

**COMMITTEE:** PETITIONS AND REPRESENTATIONS BOARD

**DATE:** 27<sup>TH</sup> SEPTEMBER 2017

**SUBJECT:** PETITION TO SAVE THE AFRICAN CARIBBEAN DAY CENTRE

**REPORT BY:** David Kelly, Interim Strategic & Assets Manager

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**IMPLICATIONS:**

**LEGAL**

**COMMUNITY SAFETY**

**EQUALITIES**

**ENVIRONMENT**

**FINANCIAL**

**CONSULTATIONS**

**STAFFING**

**OTHER**

**WARDS AFFECTED:**

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**PURPOSE**

1. To report to the Petitions and Representations Board the receipt of a late petition received on 15<sup>th</sup> September 2017 to save the African Caribbean Day Centre.

## **RECOMMENDATION(S)**

- 2. The Petitions and Representations Board is recommended to:**
  - (i) Note no discrimination or unfair treatment took place as the property was open for bids from all interested community groups and the decision for the disposal was made in accordance with the Council's disposal policy.**
  - (ii) Instruct the Service Director Property and Construction to advise the petitioners of the outcome.**

## **BACKGROUND**

3. A late petition was received on 15<sup>th</sup> September 2017 signed by 234 signatories from the African Caribbean Community Day Centre requesting the following:

"In 1998 Luton Borough Council received funding from Central Government on behalf the Nurses Guild Luton. The main part of the funds was to purchase a building to provide services to the African Caribbean elders in Luton. The Old School House was purchased in 1999 and prepared for the African Caribbean Elders. Over the years LBC has allowed the building to run into disrepair. In 2015 LBC held a consultation meeting with a small percentage of the community to inform them of their plans to close the services and transfer the users to St Monica Day Centre. LBC informed the community organisations to bid to purchase the building. An African Caribbean Group bid to purchase the building to continue services to the African Caribbean Community. LBC has now recommended to sell the building to another community. If LBC is allowed to go ahead with the sale of the property, the African Caribbean Community will yet again be discriminated against and unfairly treated."

## **REPORT**

4. The Old School House, Trinity Road was purchased by the Council in 1999. The minute approving the purchase states that it was resolved:
  - (i) That approval be given for the purchase of a new building to be located on the site in Trinity Road indicated on the drawing attached as Appendix 1 to the joint report (Ref: 8.1) (ii) That General Purposes Committee be requested to recommend the Council to approve a supplementary capital estimate in the sum of £80,000 to be met from the capital receipt received from the lease of Rookwood, and a special estimate of £70,000 to be met from the Social Services older*

*persons purchasing budget and to release and grant spend approval in the sum of £290,000, to be met from Capital Project No. ZSE100 (African Caribbean Day Centre - £140,000 – funded through Bedfordshire Health Joint Finance Programme).*

- (ii) No evidence has been found to support the suggestion that funding was received on behalf of the Nurses Guild Luton.
- 5. A condition survey was carried out on the building in January 2016 which highlighted the only significant area of disrepair was in relation to the external decking.
- 6. On the 4<sup>th</sup> April 2016 the Executive (EX/53/16) resolved to relocate the services provided from the property to St. Monica's Day Centre. The property ultimately closed in June 2017.
- 7. In November 2016 the property was successfully nominated by three separate community groups as an asset of community value under the Localism Act 2011, and the Council formally made notification of its intention to dispose. The Act allows any interested community group to work up proposals and to submit an intention to bid. An intention to bid was received in December 2016 which triggered a six month moratorium during which the Council could not dispose of its interest.
- 8. A closing date was set by the Council to coincide with the end of the moratorium and a total of seven community interest bids were received.
- 9. The Council is also governed by Section 123 of the Local Government Act 1972 which provides that a disposal of the freehold interest must be for the best consideration reasonably obtainable.
- 10. On the 6<sup>th</sup> February 2017 the Executive (EX/19/17) approved (in private) the disposal of the building should be to a community interest group.
- 11. The Executive at its meeting on 18<sup>th</sup> September 2017 (in private) approved the recommendations set out in the report of the Service Director, Property and Construction for the disposal of the African Caribbean Day Centre to a community interest group.

### **PROPOSAL/OPTION**

- 12. To note the recommendations.

### **APPENDIX**

N/A

**LIST OF BACKGROUND PAPERS**  
**LOCAL GOVERNMENT ACT 1972, SECTION 100D**

N/A