



COMMUNITY RIGHTS

TOWN COUNCIL MEETING

REPORT 75/12

10 DECEMBER 2012

The purpose of this report is provide Members with details of the Community Rights meeting with members of the town's voluntary and community organisations and propose next steps in implementing aspects of the Isle of Wight Council's policies for implementing the new Rights.

No. DETAIL

1) BACKGROUND

- a) The Localism Act 2011 incorporated two Community Rights that the Town Council has explored recently:
 - o the Community Right to Challenge that became effective on 27 June 2012; and
 - o the Community Right to Bid that became active on 21 September 2012.
 - b) The Isle of Wight Council has adopted policies for the implementation of both the new Rights and single page summaries of the processes for each are attached with this report.
 - c) The potential of these Rights was discussed in private session at the 12 November meeting of the Town Council and, in addition to the formal decision to nominate the Coastal Centre for inclusion on the Isle of Wight Council's *List of Assets of Community Value*, a number of other local buildings were also considered in that context.
 - d) A meeting to discuss the potential for further access to the new Rights through an invitation to the town's voluntary and community organisations was arranged for Wednesday 5 December.
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2) COMMUNITY RIGHTS MEETING

- a) The meeting was attended by 22 people with wide representation from the town's third sector.
 - b) Notes of the session, taken at the meeting by the Town Council's Community Development Worker, are attached with this report.
 - c) Members will want to give consideration to the suggestions from the meeting about other land or buildings which may be appropriate to nominate for inclusion on the *List of Assets of Community Value*.
 - d) This would best be agreed in a confidential context of the kind indicated in section 4 below.
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3) TOWN & PARISH COUNCILS

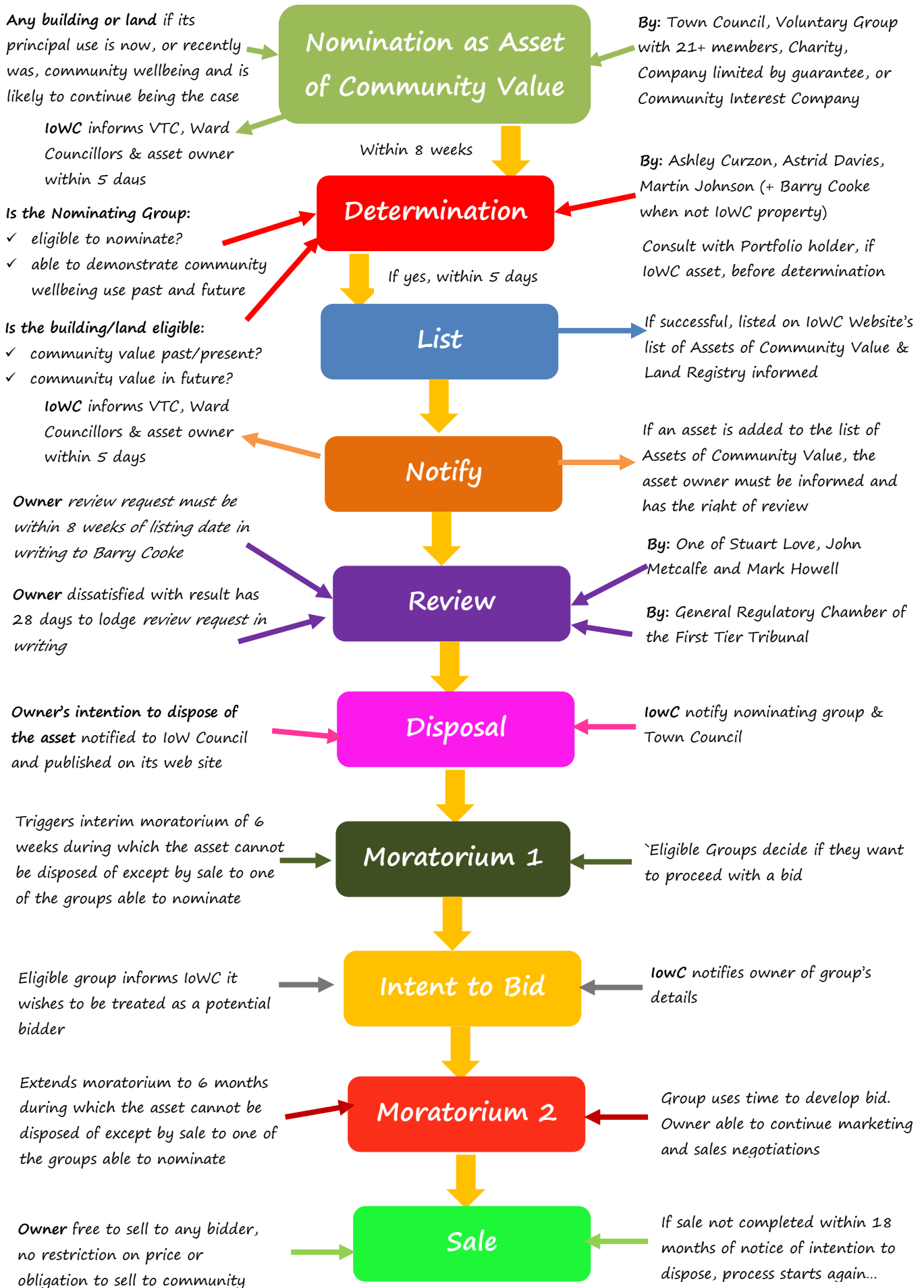
- a) Members will also note the meeting's view that Ventnor's approach to the deployment of the new Rights should be shared with the Island's other Town and Parish Councils.
 - b) Suggestions included information sharing with both the Isle of Wight Association of Local Councils and Clerks.
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4) RECOMMENDATIONS

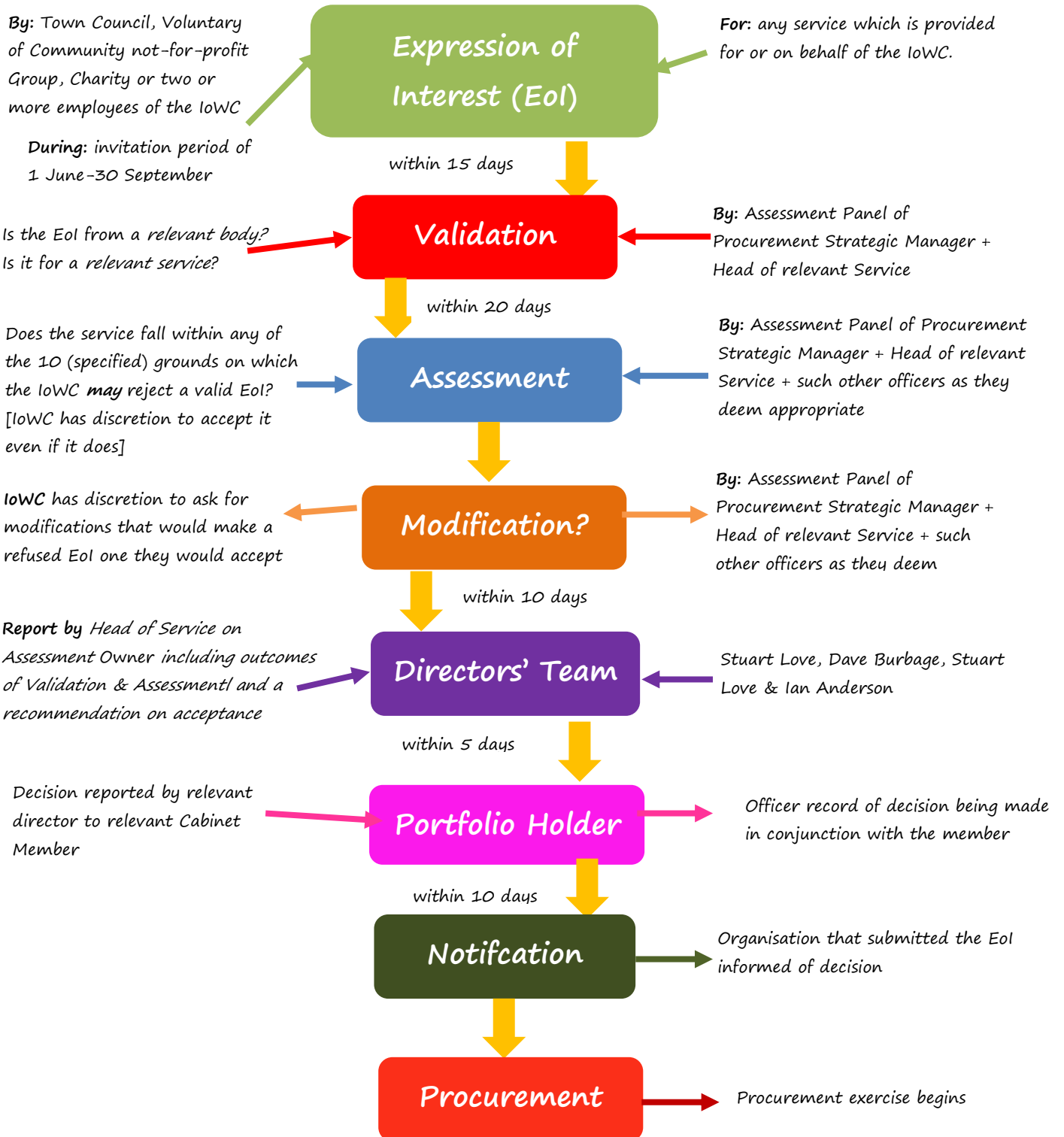
Members are recommended to consider the following draft resolutions for adoption after any amendments arising from their discussion of this paper:

- a) That the authority to progress the nomination of the buildings identified in confidential minute 162/12ii) of the meeting of 12 November, together with any additions arising from the consultation meeting described in section 2 above, be delegated to the Town Clerk, working with the Mayor, Deputy Mayor and the two other Members present at the consultation meeting, Jason Mack and Carol Jones.
 - b) That the Town Clerk be authorised to share information on this Council's experience to date of these matters, in writing, with IWALC and the Island's Clerks.
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COMMUNITY RIGHT TO BID



COMMUNITY RIGHT TO CHALLENGE



Maximum Timescales:

Between an Eol being received and notification of decision: 3 months

Between an Eol being accepted and procurement exercise starting: 9 months

Community Rights Meeting – Ventnor Town Council

Coastal Centre, Salisbury Gardens 5 December 2012

David Bartlett led the informal meeting using circulated hand-out 'Localism Act 2011: Community Rights.

Part 1 - Community Right to Bid

Questions were taken from those present which clarified points relating to the hand-out so all present had a clear understanding the local relevance of the Localism Act 2011 and the instruments which enable it.

Concerns were shared by those present along the following lines

- The lack of objectivity in decision making in the Nomination Process
- Lack of guidance on how what defines an asset of community value
- Lack of redress through usual systems which ensure fair local government process
- Lack of strategy, consultation and planning informing disposal
- Appearance of it being simply a 'disposal' exercise
- Apathy – facilities are being disposed of without effective engagement with the community that is affected
- Need for greater promotion and information sharing at all levels of Council activity
- Getting together people who have an interest or role in the buildings which may be at risk of disposal
- Concern over how capital receipts will be utilised – will any come back to Ventnor?
- Can anyone coordinate a response to the consequences of losing so many public buildings and the services that operate from within them
- The importance of getting buildings registered prior to sale

List of Buildings considered by those present to be worthy of Nomination as an Asset of Community Value to IWC

1. Market Street Toilets (Already on sale and therefore precluded)
2. St Boniface School
3. Youth Club
4. Church View NHS Building (Already on sale and therefore precluded)
5. Spring Hill Gardens
6. Central Car Park
7. Library
8. St Wilfred's School Site
9. Children's Centre
10. Ventnor Park
11. Community Café Albert Street
12. Sports field (on school site)
13. Boxing Club (Already on sale and therefore precluded)

In particular one person passionately spoke of 'theft of assets all over the town over a period of many years and how the energy and efforts of local fundraisers which has kept things going has just been overlooked.' She went on to ask 'what is happening with all of this money that is being taken out of communities and what thought is being given to replace what has been taken away? We hear of contracts being awarded and consultants advising but what of the needs of communities - people? It is on our behalf these decisions are being made'

List of IW Buildings Currently for sale available here, gives examples of what could end up on the open market

<http://www.iwight.com/council/publicservices/serviceWebPages.aspx?servID=1453&pageID=189>

Part 2 Community Right to Challenge

David Bartlett went through the process for the Community Right to Challenge and cited examples of what could be considered as a 'service' in the case of Ventnor.

It was felt that there is a strong case for providing local services which can respond to local need. E.g. parking varies from place to place on the Island and it was acknowledged that designing a one size fits all approach to island parking is very difficult. Local people understand how spaces could be best utilised.

It was felt further discussion should be informed by a more depth understanding of which *services* are running which are in the interest of the community. Also consideration should be given to what models could be capable of running local services.

The information was well received and the importance of sharing this information with other parish councils through IWALC was reiterated by one speaker, this view was reinforced by Ventnor Town Council and action will be taken to ensure information is shared with other concerned parties.

Julia Aratoon

5 December 2012