

REF: ACV0094

CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL

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

Land / Property

Date of recommendation:	07/07/2022
Recommendation made by:	Ben Middleton
Decision maker:	Joanne Hyde – Strategic Director, Corporate Resources
Nominee:	Haworth, Cross Roads & Stanbury Parish Council, nomination dated 28/06/2022
Specific delegation:	Resolution of the Executive, 8 th September 2020.
Brief description of recommendation:	To list Bocking Working Men's Club, 119 Bocking, Cross Roads, Keighley, BD22 9AP, as an Asset of Community Value on the grounds that the 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 – To recommend that the nomination of the property known as Bocking Working Men's Club, 119 Bocking, Cross Roads, Keighley, BD22 9AP be approved.



Signed by the decision maker:

Name: Joanne Hyde

Job Title: Strategic Director, Corporate Resources

Date: 19/07/2022

Briefing Note

<p>Subject: Consider whether Bocking Working Men's Club, 119 Bocking, Cross Roads, Keighley BD22 9AP should be added to the list of Assets of Community Value</p>	<p>Confidential: No</p>
	<p>Date: 7th July 2022</p>

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 Bocking Working Men's Club, 119 Bocking, Cross Roads, Keighley BD22 9AP to the List of Assets of Community Value.
- 1.2 The council has received a nomination from Haworth, Cross Roads & Stanbury Parish Council. 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 does have a current use which furthers the social interests and social wellbeing of the local community and it is realistic to think that use can continue, therefore the property should be added to the List of Assets of Community Value.

2. Recommendations

- 2.1 The Director of Corporate Resources is recommended to add Bocking Working Men's Club, 119 Bocking, Cross Roads, Keighley BD22 9AP to the List of Assets of Community Value.

3. Purpose of this report

- 3.1 The purpose of this report is for the Director of Corporate Resources to consider whether Bocking Working Men's Club, 119 Bocking, Cross Roads, Keighley BD22 9AP shown edged and hatched red on plan number ACV0094 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 (the Act) 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 a 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 of the Act 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 of 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 does not meet the criteria laid out in 88(1) is 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 add the site to the List of Assets of Community Value.

5. Main Issues

5.1 This report has been based on an assessment of the nomination form received on 1st June 2022 and a site visit by the case officer.

5.2 Haworth, Cross Roads & Stanbury Parish Council are an elected authority under prevailing legislation and therefore eligible 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 Bocking Working Men's Club, Keighley, BD22 9AP, (shown edged and hatched red on the attached plan number ACV 0094) is located in in the Worth Valley Ward. The property is owned by a members' mutual club, who purchased the freehold of the property approximately 35 years ago. The Club has 220 members.

5.4 The premises are not registered at HM Land Registry, and the nominator has confirmed the boundaries on the attached plan are correct.

5.5 Ward members, the local Parish Council, the local ward officers and the owners have been made aware of the nomination. Cllr Rebecca Poulsen expressed no objection to the nomination. No comments have been received from any other party

5.6 The Portfolio Holder for Regeneration & Transport has been informed of the nomination and subsequent recommendation to add the property to the List of Assets of Community Value. No comments have been received.

5.7 For a property to be added to The List of Assets of Community Value, the Local Authority must be of the view that a current non-ancillary use furthers the social interests and social wellbeing of the local community and that it is realistic to think that it can continue to do so, or that there has been such a

use in the recent past and that it is realistic to think it can be brought back into such a use, whether or not in the same way, within the next five years.

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

- 5.8 Bocking Working Men's Club is a well-established working men's club located close to the centre of the village, on the A629 Halifax Rd, which is the main road through the village.
- 5.9 The club is open to both members and the general public and offers access to snooker and darts facilities in a games area, in addition to a general use lounge area. The club also has television coverage of football matches and other seasonal sports events and has recently modified its internal layout to provide increased accommodation, as sports coverage is a major attraction to customers.
- 5.10 By its very nature, the club is for the people of the surrounding area and therefore it is the local community's interests it serves.
- 5.11 One of the most significant features of Bocking Working Men's Club is the substantially reduced cost of drinks as compared to other licensed premises, and this will undoubtedly continue to attract customers to the club in the future.
- 5.12 Working Men's Clubs are places where people go to meet and socialise with others, not simply drink alone without interaction with other patrons. The club is very much a social setting. If the local community solely intended to consume alcohol they could do so in their own home, taking advantage of the much reduced prices of shops and supermarkets. The fact that people are visiting a social environment supports the fact they do so to further their social interests and social well-being. Officers are therefore of the view that the use of the club furthers the social wellbeing and social interests of the local community.

Is it 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?

- 5.13 The premises have operated as a working men's club for many years and in terms of service delivery, have continued to maintain trading in the face of local competition. The Parish Council are keen to see the club continue in its current form as they consider that it contributes to the social wellbeing of the local community.
- 5.14 The club is well established in the community and it is realistic to expect this use to continue for the foreseeable future. Nothing has been provided to suggest that the current owners intend to do anything with the property other than continue to operate it as a club. It is therefore considered realistic to

think that there will continue to be a use which furthers the social wellbeing or social interests of the local community.

- 5.15 The nominator is eligible to make a nomination, the property has a current use which furthers the social interests and social wellbeing of the local community, and it is realistic to think that the eligible use can continue.
- 5.16 The criteria for adding a property to the List of Assets of Community Value as set out in paragraph 88(2) of the Localism Act 2011 is considered to have been met in this case and the property should 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 add Bocking Working Men's Club, 119 Bocking, Cross Roads, Keighley BD22 9AP, to the List of Assets of Community Value.

9 Background documents

- 9.1 ACV plan number ACV 0094
- 9.2 Assets of Community Value Nomination Form – Bocking Working Men's Club, 119 Bocking, Cross Roads, Keighley BD22 9AP.

Report Sponsor: Ben Middleton	Contact Officer: Ian Stuart
	Telephone: 07917 185863