



Report to Communities & Localism Select Committee

Date:	22 November 2023
Reference number:	N / A
Title:	Devolution Update
Cabinet Member(s):	Cllr Arif Hussain, Cabinet Member for Communities
Contact officer:	Tim Weetman
Ward(s) affected:	All
Reason for report:	For members to receive an update on the Council's devolution programme.

1. Background

- 1.1 Buckinghamshire Council has a strong commitment to localism as demonstrated through the investment in community boards and the development of the town and parish charter. Devolution is not new in Buckinghamshire and there are many examples from legacy councils where our services are devolved to town and parish councils, particularly in relation to grass-cutting, green spaces, highways services and youth centres.
- 1.2 A commitment to the devolution of assets featured within the unitary business case, and during the establishment of the new authority, town and parish councils were asked to submit expressions of interest for devolution proposals.
- 1.3 Following receipt of several expressions of interest, activity began to progress with five pilot projects: Prestwood Rec; Aylesbury Christmas Lights; Green Street Community Centre; Denham Scout Hut and Aylesbury Town Annual Remembrance Sunday Service.
- 1.4 This was all under the guidance of a Member Devolution Board chaired by the Cabinet Member for Communities. Members subsequently agreed to an additional

project to consider three community centres within Aylesbury where funding was raised through special expenses.

1.5 A summary of the progress to date on these projects is below:

- ***Prestwood Recreation Ground – completed (September 2023)***

The ground has been devolved on a long lease of 25 years.

- ***Aylesbury Christmas Lights – completed (July 2022)***

The lights have been devolved for a period of 3 years.

- ***Green Street Community Centre – negotiations ongoing.***

A decision was taken to lease the site to the Karima Foundation in October 2021. Negotiations about the lease are moving forward and the target date for handover is 31 March 2024.

- ***Aylesbury Community Centres (Special Expenses) – negotiations ongoing.***

This would see the transfer of Quarrendon & Meadowcroft Community Centre, Haydon Hill Community Centre, and Aylesbury Multicultural Community Centre for a 25 year period. Bowlers Field (next to Quarrendon & Meadowcroft Community) is also being included on a 2 year period. The Council's proposals and Head of Terms are being considered by Aylesbury Town Council and briefings for local Members are being arranged. If proposals are acceptable for both parties, it is anticipated that the centres will be devolved from 1st April 2024.

- ***Denham Scout Hut – project pending.***

Whilst discussions were taking place with the Parish Council, a fire at the scout hut destroyed the building in March 2022. The Parish Council are currently exploring opportunities for securing external funding to build a new community facility on the site.

- ***Aylesbury Town Annual Remembrance Sunday Service – closed.***

The Devolution Board concluded that the event should continue to be delivered by the Council given its status as the county event.

2. Lessons from the Pilot Programme

2.1 Whilst our experience in devolving services has been relatively straightforward, the devolution of assets – be they land or buildings – is considerably complex and time consuming. Significant input is required from both the property team and the legal team in investigating issues and protecting the interests of the council during the development and negotiation of leases. The input required to progress devolution projects needs to be managed alongside business-as-usual activity, and because of this complexity, progress has generally been much slower than anticipated.

2.2 The financial situation of the Council has also changed as well as new requirements being placed on us such as the Ukrainian refugee programme. As a result, we need to look carefully at all our assets and whether we may need these in the future either to repurpose their use or to generate additional funding.

3. Next steps and future approach

3.1 Given the situation described above, Cabinet approved changes to the Council's approach to devolution when they met on 11th October 2023 and agreed some changes to make it clearer about the process.

3.2 The changes include:

- An initial viability assessment to be completed upon receiving an expression of interest overseen by the Members Devolution Board with appropriate Cabinet Portfolio holders informally consulted, so any requests which are unlikely to proceed are declined at the earliest possible opportunity.
- A stronger focus on those devolution opportunities that offer the most benefit to the Council.
- Applicants will be advised of the proposed Head of Terms as soon as possible to inform the required business case.
- Car parks which generate income, hold an operational benefit or retain a commercial interest will not be considered.
- There will be no negotiation over freehold of assets, although in exceptional circumstances the transfer of freehold could be considered and would be subject to approval by Cabinet.

3.3 Given the impacts on workloads and the time taken to complete projects it was also decided that no further devolution projects would be added to the programme until the current live projects are concluded. Once these are concluded, the programme will proceed with no more than two devolution cases open at any one time.

3.4 The Devolution and Asset Transfer Policy has been updated to reflect the changes and is available on the website. A link to the policy is at the end of this report.

4. Legal and financial implications

Financial implications

4.1 Due diligence is carried out around all proposed transfers to ensure that the financial implications are clearly understood before any decisions are made and that any eventual transfers this will not result in a net cost to the council or the loss of an income generating asset.

- 4.2 There are currently no devolution assumptions built into the MFTP with respect to the devolution projects currently in progress.

Legal Implications

- 4.3 The legal implications of each devolution pilot project are considered as part of the decision-making process. Legal consideration is built into the process for considering requests as per the Service Devolution and Asset Transfer Policy.

5. Corporate implications

- 5.1 Devolution of assets involves the transfer of Council property, land or other assets to Parish or Town Councils or community organisations. The Service Devolution and Asset Transfer Policy sets out that longer-term leases will be granted – usually over 25 years.
- 5.2 There are no HR, climate change, sustainability, equality implications or value for money considerations arising from this report.

6. Local councillors & community boards consultation & views

- 6.1 All members were advised ahead of the Cabinet meeting of the proposed changes. There is no requirement however to undertake any individual consultation as the changes are to the policy and process and will only affect future projects.

7. Communication, engagement & further consultation

- 7.1 Town and Parish Councils were advised of the changes to the policy on 18 October 2023. The council website has been updated with the revised policy.

8. Next steps and review

- 8.1 Further communication will take place with local Members and appropriate local organisations as appropriate as new projects come forward.

9. Background papers

- 9.1 Current service devolution and asset transfer policy:

[Service Devolution and Asset Transfer Policy | Buckinghamshire Council](#)