

<u>Building Condition and Structural Integrity</u> Structural survey Electrical Installation Condition Report (EICR) Gas Safety Certificate Fire Risk Assessment Asbestos Survey Legionella Assessment EPC (Energy Performance Certificate) Drainage	Conwy do not have a structural survey Supplied Up to date (verbal confirmation from Conwy CBC) Up to date (verbal confirmation from Conwy CBC) Up to date report is on route- previously report was out of date. Not undertaken presently EPC to be commissioned once further progress has been made and will be provided prior to instructing solicitors. (We believe that that this has been commissioned recently but CBC are not prepared to share the results at this time) Conwy do not have a drainage survey-
Specific Concerns Drains regularly blocking – has a drainage survey been completed? Have tree roots affecting drainage or foundations been removed?	CBC have no record/recall of the collapsed drain/root damage.

<u>Financial Position and Cost Responsibilities</u> Utilities and Service Charges Need an understanding of how figures are split. Are all utility costs being paid in full by lease holders including contribution to communal areas? Current known contributions: Communal areas: Are all leaseholders paying 50% contribution? Non-Domestic business rates Fire testing	TC will need to enter into their own contracts for the gas/electric/water/Fire/boiler servicing etc following the transfer. The current contracts held by CCBC will be brought to an end once the transfer is completed. 2023/2024 figure received- Conwy CBC not prepared to supply any more recent figures. Details of any Outstanding Debts. - As far as Conwy CBC there are outstanding debts with providers/ services and should we progress a transaction any outstanding debts would be cleared prior to completion. Clinic: 36.38% Library: 28.5% Community Centre: 0% – but will be 31.81% if a lease is taken forward. All lease holders would be responsible for their own rates/arranging rate rebates/reductions. Cost of testing would be split between lease holders.
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Lease Arrangements and Legal Matters

Existing Leases

Does the historical Kinmel Bay Community Building Management Committee meet quarterly as mentioned in the NHS clinic lease?

Resource Centre Lease

If the Town Council does not take over the full footprint, what happens to the resource centre lease due for renewal next year?

Is the SLA for the library available?

What plans do Conwy have for the building if the TC do not take it over?

This committee has been disbanded.

Conwy CBC have confirmed that the Resource Centre lease will not be affected by the decision and will be renewed if the members decided to not go ahead with the asset transfer.

A new SLA is currently being drafted for the library which is for the provision of library services as opposed to anything to do with the building which would be captured in a lease.

None

Long term community protection • Secures the building for community use in perpetuity. • Prevents disposal or change of use by third parties. • Demonstrates civic leadership. • Prevents sale or redevelopment by an external owner. • Ensures continuity for existing tenants and local groups.	Responsible for structural integrity and statutory compliance. • Own the structure and title. • Inherit all existing lease agreements. • Assume all landlord obligations. • Given present state of the building and car park will result in substantial refurbishment costs.
Asset Security • Prevents external sale or redevelopment. • Guarantees that tenants remain in the building under favourable terms, protecting local organisations.	Town Council becomes a Commercial Landlord This requires compliance with: • Landlord & Tenant Act 1954 (security of tenure) • Repairing covenants • Service charge legislation • Insurance obligations • Equality Act compliance (common parts) • Health & safety law (common areas)
	Structural Liability Remains with Freeholder (Usually)

	Even if leases are “Full Repairing and Insuring (FRI)”: • Structure and external envelope often remain a freeholder responsibility. • Major works (roof, structure, plant replacement) can be high cost. • Recovery through service charges is only possible if leases allow. • One major defect could require precept support.
Potential for Future Funding Being the freeholder may make the Council eligible for capital grants or improvement funds that are only available to owners.	Full Financial Responsibility Costs fall to the Council, including: • Maintenance and repairs (roof, structure, services) • Insurance • Compliance (fire safety, asbestos, accessibility) • Unexpected major works (e.g., roof replacement) could run to £50k–£250k+, depending on building size and age.

	No Income Buffer • Peppercorn rent provides no contribution toward costs. • Any deficit must come from precept or Council reserves — effectively public funds. • Reliance on external funding is essential.
	Community Engagement • Ensure tenant and wider community buy-in. • Public Consultation needed.

Funds available

EMR Community Centre	£20,000
Public Sector Deposit fund	£60,500
Total	£80,500

Considerations-

If the members feel they would like to explore further the Town Council must commission a comprehensive independent Pre-Acquisition Survey, which will include a Structural, Mechanical and Electrical Survey, and a Drainage/Sewer Survey. This will identify:

Structure

- Roof structure: tiles, flashing, joists, trusses
- Walls: brickwork, render, signs of movement or cracking
- Floors: timber, concrete slabs, subsidence indicators
- Foundations: visible issues, settlement, damp
- Windows/doors: condition, draft, water ingress
- External areas: paths, drainage gullies, boundary walls
- Compliance checks: fire exits, load-bearing elements

Mechanical & Electrical (M&E)

- Heating system: boilers, radiators, pipework, controls
- Cooling/ventilation systems (if applicable)
- Electrical installation: wiring, sockets, distribution boards
- Lighting: condition and efficiency
- Fire alarms and emergency lighting
- Plumbing: water supply, hot water, pipework
- Compliance: PAT testing, safety regulations, energy efficiency

Drainage / Sewer Survey

- Internal and external drainage layout
- Sewage connections and inspection chambers
- CCTV inspection of drains/sewers to identify cracks, blockages, collapses
- Risk of flooding or ground movement affecting drains

Total approx. cost- £7,000- £10,000

Options for way forward

Option 1	TKBTC will purchase the KBCC footprint freehold and oversee the management and running of the Community Centre, including preparing a schedule of required property improvements and applying for grant funding. This includes the day to day running of the Community Centre and therefore would be able to raise an income.
Option 2	TKBTC will take ownership of the KBCC footprint freehold and identify a suitable local organisation, community group, or charity to take over the lease and run the Community Centre only. Conwy CBC have confirmed that presently there is no lease in place for the Community Centre therefore it would be up to the Town Council as landlord to identify a suitable tenant. This will allow the organisation/group/charity to access grants and funding for any improvements or refurbishments they need, while keeping their liability limited. TKBTC would remain the landlord, responsible for the building, but would not earn any income and would not be involved in the day-to-day running of the Centre.
Option 3	A community group, organisation, or charity would be offered the opportunity to purchase the KBCC footprint freehold as landlord, assuming full responsibility for all landlord duties, including funding any associated works.

	This includes the day to day running of the Community Centre and therefore would be able to raise an income or deciding to lease the Community Centre area to another party. Conwy CBC have confirmed that they would consider this as an option.
Option 4	TKBTC do not take over the KBCC footprint freehold, and Conwy CBC renew the Community Resource Centre lease for another 25 years when the present lease comes up for renewal in May 2027.
Considerations:	Purchasing the KBCC footprint freehold would lead to an increase in the precept, so it may be necessary to consider carrying out further consultation with regard to the proposed purchase. The proposed surveys are expected to cost up to £10,000. While the full condition and potential issues of the building won't be known until the surveys are completed, we need to consider whether it is appropriate to proceed. Are the surveys a worthwhile investment of public funds and an important part of the Town Council's due diligence to make an informed decision, or could they be viewed as unnecessary expenditure/waste of money if the purchase does not go ahead?