

# CABINET MEMBER DECISION REPORT FORM

## 1. Decision made

57-59 Winchcombe Street

That the nomination to have property at 57-59 Winchcombe Street, formerly the Axiom Centre, listed as an asset of community value in accordance with Part 5 Chapter 3 of the Localism Act 2011 is unsuccessful and the property will be listed in the council's List of Land nominated by Unsuccessful Community Nominations.

## 2. Identity of the Decision Maker

Director of Commissioning, Jane Griffiths

## 3. Date of Decision

13 Dec 2013

## 4. Reasons for Decision

Whilst the use of the building in its past life as an arts and cultural facility would meet the criteria of furthering social wellbeing and interests, I am clear that this use was not in the recent past, the building having been not used for the past 13 years.

Although the legislation does not define the meaning of the term recent, there is reference to a period of five years in the following sections:

- 1) Section 88(2) of the Act extends this definition to land which has furthered the social wellbeing or social interests of the local community in the recent past, and which it is realistic to consider will do so again during the next **5 years** and
- 2) Section 87 (3) which provides that 'where land is included in a local authority's list of assets of community value, the entry for that land is to be removed from the list with effect from the end of the **period of 5 years** beginning with the date of that entry ..'

- A) My view is that five years is a sufficient period time to define the recent past. This view is shared by other council's that have added in a reference to five years in their community right to bid guidance.
- B) I also feel that defining recent past to extend beyond 13 years for this one instance could be problematic as it would set a precedent that the council was defining recent past as any period of time up to 15 years.
- C) For this reason, I cannot support the nomination of the property at 57-59 Winchcombe Street, formerly the Axiom Centre, to be considered an asset of community value.
- D) Nevertheless, I wish the community group well in its proposed purchase of the building.

## 5. Consultation undertaken

Cabinet members for Built Environment and Housing and Safety

The Director Commissioning consulted with the Director Built Environment, Head of Property Services and Strategy and Engagement Manager at a meeting on 2 December 2013.

**6. Results of Consultation**

**7. Alternative options considered and rejected**

None

**8. Background documents**

**9. Conflict of Interests declared**

**10. Dispensation**

Was a dispensation given by the Standards Committee in respect of any declaration of interest listed at 9.?

Date of dispensation .....