

Wards affected:

Abbey North, Drayton,  
Hill

## Strategy Group – 6 July 2020

### Daventry Local Community Centres

#### Economic, Regeneration & Employment Issues

#### 1. Purpose of Report

To seek approval for the transfer of local community centres in Daventry to Daventry Town Council (DTC).

#### 2. Advice

<b>That it be RECOMMENDED:</b>	That if Daventry Town Council (DTC) so wishes in each case, the local community centres outlined in the report be transferred to DTC for no material consideration.
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#### 3. Introduction

In July 2019 Council approved the transfer of a range of local open space and other amenities and services to DTC. This set of transfers was successfully completed in June 2020, with some services and assets, notably Daventry markets and the cemetery at Welton Road, Daventry, having been transferred some time earlier. The Council's agreement with Daventry Norse Limited was also disaggregated, with DTC agreeing to take up the obligations this Council has with Daventry Norse during the term of the existing agreement.

When the transfers with DTC were being considered, it was suggested that three local community centres – Southbrook Community Centre (SCC), the Nene Hall on the Grange, and Mayfield Park on Timken form part of the package. At the time this was too much for DTC to absorb. However, following the successful existing transfers, DTC is now exploring if it would make sense for it to take on these centres as well.

#### 4. Information

##### 4.1 Local community centres in Daventry Town

The Council holds freehold four community centres in Daventry – the Daventry Community Centre (DCC), let on a long lease to the Daventry Community Association (DCA) and the SCC, Nene Hall and Mayfield Park buildings. The SCC and Mayfield Park are let on fairly short term arrangements with local

community groups, whereas the Nene Hall (also known as the Tamar Square Community Centre) is on a long lease. Mayfield Park is actually a sporting club with community use, but for these purposes can be considered a community centre.

It is not considered that the DCC would be a suitable candidate for transfer, as it would result in an island of DTC freehold land surrounded by West Northamptonshire Council (WNC) freehold land (the schools and Phoenix youth club sites). It would also have little practical effect, given the long lease held by the DCA over it.

However, the remaining three centres all serve local communities within Daventry Town and have no strategic significance. As such, they are the type of facilities commonly owned by parish councils or 'village hall committees' throughout the District. Ownership by DTC should help ensure they are available to meet local community needs in the future, without the risk of them not receiving specific attention from a large, multi-purpose WNC.

There is a particular situation affecting the SCC, where the current tenant, the Southbrook Community Association (SCA) has apparently resolved to wind itself up and wishes to hand back the lease. This situation is being explored, and assistance offered to try and maintain a community association of some form for that area. However, it is unknown if this will succeed.

## **4.2 Potential transfers**

DTC at its meeting on 29<sup>th</sup> June 2020 decided it wished to explore the transfer of these centres. The outcome of that process is as of yet unknown, but DTC's aim is to receive a recommendation from its staff at the DTC meeting scheduled for 29<sup>th</sup> July. Therefore, in order that this Council has a position on the matter, this report is presented for consideration.

It is proposed that DTC be permitted to take on ownership of one, two or all three of the centres as it determines. Whilst it would be logical for it to take all three if it takes any, there is no obvious detriment to this Council or WNC if DTC was to take less than three.

Transfers would be on a freehold basis, subject to a retained right for this Council (and thus WNC) to use them as polling stations in the future. This is valuable, as it allows for local democratic engagement without disrupting activities in the local schools. Other terms would be negotiated, using the example of the recently completed transfers as the starting point.

## **4.3 Local government reorganisation**

As with all its other property, the property covered by this report will become that of West Northamptonshire Council (WNC) from 1<sup>st</sup> April 2021 if it is in this Council's ownership immediately prior to that. It is considered that its transfer to DTC would not in any way harm the interests of WNC, but would rather support them.

The West Northamptonshire Shadow Executive on 23<sup>rd</sup> June adopted an Assets, Capital Schemes and Reserves Notification Process. This asks each outgoing council to notify the Shadow Executive if it is proposing to purchase or dispose of assets, enter into new capital schemes with ongoing revenue effects or use reserves in ways not set out in that council's budget. The Shadow Executive, or in cases of urgency the Leader of the Shadow Authority, would consider and if they judged appropriate endorse the proposed action. Only transactions with a value at or above £100k are covered. Such proposals are initially passed to the Interim (or later permanent) Chief Executive of the Shadow Authority and from him to the Shadow Executive.

In accordance with this process by the time this report is considered it will have been provided to the Interim Chief Executive of the West Northamptonshire Shadow Authority. The outcomes of its consideration by the Shadow Authority will be reported to Members at Strategy Group if possible or full Council otherwise.

## **5. Implications**

**5.1 Financial** – The transfer of the one or more of the community centres to DTC would have no material financial consequences for the Council. It is likely to remove a modest amount of financial risk, but no income is expected from them in any event. Some theoretical future value might arise in the case that the Council retained the centres, if community use was to cease, but this is both remote and uncertain.

The centres appear in the Council's accounts at a combined value of £1.565m (the Nene Hall does not appear because of the long lease). However, this value reflects the expected cost of replacement allowing for age ('depreciated replacement cost') rather than what they would be expected to sell at.

**5.2 Personnel** – The centres could be transferred to DTC within current staff resources.

**5.3 Legal/Constitutional** – A range of legal provisions are relevant, including the general power of competence provided by Section 2 of the Localism Act 2011, powers to dispose of land under Section 123 of the Local Government Act 1972 and Section 32 of the Housing Act 1985.

If disposals are made under Section 123, this provides that disposals may not be made at an under-value except with the permission of the Secretary of State. The Secretary of State has given the General Disposal Consent 2003, which permits the disposal of assets at an under-value not exceeding £2 million where the disposing authority "considers that the purpose for which the land is to be disposed is likely to contribute to the achievement" of social, economic or environmental well-being of the area, any part of it or of any person resident or present in the area. The purpose test is met here, with the focus being on social well-being. The value test will also be met, given the nature of the assets.

Disposal of land under Section 32 of the Housing Act 1985 requires permission of the Secretary of State. This is given by the General Housing Consents 2013, which gives unrestricted permission to dispose of vacant land. As this is defined to mean land without houses on it, it includes community centres.

DTC is in law a parish council. Parish councils are permitted to adopt the status of town council under Section 245 of the Local Government Act 1972, which DTC has done.

**5.4 Environmental** – Transfer of the local community centres to DTC is unlikely to have any material environmental effects. They should continue to operate providing services to their local communities.

**5.5 Policy** – The transfers would support Corporate Strategic Plan Objective 3 (Promote Healthy, Safe and Strong Communities and Individuals), Priority H4 (Support the community and voluntary sector), Measure H4.2 (The number of volunteer activities undertaken by parish councils and community groups supported by the Council), Objective 4 (To Be an Efficient and Effective Council) and Priority C2 (Effective resource and risk management).

**5.6 ICT** – No implications. The proposed transfers would not require any new or modified Council ICT.

**5.7 Crime and Disorder** – No implications. The proposed transfers are unlikely to materially affect either crime or anti-social behaviour.

**5.8 Human Rights** – No implications. The proposed transfers between two public bodies would not adversely affect any of the Convention rights.

**5.9 Equalities** – No implications. The proposed transfers between two public bodies should not differentially affect people with different protected characteristics. Additionally, DTC is, like this Council, subject to the public sector equality duty.

**5.10 Health and Wellbeing** – The proposed transfers may modestly improve local community engagement, thereby contributing to well-being. No other effects seem likely.

## **6. Conclusions**

There are three local community centres in Daventry Town. These have no strategic significance and are unlikely ever to produce a financial benefit to this Council or its successor. They are, however, useful community facilities. It is proposed that, if DTC wishes, these are transferred to DTC for a nominal consideration on terms which protect their continued community use. This should help ensure they continue to meet local needs whilst removing any future financial risk from this Council or its successor.

**Simon Bowers**  
**Executive Director (Business)**

### **Background papers:**

Report to Strategy Group 4<sup>th</sup> July 2019. Potential Transfer of Services and Assets to Daventry Town Council

**Previous minutes:**  
SG.39/19/04; C.69/19.

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