

AGENDA FOR THE EXECUTIVE

Date: Friday, 11 November 2022

Time: 5.00 pm

Venue: Collingwood Room - Civic Offices

Executive Members:

Councillor S D T Woodward, Policy and Resources (Executive Leader)

Councillor I Bastable, Streetscene

Councillor Miss J Burton, Health & Public Protection

Councillor Mrs C L A Hockley, Housing

Councillor S D Martin, Planning and Development

Councillor Mrs S M Walker, Leisure and Community

1. Apologies for Absence

2. Minutes

To confirm as a correct record the minutes of the meeting of the Executive held on 07 November 2022 (to be tabled at the meeting).

3. Executive Leader's Announcements

4. Declarations of Interest

To receive any declarations of interest from members in accordance with Standing Orders and the Council's Code of Conduct.

5. Petitions

6. Deputations

To receive any deputations, of which notice has been lodged.

7. References from Other Committees

To receive any references from the committees or panels held.

Matters for Decision in Public

Note: Where an urgent item of business is raised in accordance with Part 3 of the Constitution, it will be considered with the relevant service decisions as appropriate.

8. Leisure and Community

Non-Key Decision

(1) Asset of Community Value Application (Pages 3 - 16)

A report by the Director of Leisure and Community.



P GRIMWOOD
Chief Executive Officer

www.fareham.gov.uk

03 November 2022

**For further information please contact:
Democratic Services, Civic Offices, Fareham, PO16 7AZ
Tel: 01329 236100
democraticservices@fareham.gov.uk**

FAREHAM

BOROUGH COUNCIL

Report to the Executive for Decision 11 November 2022

Portfolio:	Leisure and Community
Subject:	Asset of Community Value Nomination
Report of:	Director of Leisure and Community
Corporate Priorities:	Strong, Safe, Inclusive and Healthy Communities

Purpose:

To assess the nomination to register Haven House Visitor Centre and Café as an asset of community value.

Executive summary:

Hampshire County Council (HCC) owns the Titchfield Haven National Nature Reserve and has recently consulted on a proposal to sell two buildings on the site; Haven House and Haven Cottage. The HCC engagement exercise closed on 1 November 2022.

Haven House is a two-storey building currently housing a visitor centre, café, meeting room and public toilets, as well as office space, ticket and membership sales point for Titchfield Haven National Nature Reserve and a residential flat used on an ad hoc basis by Nature Reserve Rangers when undertaking their duties. If HCC's proposals are approved, the café will close on the 23 December 2022.

On 10 October 2022, Hill Head Residents' Association (HHRA) submitted an Asset of Community Value (ACV) nomination form to Fareham Borough Council, asking that Haven House Visitor Centre and Café be registered as an ACV.

Registration of Haven House Visitor Centre and Café as an ACV would prevent HCC from selling the asset, for up to 5 years, without HHRA being given the chance to bid for it.

There is a strict set of legal conditions that any nomination needs to demonstrate for an asset to qualify as an ACV. If it qualifies the Council must register it by the deadline of 5 December 2022 (8 weeks from receipt of valid nomination)

This paper outlines the evidence submitted as part of the nomination and assesses whether it matches the legal criteria.

Under Fareham Borough Council procedures, decisions on whether to include an asset on the Assets of Community Value register are delegated to the Director of

Leisure and Community. However, given the high-profile Borough wide interest in Haven House Visitor Centre and Café, the Director of Leisure and Community has referred this decision up to the Executive in this instance.

Recommendation/Recommended Option:

It is recommended that the Executive approves the registration of Haven House Visitor Centre and Café as an Asset of Community Value.

Reason:

The nomination form submitted by Hill Head Residents' Association meets the required criteria for listing.

Cost of proposals:

No cost.

Appendices: **A:** Indicative site plan - Haven House Visitor Centre and Café
 B: Asset of Community Value nomination form – Haven House Visitor Centre and Café

Background papers:

Reference papers:

FAREHAM

BOROUGH COUNCIL

Executive Briefing Paper

Date:	11 November 2022
Subject:	Asset of Community Value Nomination
Briefing by:	Director of Leisure and Community
Portfolio:	Leisure and Community

Introduction

1. Following receipt of an Asset of Community Value (ACV) nomination from Hill Head Residents' Association (HHRA), this paper sets out the evidence provided and assesses whether it meets the legal registration criteria.

Background

2. Haven House Visitor Centre and Café is controlled by Hampshire County Council (HCC) as freeholder and forms part of the Titchfield Haven Nature Reserve site. HCC has recently consulted on the proposal to sell two buildings on the site; Haven House and Haven Cottage. This would allow them to reinvest the proceeds back into the reserve. The engagement exercise closed on 1 November 2022.
3. Haven House currently houses a visitor centre, café, meeting room and public toilets, as well as office space, sales point for Titchfield Haven National Nature Reserve and a residential flat. Appendix A sets out an indicative site plan of Haven House Visitor Centre and Café. If the proposals are approved following consultation, the café will close 23 December 2022.
4. On the 10 October 2022, Hill Head Residents' Association (HHRA) submitted an Asset of Community Value nomination form to Fareham Borough Council, asking that Haven House Visitor Centre and Café be registered as an asset of community value under the Localism Act 2011. The completed nomination form is attached as Appendix B. The deadline for determination of the nomination is 5 December 2022 (8 weeks from receipt of the application).
5. Registration of Haven House Visitor Centre and Café as an Asset of Community Value would prevent Hampshire County Council from selling the asset, for up to 5 years, without the nominating group being offered an opportunity to bid for it as part of any proposed sale. The group would have 6 weeks from being given notice of a prospective sale to give notice of an intention to bid and 6 months to submit a bid. Hampshire County Council would be required to consider the bid alongside any other bids for the property but would be under no obligation to sell to the group.

Qualifying criteria

6. HHRA have submitted the ACV nomination as an unincorporated body. This is an organisation where two or more people come together for a particular purpose but decide not to use a formal structure like a company. This meets the nominating criteria for an ACV.
7. Additionally, the nomination needs to demonstrate that it meets both of the following criteria:
 - i. Current community use: The land or building is currently being actually used to further the social wellbeing or social interests of the local community (“community use”) and this use is not an ancillary use.
 - ii. Future community use: It is realistic to think that there can continue to be use of the land or building which is not ancillary and which will further community use. This future community use is not limited to the current use and so an entirely different community use can be proposed and will suffice.

Nomination Application Evidence

8. Hill Head Residents’ Association has provided evidence of its status as an unincorporated body. The Resident’s Association has also provided evidence that Haven House Visitor Centre and Café is currently being used to further social wellbeing or social interests in the local community as follows:
 - a. The café is accessible to residents of Hill Head, meaning most residents walk which helps promote health and wellbeing.
 - b. The café provides a welcoming environment to meet and socialise, encouraging community cohesion and a collective sense of wellbeing.
 - c. Haven House Visitor Centre and Café is fully accessible to disabled and elderly people.
 - d. The outdoor seating area provides a space for people who wish to avoid crowded indoor spaces but still enjoy the social benefits of sharing a coffee or a meal.
 - e. The café is used by elderly people – including some with dementia – to provide a safe welcoming place to visit. This helps reduce feelings of isolation.
 - f. Haven House Visitor Centre and Café supports leisure users of the local area, including cyclists, swimmers, surfers, and walkers.
 - g. Local groups of all ages use the centre as a meeting point and promotes activities for children during school holidays.
 - h. The centre provides a showcase for local cultural heritage, including an archaeological exhibition, and links with Stubbington Study Centre.
 - i. Haven House Visitor Centre and Café showcases the work of local artists and jewellers, providing a platform for local talent. Seasonal exhibitions and showcases are held throughout the year.

9. It is considered realistic to expect that the use of Haven House Visitor Centre and Café could continue if the property is no longer held for use associated with Titchfield Haven National Nature Reserve (e.g. ticket sales and membership sales). It can continue to support social wellbeing and social interests for the local community, not only through the café but by being offered for use by community groups as a meeting space and for exhibitions by local artists and jewellers. The test in this regard considers what is physically and legally possible as a use of the site, regardless of the intentions of the owners of the site.

Application feedback

10. Following receipt of the nomination form, local Ward Councillors, Cllr Mrs Mandry and Cllr Dugan and the Executive Member for Leisure and Community, Cllr Mrs Walker were all asked for representations in response to the nomination. All Councillors expressed their support for the nomination.
11. Hampshire County Council were also contacted as the freeholder of the building and confirmed that they did not object to the nomination. They were, however, keen to confirm that an ACV listing would not be interpreted to include Haven Cottage, or any parts of the wider site required for use by Titchfield Haven National Nature Reserve.
12. Premises that are primarily residential are excluded from the definition of an ACV. However, HCC has confirmed that the residential flat is integral / ancillary to the property, used by staff for the purposes of their duties at the site and should be regarded in that way.

Recommended approach

13. As Hill Heads Residents' Association's nomination has met the legal qualification criteria outlined above, it is proposed that Haven House Visitor Centre and Café be added to the Council's register of Assets of Community Value. As the residential flat which forms part of Haven House Visitor Centre and Café is integral to the property it should be included in the registration.

Next steps

14. If registration of Haven House Visitor Centre and Café is approved, we would add it to our published list of Assets of Community Value. It would also be recorded as a charge against the property with the Land Registry.
15. The ACV listing would be reviewed every two years to ensure it remains current or on application from any interested party if they can demonstrate a material change of circumstances at the site, such that the site would no longer qualify as an ACV. The Council would be required to remove the asset from the list as soon as practicable in the following circumstances:
- After a relevant disposal (other than an exempt disposal, such as where the land or building being sold forms part of a bigger estate, or the sale is to a new owner who will continue the same business).
 - When an appeal against a listing has been successful.
 - When in the Council's opinion that the asset is no longer of community value.
 - No later than 5 years from the date of entry on the list.

16. If HCC decides to dispose of Haven House Visitor Centre and Café during the period of listing, they must advise Fareham Borough Council of their intention to sell. Fareham would then publicise this, with key dates on our website and also inform HHRA.

17. The following timeframes would then come into effect:

- Hill House Residents' Association would have 6 weeks to decide and inform Hampshire County Council if they wish to submit a bid for the asset.
- If HHRA decided to bid for the asset, they would have 6 months to become an incorporated body and raise the funds to purchase the asset.
- At the end of the six months (or sooner on receipt of an earlier bid), Hampshire County Council would review all bids and choose who to sell the asset to. They would be under no obligation to sell the asset to Hill House Residents' Association.

Conclusion

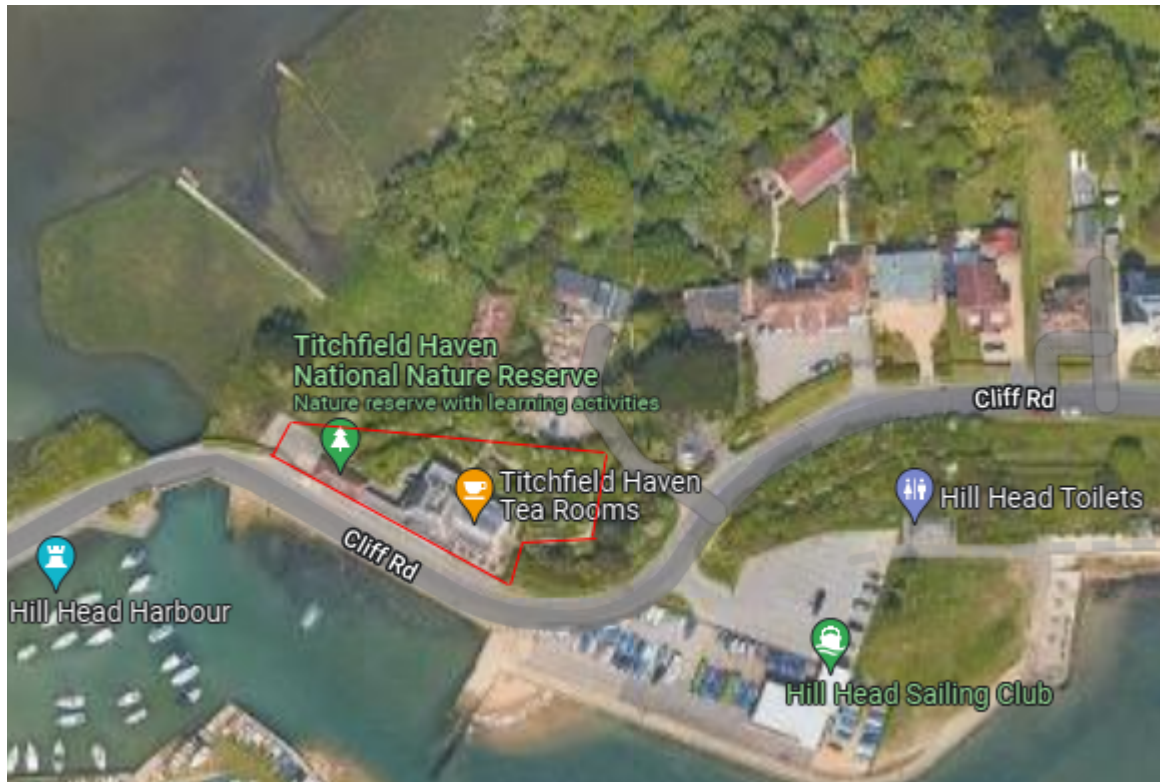
18. A nomination form from Hill Head Residents' Association has been submitted for the registration of Haven House Visitor Centre and Café as an Asset of Community Value and is presented for consideration.

Enquiries:

For further information on this report please contact Kat Hillman. (Ext 4443)

Appendix A

Indicative Site Plan of Haven House Visitor Centre and Café



Assets of Community Value Nominations Form

Appendix B

This questionnaire is designed to provide the Council with the information required to assess whether the nomination of an asset meets the criteria of an asset of community value.

The Localism Act 2011 defines an asset/land of community value if:

1. Its actual or current use (or there is a time in the recent past when its use) furthers the social wellbeing or social interests of the local community, and
2. It is realistic to think that there can continue to be (or it is realistic to think that there is a time in the next 5 years when) non-ancillary use of the building or land that would further the social wellbeing or social interests of the local community.

The questionnaire is divided into three parts:

1. Voluntary or Community Body Details;
2. Asset Detail
3. Social Wellbeing and Social Interests criteria,

As a result of your application, in order to evaluate the nomination, the Council may:

- request additional information or evidence;
- seek clarification;
- conduct interviews; or,
- require presentations.

1.	Voluntary or Community Body Details
1.1	<p>Name and address of the organisation in whose name this nomination is being submitted, include contact name, phone number, email etc:</p> <p>HILL HEAD RESIDENTS ASSOCIATION 41 KNIGHTS BANK ROAD, PO14 3HZ CONTACT: PAMELA CHARLWOOD TEL: 07836218604 EMAIL: HILLHEADRA@GMAIL.COM</p>
1.2	<p>Registered or trading name and address if different from question 1.1</p> <p>N/A</p>
1.3	<p>Correspondence address if different from question 1.1</p> <p>N/A</p>

1.4	Does your organisation have a website, if so please provide the address? HHRA.ORG.UK
1.5	Is your organisation a(n):
	• Neighbourhood Forum <input type="checkbox"/>
	• Parish Council <input type="checkbox"/>
	• Unincorporated Body <input checked="" type="checkbox"/>
	• Charity <input type="checkbox"/>
	• Social Enterprise (company limited by guarantee that doesn't distribute any surplus it makes to its members) <input type="checkbox"/>
	• Industrial or Provident Society which does not distribute any surplus it makes to its members <input type="checkbox"/>
	• Community Interest Company <input type="checkbox"/>
1.6	Company registration number, registered charities number, or Financial Services Authority registration number (list all that apply). N/A
1.7	Please provide detailed evidence that you are indeed eligible to make a community nomination in accordance with sections 4 and 5 of the Regulations. THE HHRA HAS 271 HOUSEHOLDS IN MEMBERSHIP, ALL RESIDENT IN OR AROUND THE HILL HEAD AREA. AT LEAST 21 OF ITS MEMBERS ARE REGISTERED ON THE ELECTORAL ROLL – SEE ACCOMPANYING LIST
Community Nomination - Asset Detail	
2.1	Asset Address HAVEN HOUSE, TITCHFIELD HAVEN NATIONAL NATURE RESERVE, CLIFF ROAD, HILL HEAD, FAREHAM PO14 3JT (AKA VISITOR CENTRE)
2.2	Asset Owners – include the names of the current occupants of the land, and the names and current or last-known addresses of all those holding a freehold or leasehold state in the land HAMPSHIRE COUNTY COUNCIL, THE CASTLE, UPPER HIGH STREET, WINCHESTER SO23 8UJ (FREEHOLD OWNER)
2.3	Asset / Land Use – Please can you provide details of the use of land over the past 5 years AS A VISITOR CENTRE TO THE TITCHFIELD HAVEN NATIONAL NATURE RESERVE, THE PREDOMINANT USES OF WHICH INCLUDE A SHOP, CAFÉ, EXHIBITION SPACE, PUBLIC TOILETS AND OUTSIDE SEATING AND GARDENS. THE CENTRE ALSO INCLUDES ADMINSTRATIVE OFFICE SPACE, A TICKET AND MEMBERSHIP SALES POINT AND INFORMATION SERVICE FOR THE RESERVE, AND A RESIDENTIAL FLAT
3.	Evidence: Asset of Community Value

The Localism Act 2011 defines an asset or land of community value if:

1. Its actual or current use (or there is a time in the recent past when its use) furthers the social wellbeing or social interests of the local community, and
2. It is realistic to think that there can continue to be (or it is realistic to think that there is a time in the next 5 years when) non-ancillary use of the building or land that would further the social wellbeing or social interests of the local community.

3.1

How do you feel that the aforementioned asset is indeed an asset of community value?

Can you provide evidence of this?

Haven House is the visitor centre for Titchfield Haven National Nature Reserve, a site of special scientific interest, described by its owners, Hampshire County Council as '*an internationally important site for rare wildlife and special habitats*'.

The centre comprises a café, shop, ticket and membership sales point, exhibition space, administrative office space, volunteer hub, toilets, information service for the Reserve and outside seating and gardens.

As well as serving the many local, regional, national and international visitors to the Reserve the centre is a popular venue for local people in Hill Head and other nearby areas, with many loyal customers. Its location at the harbour at Hill Head, near to the sea front on one side and the Meon Shore on the other, with panoramic views over the Solent makes it an attractive place for families, couples, individuals, social groups, walkers, cyclists and water sports enthusiasts from right across the local community to come together.

By Hampshire County Council's own estimation, over 100,000 people visit the site every year, of which some 85,000 or 85% use the café, shop and toilets in the centre compared with the 15,000 or 15% who visit the Reserve. The centre is thus much more than an information and ticket sales point for the Reserve which represents only a small part of its function: it has evolved into an important social, recreational and cultural hub for the local community, whose social interests and social well-being it significantly furthers, particularly in the aftermath of the pandemic. Indeed, the centre is the only such hub for Hill Head.

The following factors are evidence of the centre being an asset of community value:

1. The local residents association, Hill Head Residents Association is spearheading a campaign to protect the centre from plans put forward by Hampshire County Council for its closure and sale and a petition started on 5 October 2022 gathered over 1,000 signatures in its first two days, and is still counting. Local councillors also opposed to the plans to close and sell the centre have started their own petition, focussed on Stubbington, many of whose residents also enjoy the centre as a unique local venue;
2. As well as welcoming visitors to the Reserve, the café in the centre is an important meeting place for local people from Hill Head and from nearby local communities in Stubbington, Titchfield and Warsash;
3. Being so accessible to residents of Hill Head, most local people are able to walk to the café, rather than drive, which helps promote their health and wellbeing;
4. The café enables local people to meet and socialise in a welcoming environment which, individually, they find relaxing and enjoyable. Such social interaction is

also in the interests of the locality as a whole as it encourages community cohesion and a collective sense of wellbeing. This is more important than ever following the pandemic;

5. The café is used by a number of frail, elderly people who live locally, including some with dementia who find the café a welcoming, safe place to visit with the staff primed to call on family members for help, if needs be. It is well documented that the provision of facilities where elderly people can meet up and socialise in a safe and welcoming environment such as the café greatly enhances their mental and physical health, and overall wellbeing. One of the many examples of this is that the highlight of the week for a local 75 year old resident is meeting up with her 85 year old friend in the café for refreshments, which not only enables them to socialise together but to do so in the company of other people, reducing any feelings of isolation;
6. The centre is fully accessible to disabled and elderly people, which contributes greatly to its attraction as a safe and welcoming meeting place;
7. There is an attractive garden and outdoor seating area in front of and behind the centre, which provides a social hub for regulars. This feature significantly furthers the social interests of the community, particularly during the summer months, and is especially useful for families with children and for visitors with dogs;
8. The outdoor seating areas also help overcome the social isolation endured by those who for Covid-related or other health reasons wish to avoid crowded indoor eating spaces but nonetheless want to enjoy the social benefits which come with being able to eat and drink in the company of others;
9. The café plays a big part in local recreational activities as it offers a welcome stopping off place for local people either individually or in groups, who may be walking to and from Titchfield along the canal, or to and from Warsash via the England Coast Path or just out for a stroll along the sea front; for cyclists wanting to break their journey; for swimmers braving the local waters who visit the café for a warming cup of tea; and for surfers of every kind who launch from the nearby Meon Shore. In these many ways, the café encourages people to take part in active recreational activities which they may not otherwise pursue;
10. The café offers food freshly cooked on the premises using locally sourced produce where possible such as cheeses and ham, with cakes from a local supplier on offer as well. This provides healthy eating options to visitors and helps support the local economy. In turn this helps strengthen the resilience of the local community more generally;
11. The centre is one of the very few suitable venues in the local area where local groups can meet, such as the local U3A (University of the Third Age);
12. The centre is the base for various activities throughout the year for adults and children including the regular 'hide with a guide', bird ringing exercises, activities for local children during school holidays, and is a venue for the local group of RSPB young explorers. All the guided walks on the reserve start from the centre to which visitors return for refreshments and to use the conveniences;
13. The centre provides a showcase for the local cultural heritage – a standing exhibition features the nearby Rainbow Bar, which is of archaeological importance as a stone age tool making site, where evidence has been found of our Neolithic ancestors transitioning from hunter gatherers to early farmers, around 4,000 BC. Based on the exhibition, links have been formed with the Stubbington Study Centre which brings small groups of local children to the centre to further their understanding of the local history and environment, and two

	<p>local schools have undertaken archaeological digs on their school sites under the supervision of the exhibition organisers;</p> <p>14. The local cultural heritage of the area has been further explored in a series of talks given at the centre, including '<i>Introduction to Archaeology for all</i>' and '<i>Introduction to intertidal and foreshore archaeology</i>'. The centre has also run a couple of Mesolithic weaving workshops;</p> <p>15. The centre hosts the RSPB and local Solent Bird Aware group, enhancing the awareness and knowledge of visitors about the local area's flora and fauna and its ecosystems more generally;</p> <p>16. The centre showcases the work of various local artists and jewellers, providing a platform for local talent that would otherwise not exist, benefitting the cultural interests of the community. Many of the works feature the local environment or use local materials. The standing showcases are augmented from time to time by special seasonal events such as '<i>Christmas at the Haven</i>' with local stall holders, which attracts visitors looking to shop early for their Christmas presents;</p> <p>17. The centre holds special value for the local heritage and culture which should be protected. Having been built in the 1820s, it predates both its current owner, HCC and Colonel Alston from whom it was purchased in 1972;</p> <p>18. The shop at the centre provides help and advice to visitors about the locality as well as being a useful local gift shop, and a ready source of bird feed and all other things to do with birds. It is easily accessible on foot by local people who might otherwise have to drive to Stubbington Green for the same amenity;</p> <p>19. The café regularly hosts wakes for local families wishing to remember their loved ones who have recently died. As well as the social benefit of such gatherings, families often donate monies to the centre to help with the upkeep of the gardens and pond.</p>
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Name of person authorised to sign on behalf of the organisation:

PAMELA CHARLWOOD

Position/status in the organisation: CO-CHAIR

Date: 09 - 10 - 2022



On completion the form should be submitted by email to the Head of Leisure and Corporate Services. lansell@fareham.gov.uk

Haven House: Hill Head Residents Association members also on the electoral roll

	FIRST NAME	SURNAME	ADDRESS	POSTCODE
1				PO14 3HZ
2				PO14 3JZ
3				PO14 3JZ
4				PO14 3HX
5				PO14 3HX
6				PO14 3JY
7				PO14 3 JY
8				PO14 3HX
9				PO14 3HX
10				PO14 3JX
11				PO14 3JX
12				PO14 3JY
13				PO14 3JY
14				PO14 3HZ
15				PO14 3HZ
16				PO14 3LA
17				PO14 3JZ
18				PO14 3JZ
19				PO14 3HX
20				PO14 3HX
21				PO14 3HZ