

Report of the Assistant Director

COMMUNITY ASSET TRANSFER REQUEST – FINEDON

1 Purpose of report

Members are asked to consider a request to agree to the Finedon recreation ground and toilets and the obelisk asset transfer in accordance with the approved community asset transfer policy.

2 Executive summary

The report outlines the application by the Finedon town council requesting a community asset transfer of Finedon recreation ground and toilets and the obelisk.

3 Appendices

Appendix 1: Business case

Appendix 2: Budget information (exempt)

Appendix 3: Valuation (exempt)

4 Proposed action:

The committee is invited to RESOLVE

4.1 to approve the Community Asset Transfer of the Finedon Recreation Ground and toilets and the obelisk in accordance with the policy;

5 Background

5.1 The council has agreed to five community asset transfers (CAT) since 2014. The most significant of these was the decision to transfer Glamis Hall to an organisation for community use on 19 November 2014. This decision was made following significant discussion about the potential closure of the facility by the council, and a submission by the newly formed charity: Glamis Hall for All.

5.2 A second application was made by The Castle Wellingborough Ltd, registered as a charity, for a transfer of the theatre to enable a redevelopment project. As members will be aware, this application was not agreed because due diligence raised concerns about the financial sustainability of the organisation.

5.3 Four further applications were subsequently approved for the transfer of open space land at the Pocket park, to Finedon town council, open space land at the Green to Bozeat parish council, a lease of Queens Hall, Wellingborough to the

Daylight Centre and a lease of the Hemmingwell Community and Skills Centre to the CIO in September 2019.

- 5.4 The council received a CAT application from Finedon town council in November 2020 for the Finedon recreation ground and toilets, and the obelisk. The application is considered below, with further details in the appendices.

6 Discussion

- 6.1 Finedon town council submitted a CAT application in November 2020 requesting the transfer of the Finedon recreation ground and toilets and the obelisk to them. The business case and further information in support of the application are set out in Appendix 1, with exempt information in Appendix 2. The valuations are included in exempt Appendix 3, with the market values quoted in paragraph 6.6 of this report.
- 6.2 The current application will allow Finedon town council to take over the management and maintenance of the Finedon recreation ground and toilets and the obelisk. Finedon town council have confirmed that they will extend the agreement with Wellingborough Norse (WN) for maintenance and can cover this with the parish precept. The toilets, apart from the disabled toilet which is accessed by a radar key, are currently closed and the town council are considering reopening these and will be seeking funding for this from North Northamptonshire council in due course. The obelisk is an historic monument built in 1789 by the Lord of the manor of Finedon to record the blessings of the year, including the return to sanity of King George III.
- 6.3 The application seeks the freehold transfer of the Finedon recreation ground and toilets and the obelisk. Currently the recreation ground is subject to two leases to the Finedon Volta football club and the bowls club which generate an income of £1338 p.a. The obelisk and the land on which it stands require ongoing maintenance.
- 6.4 If the CAT application is successful it would mean that the current rent payments would no longer be received by this council and the cost of maintaining the recreation ground would be removed allowing the council to divert resources elsewhere. The cost of the maintenance that WN carry out is estimated at £23,482 p.a. this will need to be confirmed and agreed with Finedon town council to allow them to enter into a contract for services direct with WN.
- 6.5 Members will note that the request has been made for a freehold transfer which is not the default set out in the C A T policy. In accordance with the policy, the recommendation is therefore to transfer the land to Finedon town council on a long lease at a peppercorn rent. However, the committee could agree to the disposal of the freehold, subject to the transfer including sufficient protection of the asset for future use by the public.
- 6.6 The market value of the freehold interest in the Finedon Recreation Ground is in the order of £27,000 (twenty seven thousand pounds). The market value of the freehold interest in the Obelisk is in the order of £100 (one hundred pounds).
- 6.7 Any transfer will need to ensure that the town council uses the land for the

purpose intended in the longer term, and the transfer document will include provision for that.

7 Legal powers

The council has full power to manage its property assets under the incidental powers in section 111 of the Local Government Act 1972. S123 of the Local Government Act 1972 requires the council to obtain best consideration for any interest in land disposed of. This asset has a relatively low value, so the best consideration test would not prevent the transfer. Furthermore, the council has all the powers of an individual under section 1 of the Localism Act 2011. Accordingly, it has full power to carry out the proposed actions.

8 Financial and value for money implications

- 8.1 The Finedon recreation ground, toilets and the obelisk are maintained by WN on behalf of the council, Finedon town council intend to continue this arrangement. The recreation ground is subject to two leases that pay a rent of £1338 p.a. WN would no longer need to maintain this facility for this council and therefore the resources released could be diverted to other services.

9 Risk analysis

- 9.1 As the council will no longer receive an income from rent, the risk of the tenants failing to pay rent is removed if the CAT application is approved.

If the CAT application is not approved this council, and later North Northamptonshire council, will continue to maintain these assets. North Northamptonshire council will need to review it's property assets to prioritise expenditure and make decisions regarding which assets to retain and which to dispose of. This risk is best managed by transferring these assets to the town council which can make its own decisions regarding the services it provides to residents of Finedon, for example they may decide to re-open the toilets which are currently closed, with the exception of the disabled toilet

10 Implications for resources

Officer resources and the resources of District Law will be required to complete the transfer.

11 Implications for equalities, and stronger and safer communities

Whilst there are no specific implications arising from the proposal to transfer these assets to the town council, the recreation ground provides a facility for the whole community and the retention and improvement of this asset by the town council will enhance the positive contribution it makes to equalities, and to stronger and safer communities.

12 Author and contact officer

Adrian Piper, Assistant Director

13 Consultees

Shaun Darcy, Director

Victoria Phillipson, Principal Property and Projects Manager

Vicki Jessop, Assistant Director

Karen Denton, Assistant Director

Eric Symons, Assistant Director

14 Background papers

FINEDON TOWN COUNCIL

Email: clerk@finedontowncouncil.gov.uk Website: www.finedontowncouncil.gov.uk

The Business Case for the Transfer of Assets to Finedon Town Council

The Recreation Ground, Wellingborough Road, Finedon

The Toilets, Wellingborough Road, Finedon

The Obelisk, Wellingborough Road, Finedon

Wellingborough Town Council transferred Banks Park to Finedon Town Council in 2018 and the Town Council has been managing it, the Green, the Cemetery and the War Memorial since 1985, without issue and budgeting accordingly.

Finedon Town Council have considered the estimated costs, and the 2 leases on the Rec:

- Finedon Voltas Football Club were given a 25-year lease from 2001 at an initial rent of £325 (with an annual rpi increase)
- Finedon Bowls Club lease was assigned from 20th November 2016 for 20 years at a rent of £796 with a rent review every 5 years.

The additional cost involved in taking on the Rec and the Obelisk would simply be added to in the current Grounds Maintenance Contract currently held by Wellingborough Norse. Finedon Town Council have a robust system of Earmarked Reserves ensuring that essential services to the town are ringfenced, see attached Reserves policy. Finedon Town Council would, therefore, be able to secure the long-term community benefits in economic, social and environmental wellbeing Finedon. It is noted that Finedon Bowls Club will be celebrating its 100th year next year and it is intended to ensure that the club thrives for a further 100 years.

The Council also wishes for the Toilets at the Rec to be included in the Rec transfer as Finedon Town Council repeatedly get requests for the toilets to be re-opened, as I am sure Wellingborough Borough Council do too. Finedon Town Council intend to apply for a grant from the new unitary authority to re-open the toilets under FTC management, with opening and closing times, as is usual.

Finedon Town Council

Finedon Town Council's primary aim is to make Finedon a better place to live using inclusive engagement practices and user empowerment. Finedon Parish Council was set up by an Order of Secretary of State in 1985 and in 2018 changed its style to Finedon Town Council to reflect the growing nature Finedon and forward thinking of its Council. It is governed by statute, in common with all Town, Parish and Principal Councils and has its own Standing Orders which dictate how both meetings and the Council is managed.

Training is an important part of an effectively managed organisation and the Clerk is scheduled to undertake the Certificate in Local Council Administration next March. She is currently supported by the

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fully qualified Responsible Financial Officer who is also a Chartered Company Secretary. Members too regularly attend a rolling training programme from both Northants CALC and SLCC.

All employees, of course, have a job description which forms part of their contract of employment and the Council part of the local government pension scheme, with all employees enrolled.

The Council sets a robust and detailed budget each year to determine its precept request. The budget is also reconciled with expenditure on a regular basis throughout the year and reported at full Council meetings. There is also a format for member scrutiny of governance which is carried out before each meeting, the results of which are again reported to each full Council meeting. The Council is further scrutinised by a Northants CALC Internal Auditor and External Auditor (PKF Littlejohn) annually, see AGAR for 2019-20 attached. The RFO is also a Northants CALC Internal Auditor and an SLCC Consultant.

The Council completes and adopts an annual Risk Assessment for its activities in accordance with the Practitioners Guide, March 2020. Ad hoc risk assessments are made for specific events as they occur.

To keep residents informed, the Council reports in a monthly newsletter, on the website, on social media and on physically on the Town Hall notice board. The Clerk and Chairman also do a weekly around the town walk during which many residents come along and chat. Members of the public are, of course, invited and have a right to attend any meeting of the Council; all of which are currently conducted virtually via Zoom. The link to each meeting is publicly available on the Agenda and separately on the front page of the website.

There are 3,737 people in Finedon registered as electors and the Council plans strategically both in terms of its responsibilities and the upcoming Unitary changes. These changes include the taking over assets in Finedon that are currently run by WBC but which the Council feels would be better serviced locally rather than by a large and remote unitary council. The Council raises funds primarily from precept and grants, but also has the power to borrow if necessary.

The Council is registered with the ICO and fully complies with GDPR having the relevant policies in place with Northants CALC acting as the Council's independent Data Protection Officer.

The Recreation Ground, Toilets and Obelisk will, of course, be added to the Council's insurance policy (attached) and Asset Register as soon as the titles are transferred to the Council.

The Council is not willing to consider a lease on the property.

Julia Tufnail

Responsible Financial Officer to Finedon Town Council

13/10/2020