

**Consideration of the community right to bid (assets of community value)
continuation of listing request for the Monkey Park Community Hub
(EG480L)**

Meeting:	Cabinet Member – Economic Growth
Date:	3 rd February 2023
Directorate:	Corporate
For publication	

1. Purpose of the report

- 1.1. To consider the continuation of the listing of the Monkey Park Community Hub, Brampton as an asset of community value.

2. Recommendations

- 2.1. That Chesterfield Borough Council continues the listing of the Monkey Park Community Hub as an asset of community value with a further review period of five years.

3. Reason for recommendations

- 3.1. The Monkey Park Community Hub is considered to meet the asset of community value criteria.

4. Report details

Background

- 4.1. 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).
- 4.2. 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.
- 4.3. 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.

- 4.4. 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.
- 4.5. In January 2018, Chesterfield Borough Council listed the Monkey Park Community Hub as an asset of community value following the nomination by a qualifying group and an assessment against the listing criteria.

Asset of community value criteria

- 4.6. 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.

Review of the listed assets

- 4.7. Chesterfield Borough Council's Community Right to Bid procedures require a review to be undertaken of buildings and land listed as assets of community value every five years. The review considers:
 1. Whether or not the original nominating group wish to continue with the listing
 2. If there is additional information from either the nominating group, asset owners and other key stakeholders which supports the continuation of the listing or indicates that there has been a change in circumstances which may require re-consideration of listed status
 3. If the building or land continues to meet the listing criteria
- 4.8. This review has now taken place for the Monkey Park Community Hub following confirmation from the nominating group (who are also the owners) that they would like the listing to continue.
Location of the nominated building and availability of facilities and amenities within the vicinity
- 4.9. The Monkey Park community hub is located in the Holmebrook ward in the west of the borough. The hubs address is 128A Chester Street and it is directly opposite the Monkey Park public open space and play area.
- 4.10. Consideration of other facilities and amenities within the local area suggests that there are no other similar facilities within a reasonable walking distance of the site

The Monkey Park Community Hub nomination and listing

4.11. The Monkey Park Community Interest Company originally nominated the Monkey Park Community Hub as an asset of community value in September 2017 with the listing being agreed by Chesterfield Borough Council in January 2018.

4.12. Below is a summary of how the Monkey Park Community Interest Company believed in 2017 that the Monkey Park Community Hub met the asset of community value criteria:

- The facility is a community hub, led by local people providing many cultural, economic and social benefits to the area
- There is a community café providing affordable refreshments baked by a volunteer baking club
- A range of social clubs and volunteer led courses help to reduce isolation and build friendship networks
- The community interest company intend to extend social, cultural and service provision over the next few years by enabling and empowering local people

4.13. The Monkey Park Community Interest Company have confirmed that they believe the information above is still correct and that the Monkey Park Community Hub continues to provide a strong community impact in terms of reducing social isolation and enabling a range of clubs and societies to meet and maintain their activities.

4.14. As part of the Community Right to Bid procedures, Chesterfield Borough Council contacted the owner of the Monkey Park Community Hub for comments. In this case the nominator of the facility is also the owner and they are fully supportive of the proposal to list the facility as a community asset

Asset consideration

4.15. The original information provided by the nominating group and via site visits indicates that the Monkey Park Community Hub continues to meet the listing criteria under 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.

5. Alternative options

5.1. The assessment has confirmed that the Monkey Park Community Hub meets the criteria within the Localism legislation, and as such, should be listed as an asset of community value.

6. Implications for consideration

Council Plan

6.1. No implications identified.

Financial and value for money

6.2. No implications identified.

Legal

6.3. The Council is discharging its duties under the Localism Act 2011, which created the Community Right to Bid (Assets of Community Value).

Human Resources

6.4. No implications identified.

Risk Management

6.5. The nominator of the Monkey Park community hub is also the owner of the hub therefore the usual risk considerations around owner appeals, first tier tribunal proceedings and owner compensation do not apply in this case.

Risks	Impact	Likelihood	Mitigating Actions	Residual Impact	Residual Likelihood
If the asset is not listed – reputational damage to the Council and negative impact on community relations in the local area.	Medium	Very likely	<ul style="list-style-type: none">• Robust consideration of the asset nominated.• Ongoing communication with the local community	Low	Possible

Community Wellbeing

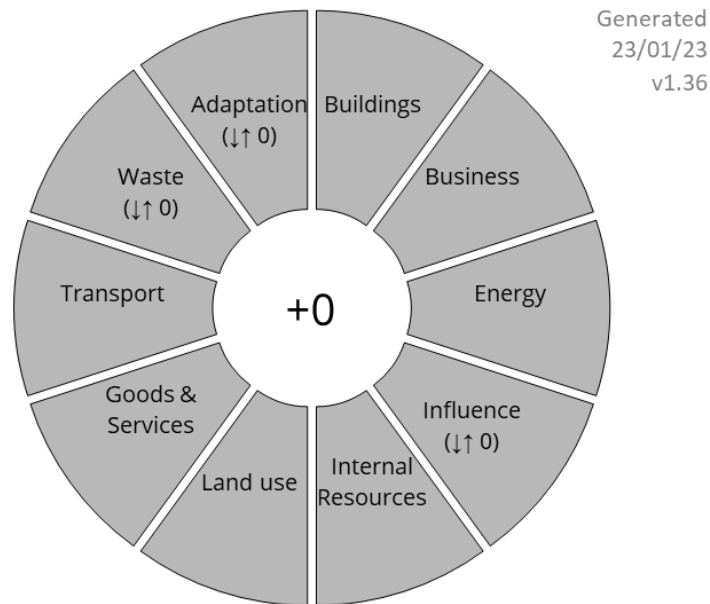
6.6. The Monkey Park Community Hub continues to provide a strong community impact in terms of reducing social isolation and enabling a range of clubs and societies to meet and maintain their activities.

Economy and Skills

6.7. Activities promoted by and supported by the Monkey Park Community Hub contribute towards capacity building and providing volunteering opportunities in the local area.

Climate change

6.8. A climate change impact assessment has been undertaken and discussed with the Climate Change Officer, and the decision is considered to have a neutral impact.



Chesterfield Borough Council has committed to being a carbon neutral organisation by 2030 (6 years and 11 months)

Equality and diversity

- 6.9. 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, however the equalities impacts of this right will be kept under review.
- 6.10. 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 Monkey Park community hub could disproportionality affect several protected groups who use the facilities regularly including older people and people with disabilities due to the range of cultural and social activities available within the hub which help to reduce social isolation.

Key decision number	n/a
Wards affected	Holmebrook

Document information

Report author	
Katy Marshall - Policy and Partnerships Manager	
Background documents	
These are unpublished works which have been relied on to a material extent when the report was prepared.	
Appendices to the report	
Appendix 1	Nomination Form