

CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL

RECORD OF STRATEGIC DIRECTOR'S DECISION
FOR ASSETS OF COMMUNITY VALUE

The Hive Silsden, 53-55 Elliot Street, Silsden, BD20 0DE

Date of recommendation:	9 th November 2021
Recommendation made by:	Nigel Gillatt – Senior Surveyor Research and Development
Decision maker:	Joanne Hyde – Strategic Director, Corporate Resources
Nominee:	The Hive Charitable Incorporated Organisation, nomination dated 10 th March 2020
Specific delegation:	Resolution of the Executive Board, 8 th September 2020.
Brief description of recommendation:	To list the above asset as an Asset of Community Value on the grounds that the renewal nomination meets the criteria and definition of an Asset of Community Value as set out in the Localism Act 2011.
Reports or parts of reports considered:	Recommended: That the renewal nomination of the property known as Hive Silsden, 53-55 Elliot Street, Silsden, BD20 0DE be approved.

Signed by the decision maker: _____



Name: Joanne Hyde

Job Title: Strategic Director, Corporate Resources

Date: 19/11/2021

Briefing Note

Subject: Consider whether the property known as The Hive Silsden should be added to the list of Assets of Community Value	Confidential: No
	Date: 14 th July 2021

1. Summary of main issues

- 1.1. In line with the legislation and regulations set out in the Localism Act 2011, this report considers the nomination to add the property known as The Hive Silsden to the List of Assets of Community Value.
- 1.2. The Council has received a nomination from The Hive Silsden which is a Charitable Incorporated Organisation. They are eligible to nominate the property, trigger the moratorium period, bid for the property and purchase the property.
- 1.3. Officers conclude that the property's current use furthers the social interests of the local community and it is realistic to think that this can continue in the future.

2. Recommendations

- 2.1. The Strategic Director of Corporate Resources is recommended to add the property known as The Hive Silsden, 53-55 Elliot Street Silsden BD20 0DE to the List of Assets of Community Value.

3. Purpose of this report

- 3.1. The purpose of this report is for the Strategic Director of Corporate Resources to consider whether the property known as The Hive Silsden 53-55 Elliot Street, Silsden BD20 0DE shown edged and hatched red on plan number ACV00085 should be included in the List of Assets of Community Value or whether it should be included on the List of Land Nominated by Unsuccessful Community Nominations in accordance with Part 5 Chapter 3 of the Localism Act 2011.

4. Background

- 4.1. Part 5 Chapter 3 of the Localism Act 2011 details the legislation for Assets of Community Value and sets out the Community Right to Bid. The right came into force on 21st September 2012 and its purpose is to give communities a right to identify a property or land that is believed to further their social interests or social wellbeing and gives them a fair chance to make a bid to purchase the property or land on the open market if the owner decides to sell. From the date the landowner informs the Council of their intention to sell, eligible community groups have a period of six weeks to confirm whether or not they wish to submit to bid to purchase the property or land. If they do inform the Council that they want to bid, the landowner is prevented from disposing of the property for a period of six months (from the date they originally informed the Council of their intention to sell) unless it is to a community organisation. The landowner is free to dispose of the property at the end of the six-month period to whomsoever they see fit.

- 4.2. Section 90 states if a local authority receives a “community nomination”, the authority must consider the nomination. The authority must accept the nomination if the land nominated is in the authority’s area and is of community value.
- 4.3. Only specified bodies with a local connection are able to submit nominations for property or land to be included in the List of Assets of Community Value:
- A Neighbourhood Forum;
 - A Parish Council;
 - An unincorporated body with 21 local people on the electoral roll that does not distribute any surplus it makes to its members;
 - A company limited by guarantee which does not distribute any surplus it makes to its members;
 - An industrial and provident society which does not distribute any surplus it makes to its members;
 - A community interest company.
- 4.4. The nominator must be able to demonstrate and satisfy all the listing criteria as laid down in the legislation. Section 88 (1) states that buildings or land with a current use is considered to be of community value, if, in the opinion of the authority, there 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 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.
- Section 88(2) states that land is also of community value if in the opinion of the authority:
- a) there is a time in the recent past when an actual use of the building or other land that was not an ancillary use furthered the social wellbeing or interests of the local community, and
 - b) it is realistic to think that there is a time in the next five years when there could be non-ancillary use of the building or other land that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.
- 4.5. It is important to note that if either of the criteria in Section 88(1) or (2) are met, then the Council must include the site in the List of Assets of Community Value.
- 4.6. This property known as The Hive Silsden was previously nominated as an Asset of Community Value on 1st February 2014 and added to the list but that listing expired after five years.

5. Main Issues

- 5.1. This report has been based on an assessment of the nomination form dated the 10th March 2020 and a site visit by the Council’s case officer.

- 5.2. The Hive Charitable Incorporated Organisation are a registered charity (Charity Number 1182526) based in Silsden and are therefore a qualifying body that are allowed to nominate land or buildings as Assets of Community Value as specified in paragraph 5 (1) (d) of the Regulations and a voluntary or community body with a local connection as specified in Section 89 (2) (b) (iii) of the Act.
- 5.3. The property known as The Hive Silsden shown edged red on plan number ACV00085 is owned by the Council. It was originally let on a Tenancy at Will to the Trustees of Silsden Youth and Community Interest Company on 24th March 2016. In 2020 the Community Interest Company changed to a Charity and became the Hive Charitable Incorporated Organisation called The Hive Silsden and a new Tenancy at Will was completed on 27th January 2020.
- 5.4. The property was previously listed as ACV0008 when it was then known as Silsden Youth Centre, the listing ran out on 3rd July 2019 and this nomination is therefore a renewal.

Does a current non-ancillary use further the social interests or social wellbeing of the local community?

- 5.5. The current use of the property is as a community centre. Previously it was a Council run Children's Centre and Youth Club. Since taking over the responsibility for the premises on a Tenancy at Will the Hive have broadened the range of activities for all ages delivered at the centre which include pre-natal classes, stay and play groups for 0-5's, youth groups, community café recreation and arts, film viewings etc. The activity room is used for private parties, events, meeting, training etc. and is open to the public and local groups. Users include Weight Watchers, taekwondo, Silsden Singers, sewing group, Bumblebuds, Kinder Kalm and the Council's Early Year Children's Service. Externally the multi-use games area is used for rugby and football training and other formal activities and informal play.
- 5.6. The Hive CIO host events including Christmas parties, firework displays and family fun evenings from the premises.
- 5.7. As a community centre the property known as The Hive primarily serves the needs of the local community of Silsden.
- 5.8. The Neighbourhood Co-ordinator, Department of Children's Services with whom the land vests and Silsden Town Council have been made aware of the nomination and no formal comments have been received.
- 5.9. The property known as The Hive Silsden is in the Craven Ward, Ward Councillors have been made aware of the application, two of the Ward Councillor have expressed their support for the nomination.
- 5.10. The current use of the building is considered to further the social wellbeing and social interests of the local community in accordance with Section 88 (1) of the Act.
- 5.11. The use of the property is as a community centre and is considered to be non-ancillary.

Is it realistic to think that there can continue to be non-ancillary use of the of the land which will further social wellbeing or social interests of the local community?

- 5.12. There is no information to suggest that there are any alternative plans for the property, other than it to continue to operate as a community centre. Although the premises are currently let from the Council on a Tenancy at Will. The Hive have applied for a community asset transfer of the premises by way of a long lease. As owners, the council currently has no other plans for the property.
- 5.13. The premises have continued to trade when permitted to do so through the Covid-19 Pandemic. Officers are therefore of the view that it is realistic to think that this current use will continue.
- 5.14. The nominator is eligible to make a nomination, the subject property has a current non-ancillary use which furthers the social wellbeing and social interests of the local community and it is realistic to think that the use can continue. The Hive, Silsden should therefore be added to the List of Assets of Community Value.

6. Financial, HR, Communications issues (including value for money)

- 6.1. There are no financial, HR, communication or value for money issues other than in certain circumstances the owner of a listed property can claim compensation from the local authority.
- 6.2. Should an appeal be made to the First-Tier tribunal by the owner against a listing this can have an impact on costs and staff resources.

7. Other Implications

- 7.1. There are no equality & diversity, sustainability, greenhouse gas emissions, community safety, Human Rights Act or Trade Union implications.

8. Recommendations

- 8.1. The Strategic Director of Corporate Resources is recommended to include the property known as The Hive Silsden, 53-55 Elliot Street Silsden BD20 0DE on the List of Assets of Community Value.

9. Background documents

- 9.1. Plan of The Hive Silsden Number, plan number ACV00085.
- 9.2. Nomination to list The Hive Silsden, dated 10th March 2020.
- 9.3. The Constitution of the Hive Silsden CIO.

Report Sponsor: Neil Charlesworth	Contact Officer: Nigel Gillatt Telephone: 01274 434224
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