

## **NORTH SOMERSET COUNCIL DECISION**



**DECISION OF:** COUNCILLOR MIKE BELL. LEADER OF THE COUNCIL AND CABINET MEMBER FOR STRATEGIC PARTNERSHIPS, FINANCE, DIGITAL AND CORPORATE SERVICES

**WITH ADVICE FROM:** THE DIRECTOR OF ENVIRONMENT, ASSETS AND TRANSPORT SERVICES & SECTION 151 OFFICER

**DECISION NO:** 25/26 EAT 283

**SUBJECT:** DELIVERING THE LOCAL DEVOLUTION PROGRAMME – PORTISHEAD AMBITION

**KEY DECISION:** YES

**REASON:** This decision affects two or more wards

### **BACKGROUND:**

The Local Devolution Programme was developed to give communities greater influence over local services and the opportunity to go beyond the baseline level currently provided by North Somerset Council. This approach follows similar initiatives by other authorities, such as Somerset Council, who are working with parishes to enhance local decision-making. With statutory services consuming a growing share of resources, North Somerset Council has been clear that while it will continue to provide a minimum level of service, there is opportunity for town and parish councils to take on assets and invest in improvements that reflect local priorities.

Portishead Town Council want to take on a significant number of assets, including the Lake Grounds and Somerset Hall. The Town Council reports strong local support for the principle of devolution following a consultation in June/July 2025.

Following approval at the 10 September Cabinet Committee meeting to allow for more engagement, Cllr Mike Bell, under delegated powers, later approved the Local Devolution Framework (see BACKGROUND PAPERS). This has enabled the programme to progress to its delivery phase. This report aims to provide reassurance to Portishead Town Councillors of North Somerset Council's commitment to ongoing dialogue around the transfer of named assets, enabling informed decisions as they prepare their 2026–27 budget.

### **DECISION:**

- To support the transfer of the sites identified in “Appendix 1 – Asset transfer list for Portishead” to Portishead Town Council and able them to prepare their draft budget for 2026/27
- To sponsor the report to Cabinet in February which will recommend the transfer of sites listed in “Appendix 1 – Asset transfer list for Portishead” to Portishead Town Council

## **REASONS:**

This decision notice is intended to provide Portishead Town Council with the reassurance that NSC is committed to transferring assets in “Appendix 1 – Asset transfer list for Portishead” which are set to be taken before the Cabinet in February for approval. This allows Portishead Town Council to prepare its 2026/27 budget to enable these transfers.

Individual asset disposals will be required to follow North Somerset Council’s Assets Disposal Framework and will be subject to the relevant contract standing orders approval as set out in NSC’s governance.

## **OPTIONS CONSIDERED:**

None. This report is to provide reassurance on the continued work to deliver devolution in Portishead.

## **FINANCIAL IMPLICATIONS:**

There are no financial implications linked directly to this decision notice. Full financial implications will be considered in the report being taken to the February Cabinet meeting.

## **LEGAL POWERS AND IMPLICATIONS:**

North Somerset Council is exercising its powers to devolve land and assets under the Local Government Act 1972, including the duty to obtain best consideration where applicable and the General Disposal Consent 2003. The Local Devolution Programme Framework (see BACKGROUND PAPERS), approved in October 2025, sets out the legal standards that now govern all transfers.

The approved Framework includes legal safeguards for all asset transfers. These include reference to overage provisions where an asset falls out of community use or is later sold at commercial value, rights of pre-emption in favour of the Council, community-use covenants, and the reservation of access and service rights required to protect the Council’s retained land or infrastructure.

Whilst the council is committed to being open and flexible, consideration of conditions will be assessed on a case-by-case basis for each asset and will pay due regard to the external and internal governance requirements and responsibilities.

These conditions are not discretionary additions; they form part of the Council’s adopted policy and will be included in every legal agreement drafted under the Programme.

The Council will continue to follow the governance route set out in the Framework and the Disposal Procedures, including compliance with statutory publicity requirements for the disposal of Public Open Space, the need for valuation advice, and the assessment duties placed on the Corporate Asset and Property Board.

The Section 151 Officer will be required to review proposals linked to each asset transfer which will provide assurances relating to best value.

### **CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS:**

Climate implications were detailed in the main report taken to the Cabinet on the 10 September. See 'BACKGROUND PAPERS'.

### **CONSULTATION:**

The Local Devolution Programme team is made up of key officers from across the council, ensuring required disciplines are fully engaged in the progress of the programme:

- Open Spaces, Natural Environment and Leisure Services
- Community Halls Management Services
- Head of Finance/ S151
- Environment, Assets & Transport Business Partner
- Head of Legal (/ Governance & Monitoring Officer)
- Property & Asset Management
- Partnerships & Policy
- Director of Environment, Assets & Transport
- Leader Cllr Mike Bell (portfolio member)

NSC have held a number of detailed discussions with representatives from Portishead Town Council regarding:

- framework principles
- asset list
- phasing of programme
- operational considerations
- financial considerations
- roles and responsibilities

### **WARD MEMBER AND SCRUTINY ENGAGEMENT:**

Ward Members have been engaged at key milestones of the programme including the development of the framework where comments were being sought, sight of the asset list requested from Portishead Town Council and at the framework's approval. As a key decision, affect two or more Wards, a copy of this report will be published on the North Somerset Council website ahead of any approval being sought by the decision maker. A link will be shared with the Ward Members prior to its approval and any subsequent comments shared with Cllr Mike Bell.

The Local Devolution Programme has been taken before the Corporate, Assets, Transport & Environmental Services Policy and Scrutiny Committee on the following occasions:

- July 2025 - Framework review and discussion
- January 2026 – (Invite extended to all-members) Update on programme, including case studies for Yatton Parish Council and Portishead Town Council

## RISK MANAGEMENT:

Risk	Inherent risk	Residual risk	Mitigations	Comments
Negative financial implications for North Somerset Council <ul style="list-style-type: none"> <li>the framework outlines each party must cover their own legal fees, these will apply per asset</li> <li>The Parks &amp; Street Cleansing contract post 31 March 2027 could increase in cost due to reduced specification and loss of economies of scale. This will impact the MTFP.</li> </ul>	<b>HIGH</b>	<b>MEDIUM/HIGH</b>	<ul style="list-style-type: none"> <li>Have a pragmatic approach when discussing large volumes of assets in order to reduce legal costs associated with freehold transfers i.e. does the freehold need to transfer, could the service transfer instead</li> </ul>	NSC will need to consider the benefit of future phases, if the benefit does not outweigh the cost, then it may not be within NSC's best interests to continue with the programme
Ability to meet the challenging timescales requested by the Town Council <ul style="list-style-type: none"> <li>a significant number of assets have been requested for freehold transfer by 01 April 2026</li> </ul>	<b>HIGH</b>	<b>MEDIUM</b>	<ul style="list-style-type: none"> <li>NSC to recruit a Conveyancer to manage both the workload in partnership with the Property &amp; Asset Management team</li> <li>Phased approach to delivery to best manage resources – focusing on the freehold transfer of the more prominent open spaces</li> <li>Other land to be initially transferred by licence, with freehold to follow</li> </ul>	Despite the noted mitigations the overall risk on timescales remains high given; the unknown complexities of each asset, and any further negotiations around transfer details
Limited internal resource required to undertake the LDP work at anticipated pace <ul style="list-style-type: none"> <li>duty to undertake thorough due diligence on financial, procurement, legal and operational impacts</li> <li>competing council work priorities</li> </ul>	<b>HIGH</b>	<b>MEDIUM</b>	<ul style="list-style-type: none"> <li>Requirement to recruit for a Conveyancer</li> <li>Resource monitoring is required by Senior Leadership and Project Sponsor to manage expectations</li> </ul>	Parallel workstreams include the extensions of the current Parks & Street Cleansing contract, and the development of the contract specification and subsequent procurement process
Actioning LDP without awareness/ support from the wider community of North Somerset <ul style="list-style-type: none"> <li>unknown awareness levels of what the Local Devolution Programme is</li> <li>understanding of how local devolution could affect local precepts</li> </ul>	<b>HIGH</b>	<b>MEDIUM</b>	<ul style="list-style-type: none"> <li>Recipient Town Council to carry out their own engagement</li> <li>Develop an LDP comms and engagement plan for wider NS community</li> <li>Follow required consultation processes on individual sites</li> </ul>	<p>To date NSC have not carried out wider consultation regarding Local Devolution</p> <p>PTC have carried out localised consultation on their LDP plans</p> <p>Reliant on town and parish councils to convey that due to loss of economies of scale, costs are likely to increase via their precepts</p>

## **EQUALITY IMPLICATIONS:**

Have you undertaken an Equality Impact Assessment? Yes

[Equalities Impact Assessment.docx](#)

## **CORPORATE IMPLICATIONS:**

There are significant corporate implications on the council that need to be factored, these include:

- Property & Asset Management / Legal services: Delivering a programme of this scale will require increased internal capacity, particularly within Property & Asset Management and Legal.
- Financial / procurement: The Parks & Street Cleansing contract post 31 March 2027 could increase in cost due to reduced economies of scale. This will impact the MTFP.
- HR: There may be implications for staffing such as TUPE, which will require HR oversight and support.
- Sustainability / Climate Emergency: The transfer of freehold land may reduce the Council's strategic influence over environmental management and limit its ability to enforce climate emergency and green policy initiatives.
- Public Relations / Customer Services: Variability in Local Delivery Partner (LDP) arrangements across North Somerset may lead to public confusion over responsibilities, particularly in emergency response scenarios. This could increase demand on customer service teams to manage and redirect queries.

## **APPENDICES:**

[Appendix 1 – Asset transfer list for Portishead](#)

[Appendix 2 – Equality Impact Assessments](#)

## **BACKGROUND PAPERS:**

- [Cabinet decision – 10 September 2025 – approvals and delegation of Local devolution policy framework](#) (see agenda item CAB24)
- [Cabinet Member decision - 25/26 EAT 224 signed – Local devolution programme framework approval](#)
- [Local devolution policy framework – final document](#)

## **SIGNATORIES:**

### **DECISION MAKER(S):**

Signed: ..... Leader of the Council and Cabinet Member for Strategic Partnerships, Finance, Digital and Corporate Services

Date: .....

WITH ADVICE FROM:

Signed: ..... Director Environment, Assets and Transport  
Services

Date: .....

WITH ADVICE FROM:

Signed: ..... S151 Officer

Date: .....