

Area North Committee – 26 June 2013

11. Community Right to Bid – Nomination Received for Assets of Community Value

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Purpose of the Report

The purpose of this report is to consider a nomination received from Langport Town Council to place Cocklemoor, off Parrett Close, Langport onto the SSDC Register of Assets of Community Value.

(NB: the report will be presented to the committee by Teresa Oulds, Neighbourhood Development Officer (North))

Public Interest

The Government wishes to provide communities with more opportunities to take control over the ownership and management of local assets. The Community Right to Bid (CRTB) came into effect on 21st September 2012. It provides opportunities for voluntary and community organisations, parish councils and neighbourhood forums to identify land and buildings which they believe to be important and benefit their community, and nominate these to be included on a Register of Assets of Community Value. If the asset then comes up for sale, the community is given time to make a bid to buy it on the open market.

In June 2013 we received a nomination from Langport Town Council and it is SSDC's responsibility to consider whether the nomination should be included in the Register.

Further details of the Community Right to Bid, including some Frequently Asked Questions is published at <http://www.southsomerset.gov.uk/communities/ssdc-and-the-localism-act/community-right-to-bid/>

Recommendation

Councillors are asked to:

- a) Recommend to District Executive that the area of land known as Cocklemoor, Langport, in the current ownership of the Environment Agency, is placed onto the SSDC Register of Assets of Community Value.

Background

In November 2012, 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 clear criteria which are set out in the Localism

Act). When nominations are received, SSDC has 8 weeks to consider them and respond to the applicant.

District Executive agreed that all nominations should be considered by the relevant Area Committee followed by District Executive.

Details of Nomination Received

	Detail	Community Right to Bid Criteria	Fits Criteria Y/N
Name of Property/Land	Cocklemoor, off Parrett Close, Bow Street, Langport, TA10 9PR		
Nominating Body	Langport Town Council	Does it fit the definition of a 'Community Interest Group?'	Y
Area of interest	Langport Town Council is the elected local authority representing the residents of the Parish of Langport	Does it 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?	Y
Use in recent past	The land is currently used as a recreational space by local residents and visitors to the town.	Does its current use or use in the 'recent past' (ie. the past 5 years) further the social wellbeing and interests of the local community?	Y
Proposed Future Use	The current use would continue	Does the proposed continued use (or in the next 5 years) further the social wellbeing and interests of the local community?	Y

A map showing the nominated land is attached. (Appendix A).

The current owner is the Environment Agency (EA) whose officers recently notified the Town Council of an intention to dispose of the site to curtail on-going maintenance costs. Consideration of sale to another authority for a price less than market value, has been rescinded and officers have indicated that EA policies do not allow this. Officers of the EA have subsequently suggested that they may be in a position to offer a long term lease or placing the land for sale on the open market.

The Town Council wants to protect the site for the benefit of local residents, community groups and visitors but will need to consider the costs and liabilities that they may incur both in the purchase and for the on-going maintenance of Cocklemoor. At this stage, securing registration of the land under the CRTB may help provide time to develop a longer term plan.

Cocklemoor, Langport is a large area of open land including a public right of way (PROW) which runs along the bank of the River Parrett. It is highly valued locally, and well-used for informal recreation by residents and visitors and for a wide range of organised community events throughout the year.

Over recent years the district, town/parish and county councils have all invested in promoting Cocklemoor as a 'gateway' to the natural environment and as a local asset. Cocklemoor is part of the River Parrett Trail – a promoted walking route linking 50 miles of footpaths. A key priority of recent years has been to create accessible pathways and facilities for disabled people and families.

As well as the PROW there are two permissive paths (installed by SSDC) providing three points of public access from the (narrow and busy) high street of the town centre. Along the river bank there are facilities for fishing and to launch canoes. Cocklemoor also includes one of the main flood defences for the town – a raised floodbank.

The nominating group is an eligible body, and the current and proposed use of the land fit with the provisions of the Community Right to Buy. The nomination is therefore recommended for inclusion on the Register of Assets of Community Value

Next Steps

If Area North Committee agrees with this nomination it will be referred to District Executive at its July 2013 meeting. If supported by District Executive then the Town Council, the owner and the Land Registry will be notified and the asset will be placed on the SSDC Register of Assets of Community Value, and published on the council's website.

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. Relevant community groups are then given 6 weeks to express an interest in the asset and submit a written intention to bid for the property.

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 in relation to this report. Private property owners who believe they have incurred costs as a result of complying with the CRTB procedures can apply for compensation from the Council. SSDC is in the process of designing this compensation scheme.

Council Plan Implications

None in relation to this report. Assessment of nominations is a duty arising from the Localism Act.

Carbon Emissions & Adapting to Climate Change Implications (NI188)

None in relation to this report

Equality and Diversity Implications

None from this report, however acting to preserve the current use of Cockle Moor will in turn support the current benefits of public access to well-managed open space with accessible paths and facilities.

Background *Localism Act 2011*
Papers: *District Executive Minutes and Agenda November 2012*
 Assets of Community Value (England) Regulations 2012 Statutory
 Instruments 2012 n. 2421, 20th September 2012
 Nomination Forms received from Langport Town Council June 2013
