

Detailed Assessment of the Nomination of University Arms

Assets of Community Value Nomination Assessment			
DATE OF SUBMISSION	16 th May 2016	DATE DECISION TO BE MADE BY:	18 th July 2016* not met due to objection and further consultation with nominator
NOMINATED ASSET	The University Arms, 197 Brook Hill Sheffield, S3 7HG		
NOMINATION SUBMITTED BY:	CAMRA, David Pickersgill		

Step 1

Part A and B criteria for assessing whether an asset is of community value is in accordance with that set out in the Assets of Community Value (England) Regulations 2012. Each section contains a reference to the relevant legislation but please refer to the guidance notes accompanying this document when assessing the nomination. The paragraph numbering (e.g. A1 etc.) links between this assessment form and the guidance notes.

PART A-CRITERIA SPECIFIED IN THE ASSET OF COMMUNITY VALUE REGULATIONS 2012	CHECKLIST
A1. Is the nominating organisation an eligible body to nominate? (Section 5 of the Regulations)	Pass

A2. Does the nominating body have a local connection to the asset nominated? (Section 4 of the Regulations)	Pass
A3. Does the nomination include the required information about the asset? (Section 6 of the Regulations)	Pass
A4. Is the nominated asset outside of one of the categories that cannot be assets of community value? (Schedule 1 of the Regulations)	Pass
IF 'YES' TO ALL OF PART A, MOVE TO PART B IF 'NO' TO ONE OR MORE OF PART A, FOLLOW PROCESS FOR UNSUCCESSFUL NOMINATIONS	Pass
PART B -ESTABLISHING THE CURRENT OR RECENT NON-ANCILLARY (PRIMARY) USE THAT THE APPLICATION IS BASED ON	CHECKLIST
B1. Does the nomination form establish the current or recent usage of the asset which is the subject of the nomination to be an actual and non-ancillary usage ? (Part 5, Chapter 3, Section 88 (1) and (2) of the Localism Act 2011.)	Pass
IF YES, GO TO STEP 2. IF NO, FOLLOW PROCESS FOR UNSUCCESSFUL NOMINATIONS	

Part C and D criteria for assessing whether an asset is of community value has been developed by Sheffield City Council based on Part 5, Chapter 3, Section 88 of the Localism Act 2011.

Section 88 of the Localism Act states that the asset will be considered to be one of community value if:

- a) its actual current use furthers the social wellbeing and interests of the local community, or a use in the recent past has done so. *(the legislation does not provide for a specific period, but as a general rule use in the past five years is considered to be relevant)*
- b) that use is not an ancillary one; and
- c) for land in current community use it is realistic to think that there will continue to be a use which furthers social wellbeing and interests, or for land that has been in community use in the recent past, it is realistic to think that there will be community use within the next five years (in either case, whether or not that use is exactly the same as the present or past); and
- d) it does not fall within one of the exemptions.

PART C

CRITERIA FOR DETERMINING WHETHER THE USAGE CURRENTLY OR IN THE RECENT PAST FURTHERS SOCIAL WELLBEING AND INTERESTS OF THE LOCAL COMMUNITY			
C1. What is the 'local community' of the asset as defined by the geographical area?	Evidence provided by nominee	<p>Nominee suggests users come principally from the University, both staff and students, but there are also events and uses that appeal to a wider community</p> <p>In response to the owner's objection the nominee provides that there is no definition of local and argues the whole of Sheffield could be considered local to the Property.</p>	

	Evidence gained from other relevant sources (owner, Ward member etc.)	The owner states that the nominee has failed to demonstrate who the “local community” is for the Asset, they argue that they ‘have failed to demonstrate that a cohesive section of the community is centred around’ the Asset.	
C2. What is the current/recent use of the asset? (<i>types of activities</i>)	Evidence provided by nominee	This is a Public house used by both Students and local residents. In response to the objection the nominee states that the inclusion of the Property in CAMRA’s good beer guide guarantees visits from a wider community.	
	Evidence gained from other relevant sources (owner, Ward member etc.)	The owner acknowledges that the Property is used by students “as would be expected of a student pub’ but states that no evidence has been provided to support its use by the wider community.	
C3. How well is/was the asset used? (<i>evidence of the building/property/land use</i>)	Evidence provided by nominee	The application suggests that the Asset is well used but no detail or direct evidence has been provided. In response to the objection the nominee says such evidence of usage is not required.	
	Evidence gained from other relevant sources (owner, Ward member etc.)	The owner has made the point that no details of usage or letters of support have been provided	
C4. What will the impact be if the usage ceases? If usage has ceased already, what has the impact been?	Evidence provided by nominee	Usage continues as a pub, the nominee states that cessation of the use as a pub ‘would have a huge impact on both the large student population and the wider community.’	
	Evidence gained from other	The owner believes this statement is	

	relevant sources (owner, Ward member etc.)	exaggerated. The University has 5 bars/licenced areas in the general vicinity and it will be developing a further pub opening in Autumn 2017.	
C5. Does it/did it meet the social interests of the community as a whole and not the users/customers of a specific service? (<i>examples would include use by local community groups or sporting clubs</i>)	Evidence provided by nominee	A number of Community events occur at the pub including live music events. The beer Garden has been awarded a number of Yorkshire in Bloom certificates. A quiz night is held weekly. Groups also meet from around the city in the venue	
	Evidence gained from other relevant sources (owner, Ward member etc.)	The owner states that 'the activities listed in the Nomination do not go beyond the ordinary ancillary functions of a commercially run pub.'	
C6. How is the building/property/land regarded by the community? (<i>community consultation, evidence of support</i>)	Evidence provided by nominee	It is highly regarded by the student population and the local community according to the Nominee	
	Evidence gained from other relevant sources (owner, Ward member etc.)	The owner states that no evidence of support for the nomination from the local community has been provided	
	RATIONALE		FAIL
IF THE NOMINATION PASSES PART C, GO TO PART D. IF THE NOMINATION FAILS PART C, FOLLOW PROCESS FOR UNSUCCESSFUL NOMINATIONS			

PART D: This section considers whether it is realistic to think that 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).

CRITERIA FOR DETERMINING WHETHER (FOR 'CURRENT' USES) THERE WILL CONTINUE TO BE SOCIAL USE OF THE ASSET OR (FOR 'RECENT' USES) THAT IT IS REALISTIC TO THINK THERE WILL BE COMMUNITY USE AGAIN WITHIN THE NEXT FIVE YEARS.

D1. What is the proposed future use of the asset? (<i>types of activities</i>)	Evidence provided by nominee		
	Evidence gained from other relevant sources (owner, Ward member etc.)		
D2. Will it meet the social interests of the community as a whole and not the users/customers of a specific service?	Evidence provided by nominee		
	Evidence gained from other relevant sources (owner, Ward member etc.)		
	RATIONALE		

IF THE NOMINATION PASSES PART D, FOLLOW PROCESS FOR ELIGIBLE NOMINATIONS

IF THE NOMINATION FAILS PART D, FOLLOW PROCESS FOR UNSUCCESSFUL NOMINATIONS

RECOMMENDATION	To refuse the registration of The University Arms, Brook Hill Sheffield as an Asset of Community Value.
REASON FOR DECISION	It appears from the evidence provided that this property's actual and current use does not further the social wellbeing and interests of the local community sufficiently to satisfy the statutory tests set out in sections 88 a) to d) of the Localism Act 2011

DECISION TAKEN BY	Jack Scott - Cabinet Member for Community Services and Libraries
DATE	