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## **NOTICE OF EXECUTIVE DECISION TO BE MADE**

The following Executive Decisions are due to be made by the CABINET MEMBER FOR ECONOMIC GROWTH on MONDAY, 10 FEBRUARY 2020.

### Part 1(Public Information)

1. Community Right to Bid application - Barrow Hill Memorial Hall (EG620L)  
(Pages 3 - 16)

Reports relating to the decision(s) to be taken are attached to this notice, unless they contain confidential or exempt information. A meeting will not necessarily take place when the decision is made. Please contact Democratic Services for more information.

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## For publication

### **Consideration of the community right to bid (assets of community value) nomination of the Barrow Hill Memorial Hall (EG620L)**

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Meeting: Cabinet Member – Economic Growth

Date: 10 February 2020

Report by: Assistant Director – Policy and Communications

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#### **1.0 Purpose of report**

1.1 To consider the nomination of the Barrow Hill Memorial Hall as an asset of community value.

#### **2.0 Recommendation**

2.1 That Chesterfield Borough Council lists the Barrow Hill Memorial Hall as an asset of community value.

#### **3.0 Background**

3.1 The Localism Act 2011 created the Community Right to Bid (Assets of Community Value). The Assets of Community Value regulations introduce a new right for community or voluntary bodies to request that a local asset (buildings or land) should be listed as an “Asset of Community Value).

- 3.2 This new right covers both public and private assets and is designed to facilitate a “Community Right to Bid” for assets deemed to be of community value.
- 3.3 The regulations also set out new duties and responsibilities for local authorities including keeping a list of assets of community value, scheme operation and regulation and payment of compensation.
- 3.4 The regulations came into force on the 20th September 2012, with a non-statutory advice note being issued to local authorities in October 2012. This legislation applies to district and unitary authorities.
- 3.5 Chesterfield Borough Council received its fifth nomination for listing under the right on 20 December 2019. This nomination relates to the Barrow Hill Memorial Hall, Station Road, Barrow Hill.

#### **4.0 Nominator and asset qualification for the right**

- 4.1 The right to make a nomination and subsequently to bid can be used by:
- A local voluntary or community group that is not incorporated but has at least 21 members who are locally registered to vote in Chesterfield Borough or a neighbouring authority
  - A Parish or Town council
  - A Charity
  - A neighbourhood forum designated as such for planning purposes under the Town and Country Planning Act 1990
  - A company limited by guarantee or an industrial or provident society which does not distribute any surplus it makes to its members
  - A community interest company

- 4.2 The nomination of the Barrow Hill Memorial Hall has been made by the Barrow Hill Community Trust. As a local community development charity the trust qualifies for the right to nominate.
- 4.3 Under the Community Right to Bid some categories of land and buildings are exempt. These include:
- Residential premises, including sites for mobile homes and boats. For a building which is or includes residential premises this will include land held with the residence owned by a single owner. This could go beyond immediate gardens, outbuildings, yards etc. and extend to all land held by that owner. Every part of the land must be able to be reached from the residence without having to cross land which is not held by the single owner unless the intervening land is a railway, road, canal or river
  - Caravan sites - Land for which a site licence is required under Part 1 of the Caravan Sites and Control of Development Act 1960
  - Operational land - as defined in Part 11 of the Town and Country Planning Act 1990. This is land used for transport infrastructure and some other related purposes by specified bodies with statutory powers. For example land held by railways or highway authorities
- 4.4 The Barrow Hill Memorial Hall does not meet the criteria for exemption from the right.

## **5.0 Asset of community value criteria**

- 5.1 Chapter Three of the Localism Act 2011 states that land or buildings within the local authority's area are of community value if in the opinion of the authority it is:
- (a) An actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests (which include cultural, sporting or recreational interests) of the local community, and

- (b) It is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community.

## **6.0 Location of the nominated building and availability of facilities and amenities within the vicinity**

- 6.1 Barrow Hill Memorial Hall is located within the Barrow Hill and New Whittington ward in the north-east of the borough on Station Road. Barrow Hill is indicated as a Regeneration Priority Area (RPA) within the existing Local Plan: Core strategy and emerging new Local Plan. Within RPAs regeneration is encouraged, including the promotion of new facilities and improvements to existing facilities for the benefit of the local community.
- 6.2 Barrow Hill has limited community facilities. Within 400m of the Barrow Hill Memorial Hall there are two churches (St Andrew's Church and Barrow Hill Methodist Church), Barrow Hill Primary Academy and the New Haven Rest Room offering some community provision. There is no further provision within 1000 metres or a 15 – 20 minute walk.

## **7.0 The Barrow Hill Memorial Hall nomination**

- 7.1 The completed community right to bid nomination for the Barrow Hill Memorial Hall is attached at Appendix 1. The Barrow Hill Community Trust already own the building but would like the asset listed as it can provide some advantage in securing external grant funding.
- 7.2 Below is a summary of how the Barrow Hill Community Trust believe that the Barrow Hill Memorial Hall meets the asset of community value criteria:

- Since 1920 the Barrow Hill Memorial Hall has been a well-used and valued community facility with a particular focus on social and leisure uses
- The Barrow Hill Community Trust secured the ownership of the building in 2017 and have continued to provide the facility for a range of community uses
- The Trust have plans in place for further refurbishment to improve sports provision, Café/pub, medical usage and facilities for children and young people
- The facility supports a range of community uses for residents of Barrow Hill and in neighbouring areas including Hollingwood

7.3 The three elected members for Barrow Hill and New Whittington ward have expressed their support for the listing of the Barrow Hill Memorial Hall as an asset of community value.

## **8.0 Asset consideration**

8.1 In order to assist with the consideration of the Community Right to Bid nomination an officer site visit took place on 7 January 2020.

8.2 During the site visit the officer was able to view the community usage identified within the nomination form and confirm that the Barrow Hill Memorial Hall provided the largest and most flexible community provision within the village and that other community facilities were limited.

8.3 The information provided by the Barrow Hill Community Trust and via the officer site visit indicated that the Barrow Hill Memorial Hall does meet section A *"An actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests (which include cultural, sporting or recreational interests) of the local community"* of the Asset of Community Value criteria.

## **9.0 Risk Management**

9.1 The nominator of the Barrow Hill Memorial Hall is also the owner of the building therefore the usual risk considerations around owner appeals, first tier tribunal proceedings and owner compensation do not apply in this case.

## **10.0 Equality considerations**

10.1 The Department for Communities and Local Government impact assessed the Community Right to Bid proposals. This included equalities impact screening. No significant impact has so far been identified for any of the protected groups identified in the Equality Act 2010.

10.2 Equality analysis was undertaken for the nomination with issues including accessibility, use by protected groups and social inclusion issues forming part of the asset consideration. The loss of the Barrow Hill Memorial Hall could disproportionality affect several protected groups who use the facilities regularly including older people, people with disabilities and children and young people due to the range of cultural and social activities available within the hall which help to reduce social isolation and increase health and wellbeing.

## **11.0 Recommendation**

11.1 That Chesterfield Borough Council lists the Barrow Hill Memorial Hall as an asset of community value.

## **12.0 Reason for recommendation**

12.1 The Barrow Hill Memorial Hall is considered to meet the asset of community value criteria.

## **Decision information**

<b>Key decision number</b>	<b>924</b>
<b>Wards affected</b>	<b>Barrow Hill and New Whittington</b>

### **Document information**

<b>Report author</b>	<b>Contact number/email</b>
<b>Donna Reddish - Assistant Director - Policy and Communications.</b>	<a href="mailto:Donna.reddish@chesterfield.gov.uk"><u>Donna.reddish@chesterfield.gov.uk</u></a>
<b>Appendices to the report</b>	
Appendix 1	Nomination form

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**Community Right to Bid**

**Registration of Assets of Community Value  
Nomination Form**

Please note that all sections of this form must be completed.

If you need assistance completing this form, please refer to the FAQs document which can be downloaded from the website

[www.chesterfield.gov.uk](http://www.chesterfield.gov.uk)

**SECTION 1: ABOUT YOUR COMMUNITY ORGANISATION**

Name of Community Group:

BARROW HILL COMMUNITY TRUST

Name of key contact person:

SIMON READING

Address of the key contact:

CHESTERFIELD

Telephone Number:

E-mail address:

Is the Group: (Please mark with ✓ as appropriate)

a) An independent body	
b) A charity	REGISTERED 1176069 ✓
c) A company limited by guarantee	
d) An industrial or provident society	
e) A neighbourhood forum	
f) A community interest company	
g) A parish or town council	

If your group is an un-incorporated body please attach a list of the names and addresses of 21 members registered as local electors in Chesterfield Borough or a neighbouring authority.

Or if not an un-incorporated body please provide written evidence of your status e.g. Group Constitution or charity number.

## SECTION 2: ABOUT YOUR LOCAL CONNECTION

Please describe the nature of your local connection to the asset you are nominating.

I AM A TRUSTEE OF BARROW HILL COMMUNITY TRUST - A LOCAL COMMUNITY DEVELOPMENT CHARITY FOR BARROW HILL & HOLLINGWOOD, I HAVE BEEN DELEGATED BY THE CHARITY (WHOSE TRUSTEES ARE MOSTLY FROM BARROW HILL & HOLLINGWOOD) TO REGISTER THE MEMORIAL HALL AS AN ASSET OF COMMUNITY VALUE.

## SECTION 3: ABOUT THE ASSET YOU ARE NOMINATING

Title of the asset:

BARROW HILL MEMORIAL HALL

Address of the asset:

3 STATION ROAD  
BARROW HILL  
CHESTERFIELD  
S43 2PG

Name of owner of the asset: BARROW HILL COMMUNITY TRUST

Address of asset owner: 3 STATION ROAD  
BARROW HILL  
CHESTERFIELD  
S43 2PG

Telephone number of owner:  

E-mail address of owner:  

Name of current occupier  
(if different from owner)  

Address of occupier:  

Telephone number of occupier:  

E-mail address of occupier:  

Please give a description of the nominated asset and its proposed boundaries and attach a copy of a map high-lighting the area covered by the asset you are nominating.

BARROW HILL MEMORIAL HALL HAS BEEN A SOCIAL CLUB FOR THE VILLAGE FOR 100 YEARS AND HAS RECENTLY BEEN TRANSFERRED (IN 2017) IN OWNERSHIP TO THE NEW BARROW HILL COMMUNITY TRUST, WHO HAVE RE-OPENED SOME OF THE BUILDING AS A MULTI-PURPOSE COMMUNITY CENTRE, THE TRUST ARE ABOUT TO START A MAJOR 4 YEAR RENOVATION PROGRAMME WHICH WILL RE-OPEN THE WHOLE BUILDING AS A MULTI-PURPOSE COMMUNITY CENTRE.

#### SECTION 4: REASON FOR NOMINATION

Please explain why your community group believes that the above named asset is an asset of community value and should be included on the register of assets of community value for Chesterfield Borough.

Please Note: Any information entered into this section may be copied and passed onto the owner of the property you are nominating.

In your reply you should address the following questions:

1. Explain how the main use of the asset currently contributes to community value (see attached definition).
2. Has the main use of the asset in the recent past contributed to community value? Please explain how.
3. Explain how this asset could provide a realistic future contribution (in the next five years) to community value?

BARROW HILL ~~GARDEN~~ MEMORIAL HALL WAS GIVEN TO THE VILLAGE IN 1920 & THEN REFURBISHED/EXTENDED BY PUBLIC SUBSCRIPTION BETWEEN 1920-1924. SINCE THEN IT HAS BEEN A MUCH-VALUED & NEEDED LOCAL COMMUNITY FACILITY, ALBERT MAINLY TARGETED AT SOCIAL & LEISURE USES. SINCE 2017 WHEN THE SOCIAL CLUB CLOSED IT HAS BEEN RE-OPENED AS A MULTI-PURPOSE COMMUNITY CENTRE - WITH FACILITIES FOR SOCIAL & OTHER PURPOSES. THE ~~FOR~~ <sup>FOR</sup> ~~ADDITIONAL~~ <sup>ADDITIONAL</sup> REFURBISHMENT WILL ADD SPORTS, PUB/CAFE, YOUTH, MEDICAL & SUPPORT FOR YOUNG ~~ADULTS~~ <sup>ADULTS</sup> CHILDREN.

**SECTION 5: ACCESSIBILITY**

Please give details of how many people or what proportion of the community, and which particular sections of the community currently use the asset for its main use, or, if applicable, did so in the past.

THE MEMORIAL HALL IS OPEN TO ALL IN THE COMMUNITY & PEOPLE FROM BARROW HILL & HOLLINGWOOD

If access to the asset is currently restricted in some way e.g. has no disabled access – please provide details.

ONLY ONE OF THE TWO ENTRANCES IS CURRENTLY WHEELCHAIR ACCESSIBLE BUT THIS WILL BE RECTIFIED IN THE FORTHCOMING RENOVATION PROJECT.

**SECTION 6: DECLARATION**

I can confirm that to the best of my knowledge the information contained in this nomination form is complete and accurate.

Name:

SIMON REDDING

Signature:

*[Handwritten signature]*

Date:

20/12/19

Please return your form to: Donna Reddish, Assistant Director – Policy and Communications, Chesterfield Borough Council, Town Hall, Chesterfield, S40 1LP.

