

Guidance notes for completing the Assets of Community Value - Community Right to Bid Asset Nomination Form for voluntary and community groups interested in nominating assets of community value

The community right to bid (Assets of community value) is part of the Localism Act 2011. It came into force on 19th September 2012.

In neighbourhoods across the country there are buildings and amenities that are lifelines to the communities that use them – a village shop, a pub a community centre or a library, for instance. The closure or sale of these places can create lasting damage to communities.

Under the Localism Act, voluntary and community organisations can nominate an asset to be included on a list of ‘assets of community value’. We will manage the lists of successful and unsuccessful nominations. Both lists will be published on the website and available on request.

Before completing a nomination form, please read these notes. It may also be helpful to read the following documents from government setting out the Regulations and guidance for this part of the Localism Act.

You are not required to use this form when making an application to have an asset of community value nominated, but it may be useful to you in determining that you have included all the relevant information needed for nomination and for us in assessing that information. However, if you do not wish to use the form this will not be prejudicial in assessing your nomination.

Section A

We need to understand how your organisation is set up to see if your organisation is eligible to nominate.

Eligibility

Only **voluntary and community organisations** with a **local connection**, in addition to parish Councils in England (and community Councils in Wales) will have the right to make community nominations of assets to be included on the list.

(a) A ‘local voluntary and community body’ is defined as a body, other than a public or local authority, which may be incorporated or unincorporated, must not be run primarily for profit, and must have a primary purpose concerned with the local authority area, or the neighbourhood in which the asset is situated where this is in more than one authority’s area. In practical terms, this means your organisation

must be one of the following: A body designated as a neighbourhood forum pursuant to section 61F of the Town and Country Planning Act 1990;

- (b) A parish Council;
- (c) An unincorporated body –
 - (i) Whose members include at least 21 individuals, and
 - (ii) Which does not distribute any surplus it makes to its members;
- (d) A charity;
- (e) A company limited by guarantee which does not distribute any surplus it makes to its members;
- (f) An industrial and provident society which does not distribute any surplus it makes to its members (defined as a body registered or deemed to be registered under the Industrial and Provident societies Act 1965 which meets one of the conditions in section 1 of that Act) ; or
- (g) A community interest company

Local connection

Please provide evidence that your organisation has a connection to Halton. This means:

a body other than a parish Council has a local connection with land in a local authority's area if –

(a) The body's activities are wholly or partly concerned –

- with the local authority's area or
- with a neighbouring authority's area;

(b) any surplus it makes is wholly or partly applied –

- For the benefit of the local authority's area, or
- For the benefit of a neighbouring authority's area; and

(c) A parish Council has a local connection with land in another parish Council's area if any part of the boundary of the first Council's area is also part of the boundary of the other Council's area. A parish Council's area is within the local authority's area, but is not in any parish Council's area if –

- the Council's area is within the local authority's area or
- any part of the boundary of the Council's area is also part of the boundary of the local authority's area.

You can include further evidence as part of your submission in the attachment section of the form. We would like to see documentary evidence of your organisation's status.

Section B: About the Asset you are nominating

We need you to tell us about the asset you are nominating, including its name and address. Please attach any information e.g. a photo or map which will help to identify the asset if it does not have a street address.

It would be helpful to us if you include, either on the form or on a separate sheet, a sketch plan of the land showing the boundaries of the building or land, any buildings on it and their approximate size and any of the roads that border it.

If possible we would also like you to give us any information you have about the current occupants or owners of the building or land if you have this information as this may make it easier for us to assess your application. If you do not have the information then please say so. This will not affect your application.

In assessing your nomination we need to know why you think the building or land is of community value.

A building or other land should be considered an asset 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 has done so; and
- That use is not an ancillary one; and
- 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 in community use in the recent past it is realistic to think that there will be community use within the next 5 years (in either case, whether or not that use is exactly the same as the present or past); and
- It does not fall within one of the exemptions e.g. residential premises and land held with them.

The following are not able to be assets of community value:-

- A building wholly used as a residence, together with land "connected with" that residence. This means adjoining land in the same ownership. Land is treated as adjoining if it is separated only by a road, railway, river or canal.
- A caravan site.

- Operational land. This is generally land belonging to the former utilities and other statutory operators.

Further details can be found here [DCLG: Community Right to Bid - Non-statutory advice note for local authorities](#)

Please tell us how you think the building or land furthers social wellbeing or social interest of the community either now or in the recent past, for example this could be things recreational, cultural or sporting interests. We would also like you to tell us whether it could in the future (within the next 5 years) further the social wellbeing or social interests of the local community. This could be different from its current or past use.

If the asset is listed as an asset of community value, community interest groups (not just limited to your organisation) will have the opportunity to bid for it if it comes up for sale. Please let us know how you think groups could fund a purchase of the building or land and how the building or land could be used in the future and how this would benefit the community.

Section C: Submitting this nomination

Please submit the rules/governance documents for your organisation with your form.

If there is no known address please submit information such as photos or maps.

Please make sure you have included a sketch plan, either on the form or on a separate sheet.

Please either sign the form if submitting by post or type your name in the box if submitting by email.

What happens next?

After receiving your application, we will make a decision on whether to accept your nomination within 8 weeks, using the criteria set out in the Localism Act 2011.

We will contact you if we have any questions or queries with your nomination. We are required to inform the owner of the land, any freeholders or leaseholders and the current occupants of the land of your nomination. They have the right to appeal against the listing.