

Appendix 1 - Asset of Community Value Assessment Form

Asset of Community Value - Assessment	
Date of Submission:	10 th January 2016
Nominated By:	Torver Parish Council
Nominated Asset:	Old School Room
Date of Decision:	31 st March 2016

Section A: This section considers the eligibility of the nominating body to make a nomination. Answer **YES/NO**.

A1. Is the nominating organisation an eligible body to nominate?	
Evidence supplied by nominee:	Torver Parish Council is a first tier Local Government Organisation and is eligible to nominate.
Score (YES/NO) and any comments:	Yes

A2. Does the nominating body have a local connection to the asset nominated?	
Evidence supplied by nominee:	Torver Parish Council is with in South Lakeland.
Score (YES/NO) and any comments:	Yes

A3. Does the nomination include the required information about the asset?	
<ul style="list-style-type: none"> • Description of the nominated asset including its proposed boundaries • Names of current occupants of the asset • Names and current or last-known addresses of all those holding a freehold or leasehold estate in the land 	
Evidence supplied by nominee:	The address of those owning a freehold is listed as: St Andrew's & St Luke's Parochial Church Council. c/o Rev T Harmer, The New Vicarage, Yewdale Road, Coniston, Cumbria, LA21 8DX
Further comments:	A map was sent to the parish council to determine the boundary of the property being nominated. (See Appendix 2)
Score (YES/NO)	Yes

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<p>A4. Is the nominated asset outside of one of the categories that cannot be assets of community value (as set out in Schedule 1 of the Assets of Community Value (England) Regulations 2012):</p> <ul style="list-style-type: none"> • A residence together with land connected with that residence • Land in respect of which a site licence is required under Part 1 of the Caravan Sites and Control of Development Act 1960 • Operational land as defined in section 263 of the Town and Country Planning Act 1990. 	
Evidence supplied by nominee:	None provided.
Further comments:	The nominated asset is not outside one of the categories that cannot be nominated.
Score (YES/NO)	Yes

Section B: This section considers the current or recent usage of the asset. Once all information is collated, answer with a **YES/NO**.

<p>B1. Is the current or recent usage which is the subject of the nomination an actual and non-ancillary usage?</p> <ul style="list-style-type: none"> • NOTE 1: A working definition of "recent past" is "within the past three years" • NOTE 2: A working definition of "non-ancillary" is that the usage is not providing necessary support (e.g. cleaning) to the primary activities carried out in the asset, but is itself a primary, additional or complementary use. 	
Evidence supplied by nominee:	The property's recent usage is actual and not non-ancillary.
Image/Map:	Appendix 2.
Score (YES/NO)	Yes

Section C: This section considers whether the use furthers the social interests or social wellbeing of the local community.

<p>C1. Who benefits from the use?</p> <ul style="list-style-type: none"> • Does it meet the social interests of the community as a whole and not simply the users/customers of the specific service? • Who will lose if the usage ceases? 	<p>Evidence provided by nominee:</p>	<p>The nomination form submitted by the parish council states that the building is used by local groups including the Women's Institute, Parish Council and Folk Festival. It also states that line dancing, pantomime and variety shows have taken place there.</p> <p>The school room is also used for the Coniston & Crake Catchment Partnership meetings, consultation meetings for Parish and Neighbourhood Plans and South Distinctive Area meeting. The church uses the facility for events and meeting.</p>
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	Evidence from other sources:	<p>The Reverend T J Harmer, Priest in charge of the Parish of Coniston and Torver, states that, “the trusts upon which the school room are held are ecclesiastical in nature”.</p> <p>The calendar of bookings on the Torver School Room webpage shows the nominated asset is in use all year round by various groups and members of the local community.</p>
	Conclusion:	The nominated asset currently provides facilities to the community for both cultural and social activities, along with its ecclesiastical use.

C2. Is any aspect of the usage actively discouraged by the Council?	Evidence provided by nominee:	There is no evidence provided in the nomination form to suggest any usage discouraged by the council.
	Evidence from other sources:	There is no evidence to suggest any usage discouraged by the council.
	Conclusion:	There is no evidence of any usage that would be discouraged by the Council.

C3. Why is the usage seen as having social value in the context of the community on whose behalf the nomination is being made?	Evidence provided by nominee:	The Schoolroom “is now and has always been the village's natural social and meeting centre”.
	Evidence from other sources:	<p>When defining land as an asset of community value the Localism Act relates this to a furtherance of ‘social wellbeing or social interests of the local community’. Social interests are defined as cultural, recreational and sporting interests.</p> <p>As the village hall currently provides facilities to the community for both cultural and social activities, as well as its main ecclesiastical purpose, this aspect of the application meets the definition set out in the act.</p>

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	Conclusion:	Section 88 of the Localism Act in defining land of Community Value, relates this to the furtherance of the social wellbeing or social interests of the local community with social interests defined as cultural, recreational and sporting interests. As the village hall currently provides facilities to the community for both ecclesiastical, cultural and social activities, the application to list as an Asset of Community Value meets the definition set out in the act and is therefore agreed.
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<p>C4. How strongly does the local community feel about the usage as furthering their social interests?</p>	Evidence provided by nominee:	The nomination form states that “funding for the purchase of the building would come from local donations and grants with the Parish Council underwriting the purchase”. The Schoolroom would then be run by a management committee for the benefit of the community with regular events for local residents and visitors to the area.
	Evidence from other sources:	This view is opposed in a letter from the Reverend T J Harmer. He states that the school room was offered to “the residents of Torver on a 35 year lease at a peppercorn rent in 2008, so that the room could be run as a village hall”. He states that this process is no further along and that has not be sufficient interest from the residents of Torver to take on the running of the building.
	Conclusion:	Section 88 of the Localism Act in defining land of Community Value, relates this to the furtherance of the social wellbeing or social interests of the local community with social interests defined as cultural, recreational and sporting interests. As the village hall provides facilities to the community for both cultural and social activities, as well as its ecclesiastical use, the application to list as an Asset of Community Value meets the definition set out in the act and is

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		therefore agreed.
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Once section C is complete, distribute back to all relevant groups for consultation. Any further comments provided included below:

A letter was received during further consultation from the Reverend T J Harmer and his comments have been included as part of the assessment process. The Reverend has stated he is happy for his response to be included.

Comments were also received from the ward member, Councillor Anne Hall. She supports the nomination made by Torver Parish Council.

Section D: This section considers whether it is realistic to think 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.

For assets such as this where the actual non-ancillary usage is a **recent** rather than a **current** one (see Step B above), 88(2) (b) of the Localism Act requires the Council to consider whether in the opinion of the local authority **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.**

This will be considered through the following tests:

- If the asset is considered to remain fit for purpose (under D1 below), then this is considered to be sufficient grounds for thinking that there is a time in the next five years when there could be use of the asset that would further the social wellbeing or social interests of the local community identified in Step C above.
- If the building is not considered to remain fit for purpose under D1, then an additional Test (under D2 below) will be applied to determine whether the asset could be made fit for purpose practically and within reasonable resource requirements and within timescales. The timescales to be applied for this to take place for assets with “recent usage” will be “within the next five years”.

D1. Has the building/ land-take/ space/ legal requirement for this usage changed significantly since its initial use so that the asset is not fit for purpose?	
Evidence supplied by nominee:	No evidence supplied in the nomination.
Conclusion:	The council has not received any information that the nominated asset is not fit for purpose.

D2. Could the asset be made fit for purpose practically and within reasonable resource requirements and within timescales?	
Evidence supplied by nominee:	No evidence supplied in the nomination.
Conclusion:	The council believes the asset is fit for purpose.

Once assessment is fully completed make finally recommendation below and complete report.

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RECOMMENDATION:	THAT THE OLD SCHOOL ROOM BE PLACE ON THE SUCCESSFUL ASSET OF COMMUNITY VALUE REGISTER.
REASON FOR RECOMMENDATION:	South Lakeland District Council recognises that the main user of the Old School Room is the community of Torver. In its current state the building does serve the community. SLDC recognises the recreational activities undertaken at this site, along with the ecclesiastical importance and that the building furthers the social well-being or interests of the community.