

Ilfracombe Link Resource Centre, Two Lanes Building, Belvedere Road, Ilfracombe, EX34 9JH – nomination as an Asset of Community Value (ACV)

Note: References to the “Act” are to the Localism Act 2011.

References to the “Regulations” are to the Assets of Community Value (England) Regulations 2012.

On 15 June 2023 a nomination was received under the provisions of the Regulations to list as a community asset the Ilfracombe Link Resource Centre, Two Lanes Building, Belvedere Road, Ilfracombe, EX34 9JH. A clearer plan was sought from the nominator to accompany the nomination and the nomination was accepted on 20 June 2023. The nomination was in the name of the League of Friends of the Tyrrell Hospital, Ilfracombe.

<p>Conclusion: Based on the available evidence that the Ilfracombe Link Resource Centre, Two Lanes Building, Belvedere Road, Ilfracombe EX34 9JH be added to North Devon Council’s list of Assets of Community Value.</p>
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Consideration 1: Has the nomination been made by an appropriate body?

Paragraph 5(1)(d) of the Regulations provides for a Charity with a local connection to nominate land. This criteria is therefore met.

Consideration 2: Is the nomination complete, including the necessary matters specified in paragraph 6 of the Regulations?

Paragraph 6 requires a description of the land, information on the owners and occupiers, reasons for believing there is a community value, and evidence that nominator is eligible. This has all been provided and so the nomination is deemed valid.

Consideration 3: Does the Ilfracombe Link Resource Centre qualify as being of “community value”?

Section 88(1) of the Act specifies that land is of community value “*if in the opinion of the authority –*

(a) an actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests of the community; and

(b) it is realistic to think that there can continue to be” such use

Section 88(2) goes on to state that even if there is no current community use of the asset, for instance because the asset is currently closed, an asset might still be deemed to be of community value if the authority is of the opinion that

“(a) there is a time in the recent past when an actual use of the building or other land that was not an ancillary use furthered the social wellbeing or interests of the local community, and

(b) it is realistic to think that there is a time in the next five years when there could be non-ancillary use of the building That would further (whether or not in the same way as before) the social wellbeing or social interests of the local community”

Section 88(6) defines “social interests” as including cultural, recreational and sporting interests but there is no definition of social wellbeing or any definition that limits the breadth of the meaning of social interests. There is also no definition of what constitutes the “local community” but various appeals have given some guidance.

As mentioned before, there is no statutory definition of what furthers the social wellbeing or interests. It has been left to local authorities to determine this in the light of local circumstances. In the case of North Devon, the adopted policy states that:-

“A property that enhances the social interest and social wellbeing of the local community is one that in its absence would deprive the local community of a building or property which is essential to the special character of the local area and provides a place to meet and socialise, place to shop, recreational, sporting or cultural facility or a place used to provide a community service.

The Ilfracombe Link Resource Centre, as part of the North Devon Link Service, was originally established by Devon County Council in 1992. The North Devon Link Service is made up of four services located in Barnstaple, Bideford, Holsworthy and Ilfracombe.

The Ilfracombe Link Resource Centre is located in a building that is owned by Devon County Council and is located in the Two Lanes Building, Belvedere Road, Ilfracombe. The staff are employed by Devon County Council but managed by Devon Partnership NHS Trust.

Devon County Council has undertaken consultation with its service users and stakeholders from 23 September 2021 until 22 October 2021 following an engagement phase which ran from 16 August 2021 to 13 September 2021. The aim of the consultation was to seek views on the proposal to “redesign the North Devon Link Centre Service from a building-based model to short-term enabling support for those with a statutory need, working with people in their community to achieve what matters to them and invest in the

local community and voluntary sector to support people who do not need this level of support.”

Devon County Council state on their website in relation to the consultation undertaken that the link centres are “for people over 18 experiencing a wide range of mental health difficulties from slight depression to people in specialist mental health services. The staff work within a recovery model which means they treat everyone as an individual, focussing on strengths and empowering people to make choices about their own life to give hope for the future. The service provided was mostly drop-in services where people could socialise, make friends and get support from staff to talk over any concerns of difficulties. Planned wellbeing, therapeutic groups and community outreach for people struggling to leave their home was also provided as capacity allowed.”

Devon County Council and Devon Partnership Trust has undertaken further consultation from 22 February 2023 until 9 May 2023 on the “proposed closure of North Devon Link Mental Health and Wellbeing Service in Barnstaple, Bideford and Ilfracombe”. The results of this consultation have not yet been published and to-date a final decision on the closure has not been announced.

Devon County Council has been consulted and advised of the nomination on 20 June 2023. A response was received from Devon County Council on 29 June 2023 advising that “due to ongoing consultations which impact the future use at these sites, we are unable to review any options currently”.

Ilfracombe Town Council has been consulted and advised of the nomination on 20 June 2023. A response was received from Ilfracombe Town Council on 14 August 2023 advising that “We feel that this Community Right to Bid should not be accepted as we feel it is an inappropriate time considering the continued fight to retain the services currently held at the Link Centre. We believe that this building is more suited to a Community Asset Transfer request rather than a Community Right to Bid. A recent task force meeting confirmed that Devon County did not aspire to sell the building and was looking into ways to retain it for community use.”

Torrige District Council has recently received and considered a nomination in relation to the Link Centre located at Bideford being listed as an Asset of Community Value. Torrige District Council made a decision in June 2023 to place the asset on its register for Assets of Community Value for a period of 5 years.

Community Use

It is necessary to consider whether the current use of this building is a non-ancillary use that furthers the social wellbeing or interests of the local community.

Both the nomination and information available on Devon County Council’s website list the current use of the building for the Ilfracombe Link Resource Centre. The nomination

states that the “building is currently used today by DPT to provide a Link service for community members experiencing mental illness and/or in recovery”. In terms of previous services provided prior to Covid, it goes on to state “Pre-Covid it offered music groups, drop ins, a Flourish Café, an arts and craft group, a recovery group, relaxation, board games, book groups and help and support with form filling as well as individual appointments and other groups at previous times going back. At that time anyone could self-refer or be referred by a partner agency to attend (or drop in) to receive support.” It also states in relation to the building that “in the past has had opportunities for other service providers to run groups there (such as adult education) or to use the rooms for one to one sessions (Child and Adolescent Mental Health Services known as CAMHS)”.

The nomination paper details that “Ilfracombe suffers from appalling health inequality with recent figures from the 2021 census highlighting the tremendous disadvantage in our town when it comes to health living and life expectancy. Mental health (and illness) play a large part in these figures”. Data published by the Office of National Statistics using data from the Census 2021, concludes that 23% of residents in the parish of Ilfracombe have fair to very bad health.

In my view the Ilfracombe Link Resource Centre does further the social wellbeing and interests of the local community.

Ancillary Use

To be capable of being listed, the land must have a current community use, or a recent one, which is not an ancillary use.

It is clear from the evidence that the building is being used to provide mental health services to members of the community and therefore has a current community use which is not ancillary to another use.

Future Use

In respect of how the asset could be used to further the social wellbeing or social interests of the community, the nomination lists how the “League of Friends believe that this building could be utilised to a far greater extent to run groups, activities, clinics and one to one sessions to benefit the mental health of our population”. In relation to its future use and how the asset could be acquired, it goes on to state that “The League of Friends would own and maintain the building but would hope that a range of providers (NHS, Community Mental Health Team, Social Services, CICs offering therapy or activity, one off activities, adult education, individual room bookings by clinicians or therapists) would generate a source of income and ensure the buildings future as a mental health hub.”

The League of Friend’s constitution includes the power to acquire property of any kind and to raise funds.

Decision

In my view, taking into account the evidence and representations submitted, there is a current use of the property that is not an ancillary use which furthers the social wellbeing or social interests of the community and it is realistic to consider that there can continue to be a non-ancillary use of the land which will further the social wellbeing or social interest of the local community. My conclusion is therefore, that the Ilfracombe Resource Link Centre should be added to the list of Community Assets held by the Council.

Simon Fuller
Monitoring Officer
15 August 2023