

ASSETS OF COMMUNITY VALUE NOMINATION GUIDANCE

Background

The Assets of Community Value policy allows local community organisations to ask the Council to register certain assets as being of 'community value'. Assets could include public (including Council) and private buildings and land.

If an asset is registered and then comes up for sale, the policy will give communities that are interested a total of six months to put together a bid to buy it (including an initial 6 week period for communities to express they wish to bid).

A building or land in the local authority's area will, subject to the Act and Regulations, be listed as an asset of community value if it is successful in the nomination process.

Once an asset is listed, the owner cannot then dispose of it without:

- a) letting the local authority know that they intend to dispose of the asset or grant a lease of more than 25 years.
- b) waiting until the end of a six week 'interim moratorium' period if the local authority does not receive a request from a local community interest group to be treated as a potential bidder.
- c) waiting until the end of a six month 'full moratorium' period if the local authority receives a request from a local community interest group to be treated as a potential bidder.

It is important to note that the owner does not have to sell the asset to the community interest group. The owner is able to dispose of the asset within the six month moratorium period if this is to a community interest group.

Where the sale of an asset has been announced but not yet concluded, it is still possible for a group to nominate to list it. This circumstance may arise if a much-used local asset is suddenly put up for sale. If a sale is agreed before the asset appears on the list, ie prior to a decision on the nomination, this is a legal sale and there would be no opportunity for a group to put in a bid; but if the asset is listed before a sale is agreed, the moratorium provisions apply.

Nomination

Nominations will be accepted by email or hard copy. If submitting by hard copy, please ensure that the nomination form and supporting documents are attached together in a single pack.

Forms should be returned by either:

Email: contactus@redcar-cleveland.gov.uk

Post: Corporate Director for Regeneration Services, Redcar & Cleveland House, Kirkleatham Street, Redcar, TS10 1RT

If your nomination form is complete, we will acknowledge receipt of the nomination form and enter it into the assessment process. If there is missing details/information, this will need to be submitted prior to the 8 week assessment period commencing.

A decision on whether to list the asset will be made using evaluation criteria within 8 weeks of the receipt of a completed nomination form and all associated documentation and evidence. Following the decision, an outcome will be communicated to the contact person on your nomination form.

Completing the Nomination Form

A1) What type of organisation are you?

The types of organisation eligible for making a nomination are currently defined in Regulation 5 of the Assets of Community Value Regulations 2012.

Please state which of the following type of organisation you are and attach the related supporting evidence where appropriate:

Eligible organisation types	Evidence to be supplied
<ul style="list-style-type: none"> • a body designated as a neighbourhood forum pursuant to section 61F of the Town and Country Planning Act 1990 • a parish council • an unincorporated body- <ul style="list-style-type: none"> (i) *whose members include at least 21 individuals, and (ii) which does not distribute any surplus it makes to its members; • a charity • a company limited by guarantee which does not distribute any surplus it makes to its members; • an industrial and provident society which does not distribute any surplus it makes to its members; or • a community interest company 	<ul style="list-style-type: none"> • Memorandum and Articles of Association • Constitutions • Terms of Reference • Governance documents • Charity number • *List of names and addresses of 21 members for an unincorporated group. • Any other relevant documents
<p>NOTE *Regulations 4(1)(c) & 4(3) of the Assets of Community Value Regulations 2012 qualifies a “local member” as an individual on the electoral roll of the local or neighbouring local authority. Therefore the requirement for names & addresses to enable confirmation of individuals being on a relevant electoral roll.</p>	

A2) What is your local connection to the nominated asset?

Your organisation must have a local connection to the nominated asset which broadly means that you must be able to demonstrate that your activities are wholly or partly concerned with the Redcar & Cleveland area or with a neighbouring authority (which shares a boundary). For the definition of a “Local Connection”, see Regulation 4 of the Assets of Community Value Regulations 2012.

A3) Please provide details of the land and/or building you wish to nominate.

We need to know the exact location and extent of the land and/or building you are nominating (e.g. you may want to include the car park next to a building).

Please provide the following evidence in accordance with Regulation 6 of the Assets of Community Value Regulations 2012.

Evidence to be supplied

- | |
|--|
| <ul style="list-style-type: none">• A description of the nominated land including its proposed boundaries (please provide a plan showing the boundary).• The names of current occupants of the land• The names and current or last known addresses of all those holding a freehold or leasehold estate in the land |
|--|

A4) Is the nominated asset outside of one of the categories that cannot be assets of community value?

Please confirm that the nominated asset is not in one of the categories of land and/or building which cannot be listed as a community asset, as set out in Schedule 1 of the Assets of Community Regulations 2012. This can broadly be defined as residential property, land licensed for use as a residential caravan site and operational land of statutory undertakers.

B1) What is the current or recent non-ancillary use of the land and/or building?

NOTE: A working definition of “non-ancillary” is that the usage is not providing necessary support (e.g. cleaning) to the primary activities carried out in the asset, but is itself a primary, additional or complementary use.

A building, property or other land will only be considered for inclusion on the list of assets of community value if its actual current use furthers the social wellbeing and interests of the local community or a use in the recent past (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) has done so. The identified use must not be an ancillary one.

Please state therefore what the current non-ancillary use of the building/property/land is, and provide supporting evidence – examples of possible evidence, though neither an exhaustive or definitive list, are below:

Relevant evidence which <u>may</u> be included:
--

- | |
|---|
| <ul style="list-style-type: none">• History of use• Calendar/session rotas for local groups• Numbers of people making use of the facility |
|---|

C) Why do you believe the building/property/land is of community value?

Please use this section to set out why you believe that the building/property/land is of local community value in line with Regulation 6(c) of the Assets of Community Value Regulations 2012. (Part 5, Chapter 3, Section 88, (1)(a) and (2)(a) of the Localism Act 2011 also refer to this). Please show how the use of the asset furthers the social interest or wellbeing of the local community. Your answers should reference each of the points below and include evidence where appropriate. Examples of possible evidence, though neither an exhaustive or definitive list, are below:

Relevant evidence which <u>may</u> be included:
--

- | |
|---|
| <ul style="list-style-type: none">• Types of activities |
|---|

- Testimonials of service provided/outcomes
- Involvement by the local community in running/managing it
- Number of users/members/customers
- Number of volunteer hours drawn in by the facility
- Impacts on the social wellbeing of the local community.
- Equalities impact (identifying the impact it will have on different groups in the local community),
- Use by local community groups.
- Community consultation
- Evidence of support e.g. petitions, surveys etc.

D) Why do you believe the building/property/land will continue to be or its future use will be of community value?

Please use this section to set out why you believe that the building, property/land will continue to be, or its future use will be, of local community value, in line with Regulation 6(c) of the Assets of Community Value Regulations 2012. (Part 5, Chapter 3, Section 88, (1)(b) and (2)(b) of the Localism Act 2011 also refer to this). Please show how the use of the building/property/land will further the social interest or wellbeing of the local community.

Relevant evidence which may be included:

- Types of activities
- Evidence of community support
- Proposed involvement of community in running/managing it.
- Local community groups support
- Equalities impact (identifying the impact it will have on different groups in the local community).

D2) Has the building/property/land requirement for this usage changed significantly since its initial use so that the asset is not fit for purpose? Examples of possible evidence, though neither an exhaustive or definitive list, are below:

Relevant evidence which may be included:

- Planning decisions
- History of the building/property/land
- Highway restrictions
- Condition of the building/property/land

D3) If yes, to E1 above, how could it be made fit for purpose practically within reasonable requirements and timescales? Examples of possible evidence, though neither an exhaustive or definitive list, are below:

Relevant evidence which may be included:

- Outline business plans
- Survey reports
- Advice from property professionals