

PRINCIPAL SELECT COMMITTEE

Meeting held in the Committee Room, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Thursday, 25th January, 2024 at 7.00 pm

Present: Councillor Kier Barsby in the Chair;

Councillors Jamie Bell, Jodine Cronshaw,
Julie Gregory (Vice-Chair), Warren Nuttall,
Phil Rostance and John Smallridge.

Officers Present: Lynn Cain, Mike Joy, Darren Wardale,
Phil Warrington and Shane Wright.

In Attendance: Councillor Cathy Mason.

PS.14 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

No declarations of interest were made.

PS.15 Minutes

RESOLVED

that the minutes of the meeting of the Committee held on 15 November 2023, be received and approved as a correct record.

PS.16 Petition Received - Community Sites.

In accordance with the procedures set out in the Council's Petition Scheme, the petition regarding "STOP The bulldozing of Community Sites", having received in excess of 500 signatures, was presented to the Committee for consideration.

The petition organiser, Councillor Cathy Mason, was in attendance to discuss the details of the Petition and put forward three questions for discussion. Both the Assistant Director for Strategic Housing and the Strategic Asset Manager were in attendance at the meeting to respond to the petition and questions accordingly.

Question 1

"The Annual Monitoring Report (AMR) for 2020-21, compiled by ADC and accessible at <https://www.ashfield.gov.uk/media/hc1je04a/annual-monitoring-report-2020-2021-final.pdf>, designates Leamington as an deprived area. The report further highlights that the majority of Carsic also falls within this category.

Notably, the residents of Carsic were not engaged prior to the proposal announcement and its presentation to the cabinet, a deviation from ADC policy outlined in the Statement of Community Involvement (SCI) section 1.1, emphasising “We ARE COMMITTED TO ENGAGING WITH LOCAL PEOPLE”. This information is corroborated by written confirmation from the Secretary of the TRA, underscoring the lack of communication with existing groups.

The Community Engagement Strategy 2020-23, which emphasises a people-focused approach, explicitly states, “We won’t expect people to come to us. We will go to where the people are, whether that is by knocking on people’s doors or standing outside the pub on a Friday night.” However, Carsic, lacking any form of engagement, cannot even claim tokenism.

Carsic received nothing – a stark inequality,

Can this committee give an explanation as why Carsic residents are being treated differently from Leamington residents?”

Officer’s Response

The Assistant Director for Strategic Housing made reference to the community engagement programme currently running for a 6-month period in respect of Willetts Court on the Leamington Estate. He explained that all the Council’s community centres were subject to regular reviews, which enabled officers to ascertain their ongoing viability taking into account usage, income received and costs for running and maintaining the facilities.

As pointed out by the questioner, the Council had previously adopted a Community Engagement Strategy which reaffirmed its commitment to engage in a meaningful way with residents to achieve the Council’s core aims (as per the Corporate Plan). The Strategy did make clear that consultation should be appropriate for each project and not a one size fits all approach.

On conclusion of the review for Brierley House, it was agreed that consultation with local residents was not appropriate because evidence on current/likely future use, running costs, future investment requirements etc. had shown that the Centre was no longer viable. The conclusion had been based upon the following;

- 2022/23 the Centre was used for 5 hours in total over the course of the year, 0.2% of the time available. During 2021/22 it had 3 hours of paid use. Pre-Covid, in 2018/19 it had 568 hours use over the course of the year, equating to 26% of the total time available.
- Groups that used the Centre prior to Covid had not returned and there were no enquiries or interest from new groups to use the Centre.
- 2022/23 the net cost of running the Centre was £22,608. With staffing costs and utilities making the bulk of this figure, running costs would increase in future years as inflationary pressures drove up prices.
- A stock condition survey showed that £7,260 needed to be spent in each of the next 5 years to maintain the building.

- Additional costs would be incurred to update and improve facilities e.g. to improve ICT connectivity.
- As an HRA owned site, it was Council tenants who were paying for the Centre to be open and were in-effect subsidising the Centre for other residents, it was unreasonable to expect this to continue.
- The availability of other Council owned Community Centre's in the local area, namely Willetts Court, Harwood Close, Healdswood and the Homesteads.

Had the evidence pointed to a different conclusion, the Council would have needed to determine who to consult with to assist with a review as to its future use. Current service users would normally form the focus of any consultation but in respect of Brierley House, there weren't any groups/organisations using the facilities that could have been contacted for feedback and comment.

As a final point, the Statement of Community Involvement, mentioned by the questioner, was a Planning related document and due to a Planning Application having been submitted in respect of Brierley House, consultation would be undertaken in accordance with that process.

Question 2

"In July, the Cabinet decision relied on a limited community centre review. Acknowledged by email on September 22nd/25th, by the assistant director of strategic housing. The cabinet papers encompassed all relevant documents, with no additional information provided. This prompts skepticism about the sustainability conclusion for the centre, considering there was no communication and engagement with residents.

The equality screening aims to ensure that "no person or group is being displaced by the proposal or WILL BE DETRIMENTALLY IMPACTED IN ANY WAY,". However, as no outreach occurred with residents, particularly the elderly and disabled, prevalent in the deprived Carsic area, the screening lacks completeness and robustness.

Brierley House is now listed as an Asset of Community Value (ACV) by ADC. "The panel concluded that the recent use of the nominated land had furthered the social wellbeing or social interests of the local community and that it is realistic to think that in the next 5 years there could be non – ancillary use that would further the social wellbeing or social interests of the community"

Notts County Council have appointed a local area co-ordinator, who has been in contact, as they recognise the need in this high deprivation area to assist in organising meetings and community engagement.

866 residents of Ashfield have voiced their desires for a community engagement programme for Brierley House.

Given all this relevant new information and for ADC to follow their own policies Can the committee explain why Brierley House should not have a community engagement programme?"

Officer's Response

The Assistant Director for Strategic Housing addressed the issue of the emails sent to Councillor Mason on 22 and 25 September 2023 and advised that these did not state that the Cabinet report and subsequent decision were based on a limited Community Centre Review. The emails had stated that the Assistant Director was not in a position to share the full Community Centre review with the Councillor at that time.

The Cabinet report considered in July 2023 had been based upon empirical evidence contained within the Community Centre Review document. In respect of Equalities, the report had stated that no person or group was being displaced by the proposal or would be detrimentally impacted in any way, as determined by an Equality Impact Assessment screening. The new homes would also provide much needed accommodation for older households and those with mobility difficulties and disabilities.

Committee Members were advised that following on from the Cabinet decision in July 2023, the Sutton in Ashfield Community Group was formed on 26 August 2023 and an application submitted for the Centre to be considered an Asset of Community Value (ACV). As part of the ACV application a series of suggestions were put forward for how the Centre could possibly be used in future.

The Council's Health and Well-Being Partnership Strategy 'Be Health Be Happy 2021-25' identified Leamington as a priority area, along with Coxmoor, Kirkby and Broomhill and Butlers Hill, Hucknall, with resources being targeted in this location. The Carsic area still remained a focus of the Council but was not a named priority area and so community engagement specific to the area would remain limited.

The Council's Health and Wellbeing Officer was currently working part time in Leamington, coordinating partner organisations to effectively engage and better support the local community.

The Officer was working closely with the recently appointed Nottinghamshire County Council Local Area Coordinator, who was similarly focused on Leamington but with the proviso that her role might extend to other areas of deprivation within Sutton in Ashfield. The Coordinator was working with individuals in a social prescribing role, helping those who were isolated, lonely and vulnerable to engage with services and be part of the community. The role was person focused rather than a group or activity-based position.

Question 3

"Community Engagement Strategy 2020-2023 states community engagement is underpinned by fairness and equality. Good quality community engagement is:

Effective – in meeting the needs and expectations of the people involved.

Efficient – by being well informed and well planned.

Fair – by giving people who may face additional barriers to getting involved an equal opportunity to participate.

Unfortunately, as shown in question 1 and 2, ADC failed to follow their own binding policies on community engagement in order to provide actual evidence that Brierley House is unsustainable, and viewed it through a narrow lens of one years use, post Covid.

NPPF chapter 97 states the need to provide the social, recreational and cultural facilities and services the community needs, as well as c) guard against unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day to day needs. The loss of Brierley House would indeed impact the elderly and disabled Carsic residents, and would give sufficient grounds for an appeal should this proposal progress without correction.

So we respectfully ask that this committee, who's role it is, to hold the executive, including cabinet to account over decisions that are made and given that Brierley House is now a listed Asset of Community Value.

As to why it shouldn't refer this matter back to cabinet for review with the recommendation that a community engagement programme be run?"

Officer's Response

The Assistant Director for Strategic Housing reiterated that the Council was committed to its Community Engagement Strategy and to engaging with communities in a meaningful way, as demonstrated through the recent Residents Survey and feedback on the Local Plan.

As explained in the answer to Question 1, the evidence from the Community Centre Review document presented the facts accordingly. There were barely any users of the Centre, no new interest had been shown and there had been minimal hire charge income received. With the significant operating, maintenance and investment costs it was evident that the Centre did not have a viable financial future. As an HRA asset, costs were being met by all Council tenants through their rent payments and it was unfair for tenants to continue subsidising other residents.

The Council kept all its services under review and had to make tough decisions when needed. The conclusion was therefore reached that the Centre was not viable, meaning that it was not appropriate to consult with local residents. This was not a failure to follow the Engagement Strategy, the principles of the Strategy had been applied.

Petition Organiser's Summation

The petition organiser, Councillor Cathy Mason, was then offered the opportunity to make any closing points before the Committee debated the details of the petition.

Councillor Mason reiterated her concerns that Carsic residents were never offered any form of consultation regarding the future of Brierley House before the report was presented to Cabinet for determination in July 2023. Many elderly residents were struggling post Covid and her desire to bring community groups into the Brierley House was soon thwarted when she was advised that no further bookings would be taken for the Centre around September 2023.

In addition, the Asset of Community Value request (ACV) had been duly acknowledged by the Council, but no suggestions/opportunities had been forthcoming to enable the Group to try and increase the usage of the facility.

To conclude, Committee Members were advised that should any time be afforded to the Group to endeavour to bring in users to the centre, external funding was available that could be accessed to assist with the Centre's regeneration.

The Committee duly debated the details of the petition, the questions and the officer responses for a period of 15 minutes.

RESOLVED that

- a) the petition, questions and responses be received and duly noted by the Committee;
- b) Cabinet be requested to ensure that a full consultation exercise is undertaken with any proposed repurposing of Council owned community centres within the District;
- c) in conjunction with the above, ensure that all user groups are identified and contacted as a matter of course should any public consultation or engagement exercises be carried out to determine the future use of Council owned community centres.

The meeting closed at 8.10 pm

Chairman.