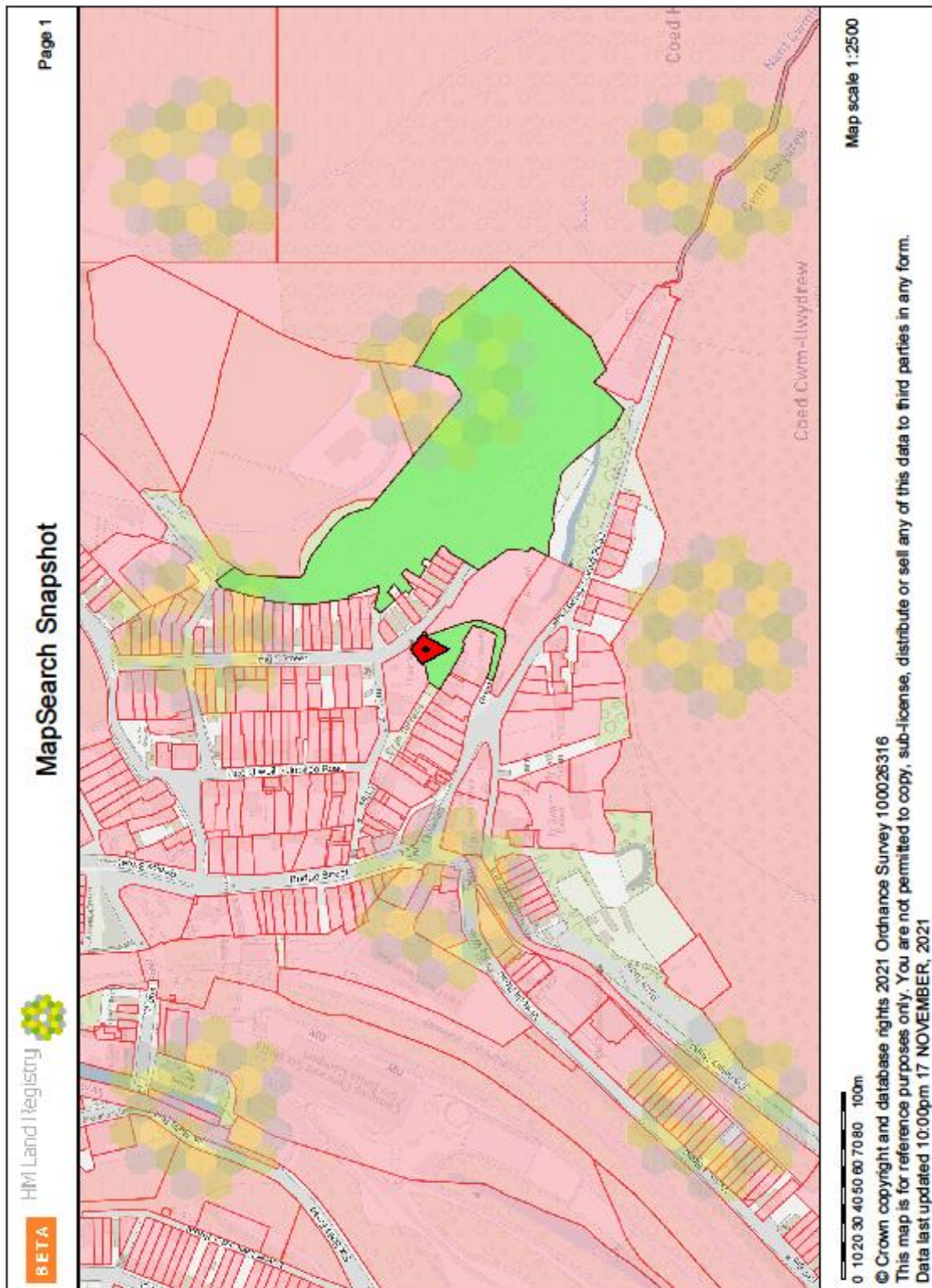
6.8 ***Equal (screening and identifying if full impact assessment is needed)***
An EQIA is not relevant to the content of this report.

7. **Monitoring Arrangements**

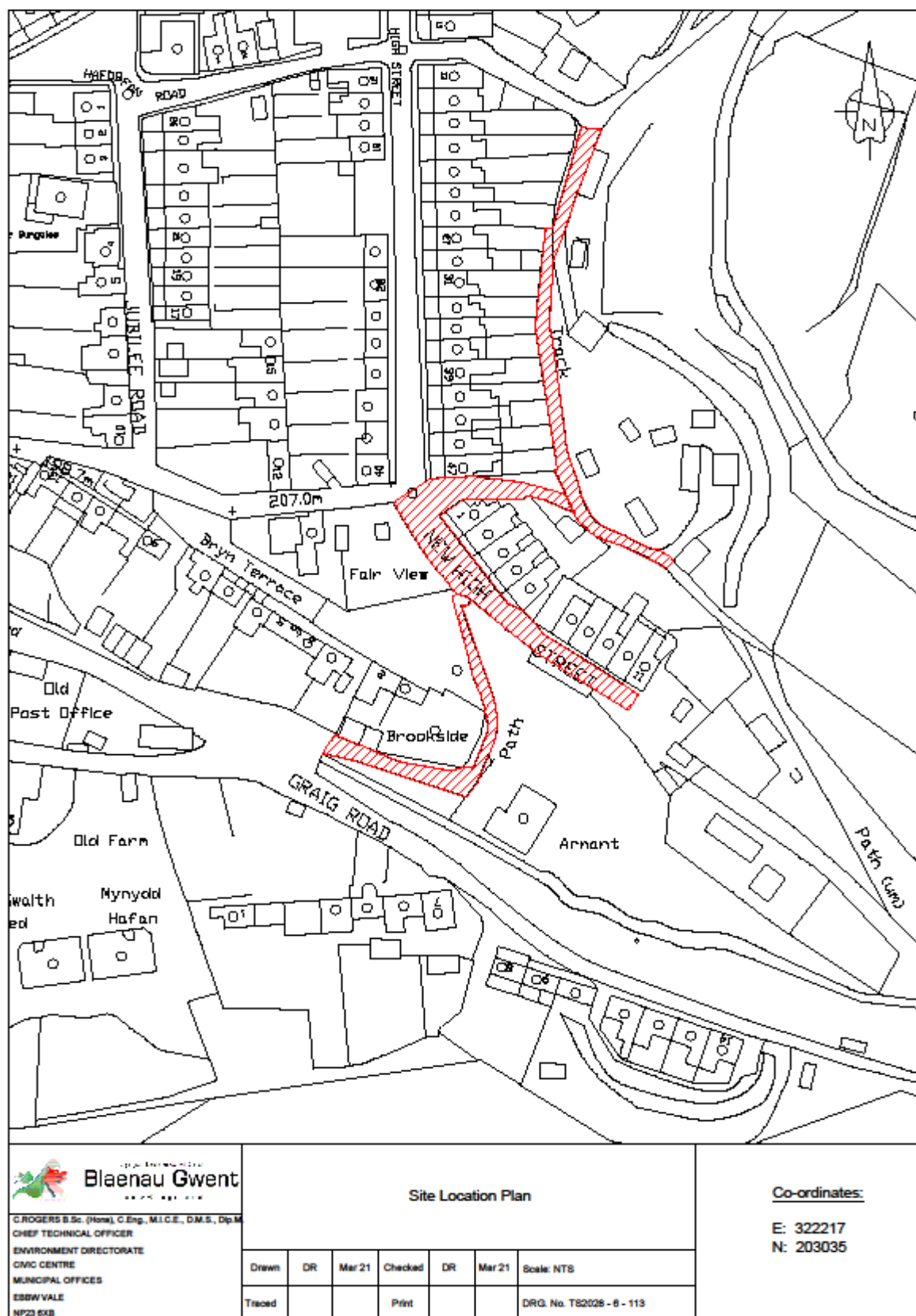
- 7.1.1 The works will be initiated and monitored in line with any legal requirements and progress can be reported if necessary through scrutiny and executive committees.

Background Documents /Electronic Links

Appendix 1 – Land purchased by the Six Bells Resident Consortium
Appendix 2 – Extent of land to be gifted to the council



Land highlighted in green on plan above has been purchased by the consortium from the NHS.



Land hatched in red on above plan is being offered to the council at no charge.