

WARDS AFFECTED: St Anns (May 2019)

REPORT OF DIRECTOR OF PLANNING AND TRANSPORT

Units 22, 26 And The, Former St Anns Library

1 SUMMARY

Reference: 23/00515/ASCMVL

Nomination by: Chayah Development Project

Proposal: Request for units 22, 26 and the Old Library on Robin Hood Chase to be included on the List of Assets of Community Value.

2 RECOMMENDATION

That the nomination be **ACCEPTED**, and the property be placed on the Council's List of Assets of Community Value.

That the decision on any subsequent request for review of the decision by the owner of the site be delegated to the Director of Legal and Governance.

3 BACKGROUND

3.1 The nominated assets are situated at the centre of the St Ann's estate and are located on the western side of St Ann's Wells Road and form part of the Robin Hood Chase Local Centre. Details of occupation of the 2 units and former library are as follows:

Unit 22: Currently used in association with the food bank which is run by the neighbouring St Ann's Advice Centre for the storage of food.

Unit 26: Currently used by the nominee Chayah Development Project since 2014.

Former St Ann's Library: The library moved to the St Ann's Valley Centre in 2012. The unit was then leased from 2012 to Sept 2021 to Intu University but has been vacant for the last 2 and half years.

3.2 The nomination does not include the area of public realm to the south west.

3.3 The nominated assets together with the other 4 vacant units, the area of public realm and adjacent car to the north are currently allocated in the Local Land and Policy Local Plan Part 2 (LAPP) for redevelopment for residential development (allocation SR 31).

3.4 The nomination has been received from Chayah Development Project (Chayah). Their nomination is based upon there being concerns within the local community that with the withdrawal of funding for the neighbouring Chase Community Centre there is a lack of community and leisure value, together with the retail offer at Robin Hood Chase. They believe the Council in designating these former retail units and library for housing do not support their wish to build community facilities and shops. In addition, numerous local pubs including the Chase pub in the Local Centre have closed. They believe that residents have been very clear in their desire to experience the same levels of benefits of conveniently accessible services of a

wide range of shops and services that other developed areas offer. Chayah considers that this has had a severe negative impact within St Ann's which has been blighted by the impact of violent crime, drug use and antisocial behaviour. It also recognised as a deprived neighbourhood community within the top 10% of multiple deprivation in England.

- 3.5 Chayah intend to intend to develop the nominated assets as a community hub to provide enhanced services for the local community. Similar to how pubs have been taken over in rural areas. They want all the units to be fully utilised and want to provide facilities, shops and community resources which are accessible to the local community.

Shops

Unit 22: Community laundrette.

Unit 26: Chayah Development Project offices/hub.

Former library: Community recreation and meeting facilities such as training rooms, internet café, public meeting space and homework clubs.

Outdoor Paved Area (this area is not included in the nomination)

Outdoor meeting space. Chayah aims to develop an outdoor activities programme such as mini markets, street and cultural dance events. The key objective being to increase footfall to the area.

4 NOTIFICATIONS

Regulations require the Council to notify the owners and occupiers of the relevant land of the application to list it as an asset of community value. In this case the freehold owner of the land is Nottingham City Council (Housing Division) which has been duly notified as have the occupiers of units 22 and 26. No representations have been received.

Out of courtesy Ward Councillors are also notified of nominations in their ward. Whilst not relevant to the determination of the Nomination representations of support have been received from 2 ward councillors for St Ann's. They comment that they have observed the positive impact Chayah has had on the St Ann's community, particularly in unit 26 and believe that designating the entire precinct as an ACV aligns with their commitment to enhancing the lives of both the young and elderly residents of St Ann's.

They commend Chayah's dedication to providing valuable opportunities and contributing to the community's rejuvenation Their unwavering dedication to improve the lives of both young and elderly residents in St Ann's is seen to exemplify the spirit of community enrichment and revitalization of St Ann's.

They acknowledge the potential legal complexities surrounding the nomination of the whole precinct as an ACV and the ensuing implications on the Council's previous redevelopment proposals. However, they firmly believe that supporting Chayah's ACV application is a step towards fostering a thriving and interconnected community. The prospect of Chayah acquiring the precinct for various community

uses is seen as exciting, and they appreciate the Council's careful consideration of the matter. The 6-month moratorium period would provide an invaluable opportunity for Chayah to mobilize resources needed and contribute to the preservation and enhancement of this significant space.

In conclusion, they write to express their strong and unwavering support for Chayah's application and endorse their nomination wholeheartedly.

Chayah's enduring dedication sets a remarkable standard, truly inspiring all within St Ann's and Nottingham. The Asset of Community Value (ACV) designation, in this context, not only safeguards the area but also establishes a lasting legacy in St Ann's, symbolising a commitment to preserving the rich heritage and values that define our community.

5 ASSESSMENT

5.1 Land and premises must be listed as an Asset of Community Value if:

- (i) A nomination is received from an eligible body; and
- (ii) In the council's opinion, an actual or recent former main use of the premises furthers (or furthered) the social wellbeing or social interests of the local community, and
- (iii) It is realistic to think that there can continue to be such a use (the future use need not be the same as the previous use).

'Social interests' includes cultural, recreational and sporting interests.

Criteria (i) - Eligibility to nominate

5.2 Chayah Development Project is a registered charity. It is therefore considered the charity is eligible to nominate.

5.3 The legislation requires the nominators to set out their reasons for thinking it should be nominated. Officers are satisfied that the information supplied satisfies this basic requirement, and that the nomination is valid.

Criteria (ii) - Does the existing or recent former use further the social wellbeing or social interests of the local community?

5.4 For a nominated asset to qualify as an ACV two statutory conditions need to be satisfied as set out in the Localism Act 2011. The first important statutory condition, set out in section 88(1) and 88(2) of the Act, is that the nominated asset must either be being used or have been used in the recent past in a manner which is not ancillary and which furthers the social wellbeing or social interests of the local community. The second statutory condition which must be satisfied, and which will be discussed in the second below, is that it must be realistic to think that there is a time in the next five years when there could be a non-ancillary use which furthers the social wellbeing or social interest of the local community (whether or not the same as the use in the recent past).

Units in current actual use

5.5 Out of the 2 units and the former library only the 2 units are in current actual use.

Units 22

5.6 The use of the unit as a food bank undoubtedly provides a crucial facility and service for the local community and the provision of emergency food for families in need of support in the local St Ann's community. It would also appear that the unit, prior to its use as a food bank, had been a community laundrette. It is considered that there is sufficient evidence to conclude that the main use of this unit would further the social wellbeing or social interests of the local community and could, in isolation, be listed as an Asset of Community Value.

Unit 26

5.7 Chayah Development Projected (Chayah) are a registered charity who give support, training, seminars, personal coaching, facilitate social events and provide a food bank with the aim to build a stronger community. They also work with partners organisations in the provision of their services. They aim to reach the marginalised and empower the local community. Chayah works throughout Nottingham City and the county and run several community programmes to achieve these aims:

- The Reach Programme: Targeted outreach for young women and single mothers in Nottingham City to support young women into education and employment.

- BOYZ 2 MEN: Aims to equip young men with essential skills, advise and support parenting skills, identify and address taboo area (mental health, drugs, broken families etc), look at the judicial and restorative system and provide a safe space to express themselves. This is delivered by volunteers.

- Crossing Boundaries: Focus on the postcode gang related issues addressing them with local youth workers, parents and educational system, focus groups and 1-2-2.

- Sisters-in-Arms Support: Support group for BAME women with children with disabilities or illness as well as those who have suffered loss.

- HeadWize: A joint partnership funded by Comic relief, Tum Tum Housing, BAC-In and Nottingham Counselling Services. They provide group and 1 on 1 support services to tackle mental health and emotional problems and help find solutions for BAME local communities.

- Chayah food bank: Working with partners across the city provide short term emergency support with food during a crisis.

5.8 Unit 26 provides offices and a resource base for Chayah's activities in the city, alongside a base in Stapleford in Broxtowe Borough (working in partnership with Stapleford Community Group) and at Edwards Lane Community Centre, Sherwood (in partnership with the Cornerstone Fellowship) where, in addition to their outreach programmes, holiday clubs, lunch clubs and social events take place.

5.9 Chayah undoubtedly play an important part in many local communities throughout the city and its base in Unit 26 at Robin Hood Chase is considered to be of community value. Government guidance suggests that many of the vital community

support services and activities carried out by Chayah, some of which area outlined above, are likely to fulfil this definition.

- 5.10 It is therefore considered that there is sufficient evidence to conclude that the use of Unit 26 by Chayah as an office and resource centre furthers the social wellbeing or social interests of the local community. It is considered that there is sufficient evidence to conclude that the main use of this unit would further the social wellbeing or social interests of the local community and could, in isolation, be listed as an Asset of Community Value.
- 5.11 The statutory condition set out in Section 88(2) of the Localism Act 2011 requires there was a time in the recent past when an actual use furthered the social wellbeing or interest of the local community. There is no statutory definition or guidance by what is meant by recent past. The City Council generally treats the recent past as being three years preceding the nomination.

Units in recent use

Former St Ann's Library

- 5.12 The former St Ann's library closed in 2012. The use as a local library would have furthered the social wellbeing or interest of the local community. The unit was then leased to INTU University until 2021. The unit has been vacant since then, period of two and a half years.
- 5.13 INTU University operates across the UK and currently has 41 learning centres in 24 UK towns and cities. In Nottingham they currently have 3 centres. One of the centres is now on Ransom Road in St Ann's. Their programmes are multi stranded and include after school academic support, mentoring, workshops in partnership with local schools, universities and businesses and career insight opportunities.
- 5.14 INTU undoubtedly plays an important part in many local communities throughout the city and its use of unit 30 for 9 years is considered to be of community value. Government guidance suggests that many of the vital community support services and activities carried out by INTU some of which area outlined above, are likely to fulfil this definition.
- 5.15 It is therefore considered that there is sufficient evidence to conclude that the use of Unit 30 by INTU was used in the recent past and furthers the social wellbeing or social interests of the local community. It is considered that there is sufficient evidence to conclude that the main use of this unit in the recent past would further the social wellbeing or social interests of the local community and could, in isolation, be listed as an Asset of Community Value.

Criteria (iii) – Is it realistic to think there can continue to be such a use?

- 5.16 For a nominated asset to qualify as an ACV it must satisfy the first statutory condition as set out in section 88(1) and 88(2) of the Act. This must be satisfied before considering whether the nomination would satisfy the second statutory condition of whether it would be realistic to think that there is a time in the next five years when there could be a non-ancillary use which furthers the social wellbeing or social interest of the local community (whether or not the same as the use in the recent past).

- 5.17 CLG guidance suggests that for uses that are currently ongoing or have been used in the recent past there should be a presumption that the present use can continue into the future, unless clear evidence suggests otherwise.
- 5.18 It is therefore considered that there is sufficient evidence to conclude that the actual or recent use of the above 3 properties would further the social wellbeing or social interests of the local community and it is realistic to expect that their use, or another use that also furthers the social wellbeing or interests of the community, could continue into the future as a use of community value.
- 5.19 It is therefore recommended that units 22 and 26 and the former library be listed as Assets of Community Value.

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