

## DECISION NOTICE OF AN INDIVIDUAL MEMBER OF GWYNEDD COUNCIL CABINET

<b>DATE OF DECISION</b>	09/02/2026
<b>DATE DECISION PUBLISHED</b>	11/02/2026
<b>DATE DECISION WILL COME INTO FORCE</b> and implemented, unless the decision is called in, in accordance with section 7.25.1 of the Gwynedd Council Constitution	18/02/2026

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### NAME AND TITLE OF THE CABINET MEMBER:

Councillor Paul Rowlinson (Cabinet Member for Housing and Property)

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### SUBJECT

**Transfer of Cae Pawb Allotments**

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### DECISION

Transfer the freehold interest of Cae Pawb Allotments directly to Porthmadog Town Council on terms and conditions to be determined by the Head of the Housing and Property Department.

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### REASON WHY THE DECISION IS NEEDED

Please see attached Officer Report.

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

None.

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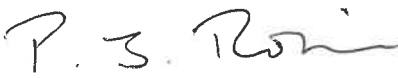
### ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION

Consultation with  
Cyngor Gwynedd Statutory Officers and Local Members.

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

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

Name and title of Cabinet Member/s:	Councillor Paul Rowlinson
Name and title of Report Author :	Gethin Jones (Senior Estates Surveyor)
Date of Decision :	9/2/2026
Signature of Cabinet Member/s :	

**Subject :**

Transfer of Cae Pawb Allotments.

**Recommendation for the Decision :**

Transfer the freehold interest of Cae Pawb Allotments directly to Porthmadog Town Council on terms and conditions to be determined by the Head of the Housing and Property Department.

**Reason why Decision is needed :**

The Council's Constitution states that the Cabinet Member must approve any direct transfer of property that is not on the open market.

**Reason and justification behind the Decision :**

Porthmadog Town Council has been managing the Cae Pawb Allotments for several years for the benefit of the local community. The Town Council is desirous to ensure a transfer of the freehold interest in the property, continuing to maintain the current use as allotments.

Council officers have confirmed that there is no longer an operational need for the property. In accordance with Section 123 of the Local Government Act 1972, Gwynedd Council is required to ensure the best possible price when disposing of properties that are surplus to requirements. In general, the Council's policy favors disposal of the open market to ensure transparency and fair competition. However,

the policy also recognizes that some properties, due to their nature, size or location, are unlikely to be of interest to anyone other than one specific prospective buyer. In these cases, direct sales may be considered, subject to specific approval.

In the case of Cae Pawb Allotments, a number of factors justify a direct sale for a nominal amount:

1. Legal Status of the Site:

The site has been designated as Statutory Allotments, which means that the use cannot be changed without the consent of the Welsh Ministers, in accordance with the Allotments Act 1925. The legislation also requires that adequate alternative space is provided to any allotment holders who are displaced.

2. Planning Restrictions:

The site is protected in the Local Development Plan, which means that any requests to change the use would likely face strict planning restrictions. This limits the development potential of the site and reduces its market value.

3. Lack of Appeal to Other Buyers:

Due to the above restrictions, it is unlikely that the site would attract any other buyer apart from Porthmadog Town Council, who already occupy the site and use it for the benefit of the community.

4. Possession Matters:

There is no record of a formal agreement between Gwynedd Council and Porthmadog Town Council (or any predecessors), which means that there is a legal basis for the prospective buyer to apply for adverse possession. Transferring the property avoids the risk of legal disputes, reduces the need for legal resources, and ensures continuity of community use as a specific clause will be included in the transfer limiting the use to allotments despite

the legal status of the site to ensure that there will be no change in use in the future.

In this context, a direct sale for a nominal sum of £1 is considered fair and proportionate, reflecting the limited market value of the property, due to the above points, and meets the requirements of Section 123 of the Local Government Act 1972. As a result, there is no intention to accept less than the market value for the property.

**Declarations of personal interest by any Cabinet Member consulted with and any relevant dispensations approved by the Standards Committee :**

None.

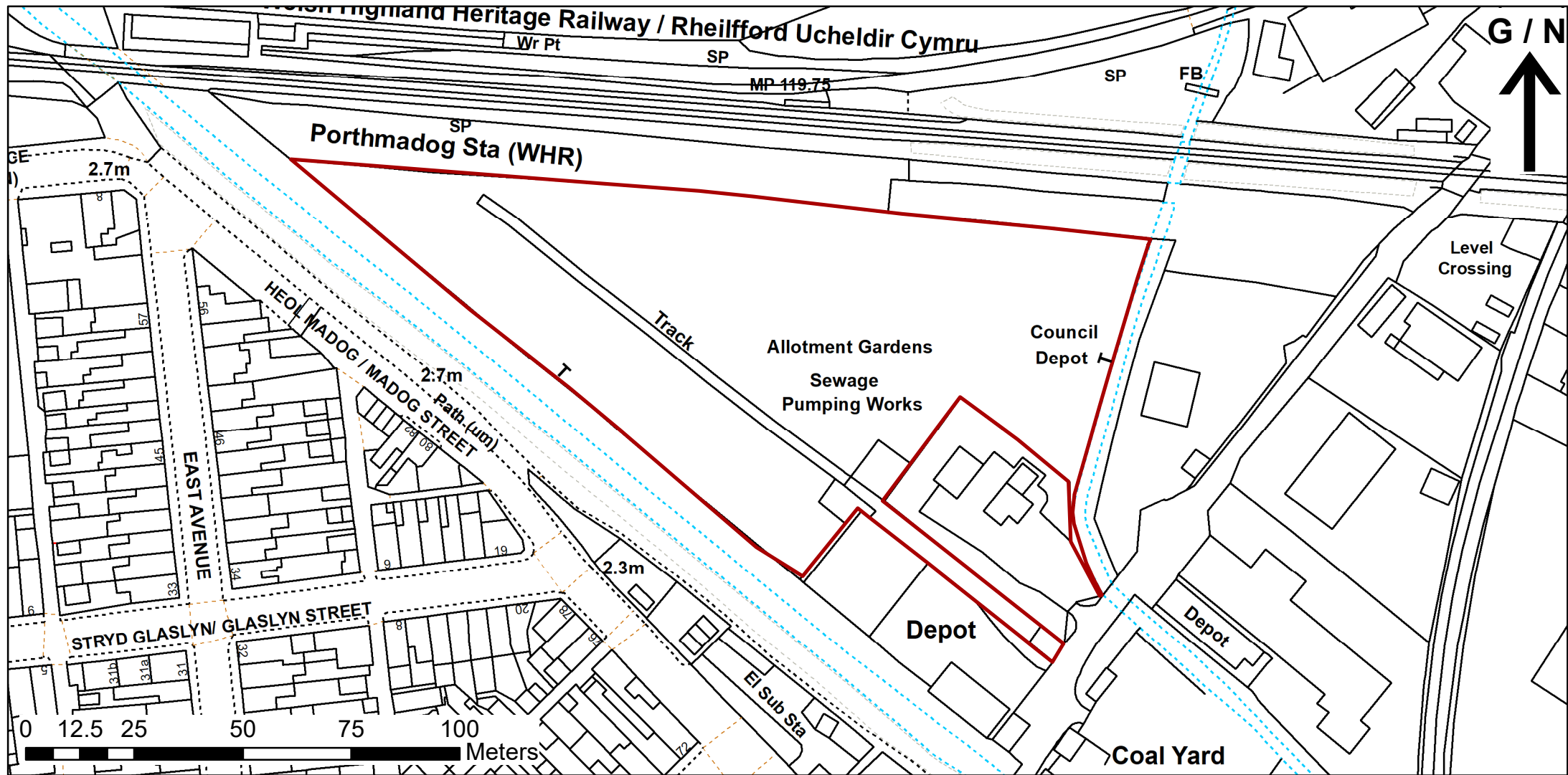
**Any consultations undertaken prior to making the decision :**

Head of Finance – “It is not customary for the Council to dispose of property for a nominal amount, but I believe that the circumstances in this case are exceptional and that the proposed is therefore reasonable and consistent with the Authority's financial duties. I have no objection to the decision sought.”

Monitoring Officer – “No observations to add in relation to propriety.”

Local Member (Councillor Nia Jeffreys) – The transfer is very welcome - Cae Pawb Allotments enrich Porthmadog so much and bring great pleasure to the residents, the Town Council has been doing good work for many years - thank you.

Local Member (Councilor Gwilym Jones) – Has declared a personal interest.



Teitl / Title:

Cae Pawb, Porthmadog

Allwedd / Key:



Eiddo / Property

Dyddiad / Date:

30/04/2025

Graddfa / Scale @ A4:

1:1,250