

## **Nominations under Community Right to Bid - Castle Cary Constitutional Club (Item for information)**

*Executive Portfolio Holder:* Cllr Ric Pallister, Leader of the Council  
*Ward Member* Cllr Nick Weeks, Cllr Henry Hobhouse  
*Strategic Director:* Rina Singh, Place & Performance  
*Assistant Director:* Helen Rutter/Kim Close, Communities  
*Service Manager:* Area Development Manager (East)  
*Lead Officers:* As above  
*Contact Details:* Helen.rutter@southsomerset.gov.uk 01963-435012

### **Purpose of the Report**

This report is to inform councillors of the decision to place Castle Cary Constitutional Club onto the SSDC Register of Assets of Community Value, following a nomination made by Castle Cary Town Council.

### **Public Interest**

On 13<sup>th</sup> June, 2014 SSDC received a nomination from Castle Cary Town Council to include the Castle Cary Constitutional Club in the SSDC Register of Assets of Community Value and it is SSDC's responsibility to consider whether this should be included on the Register.

### **Background**

In August 2013 District Executive agreed a process for considering nominations received from communities to place assets of community value onto the SSDC Register of Assets of Community Value, based on criteria which are set out in the Localism Act.

The decision is delegated to the relevant Area Development Manager in consultation with the Ward Member and Area Chair. The result of a nomination is reported to the Area Committee for information only, with a quarterly report being presented to District Executive for information. (NB: decisions about any SSDC-owned properties are still presented to District Executive for decision)

### **The assessment**

The nomination was approved on 18<sup>th</sup> June by the Area Development Manager (East). The assessment is set out in Appendix 1. A map showing the nominated site is provided at Appendix 2.

The Town Council, the property owner and the Land Registry have been notified and the asset will be placed on the SSDC Register of Assets of Community Value.

The owner can appeal against the decision; any appeals are considered by the Council's Monitoring Officer. The property owners have requested a review of the decision to list and a review is currently taking place. The outcome will be reported to AEC at a future date.

### **Next Steps**

Normally, once an asset has been listed, nothing further will happen until the owner decides to dispose of the asset (either through a freehold sale or the grant of a lease for at least 25 years). At this point the owner must notify SSDC of the intention to sell. A relevant

community group is then given 6 weeks to express an interest in the asset and submit a written intention to bid for the property(s). However, as the property is on the market, the first (6 week) moratorium period began as soon as the decision was taken.

If any written intentions are received, the Council must pass on the request to the owner, at which point the full moratorium period of 6 months (from the date that SSDC is notified of the intention to sell) comes into force. If no written intention(s) to bid are received, the owner is free to sell the asset.

All accepted nominations will normally remain on the Register for 5 years.

### **Financial Implications**

None at this stage. Government provided SSDC with an (un-ringfenced) sum of £7,902 for 2013/14 as a contribution towards the costs associated with the new duties under the Community Right to Bid. Sums in future years are still to be confirmed.

Property owners who believe they have incurred costs as a result of complying with these procedures can apply for compensation from the Council. SSDC is in the process of designing this compensation scheme. Government recognises this as a potential risk to local authorities and will provide a safety net whereby any verified claims of over £20,000 will be met by Government.

### **Council Plan Implications**

Evaluate the overall requirements of the Government's Localism legislation and work with communities to develop plans for their community

### **Carbon Emissions & Climate Change Implications**

None in relation to this decision.

### **Equality and Diversity Implications**

The Council's Equality Objectives and the General Equality Duty have been considered in the assessment of this nomination. There are no implications requiring action arising from this decision.

---

## Appendix 1 – Community Right to Bid Assessment – Castle Cary Constitutional Club

Name of Property/Land	Castle Cary Constitutional Club		Date of decision
			Area Development Manager
			Helen Rutter
	Detail	Community Right to Bid Criteria	Fits Criteria Y
<b>Nominating Body</b>	Castle Cary Town Council	Does the nominating body fit the definition of a 'Community Interest Group?'	<i>Yes. The Town Council is an eligible community organisation.</i>
<b>Area of interest</b>	Castle Cary	Does the nominating body have a 'local connection'? IE: Are its activities wholly or partly concerned with the South Somerset area or with a neighbouring authority (which shares a boundary) and Is any surplus it makes wholly or partly applied for the benefit of the South Somerset area or a neighbouring authority's area?	<i>Yes. The Town Council activities are wholly concerned with the South Somerset Area.</i>
<b>Use in recent past</b>	Club/Hall for hire	Does the current use of the property or its use in the 'recent past' (ie. the past 5 years) further the social wellbeing and interests of the local community?	<i>Yes. The club has been run by a community organisation and is used as a venue for a range of community activities including Music/Dance/Theatre productions, discos, children's parties, bingo nights etc. There is a mix of events promoted by the club and external bookings. This is a unique facility in the area.</i>
<b>Proposed Future Use</b>	Club/Hall for Hire	Does the proposed continued use (or in the next 5 years) further the social wellbeing and interests of the local community?	<i>Yes. The proposal is to continue to run the property as a community facility. It is worth noting that if this facility is lost, it will add to the shortfall in community hall provision in the Town.</i>
<b>Conclusion</b>	<i>The application meets the criteria to add the Castle Cary Constitutional Club to the SSDC Register of Assets of Community Value.</i>		
<b>Decision</b>	to be added to the SSDC Register of Assets of Community Value.		

## Appendix 2 – Castle Cary Constitutional Club

