

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

Strategic Director: Rina Singh, Place & Performance
Assistant Director: Helen Rutter/Kim Close, Communities
Service Manager: Charlotte Jones, Area Development Manager (North)
Lead Officer: As above
Contact Details: charlotte.jones@southsomerset.gov.uk or (01935) 462251

Purpose of the Report

The purpose of this report is to consider a nomination received from Compton Dundon Parish Council to place the former school playing field and associated land, School Lane, Compton Dundon on to the SSDC Register of Assets of Community Value.

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 July 2013 we received a nomination from Compton Dundon Parish 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 former school playing field with associated land, School Lane, Compton Dundon, 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

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|------------------------------|---|---|--------------------------|
| Name of Property/Land | Former School Playing Field with associated land, School Lane, Compton Dundon TA11 6TE | | |
| | Detail | Community Right to Bid Criteria | Fits Criteria Y/N |
| Nominating Body | Compton Dundon Parish Council | Does it fit the definition of a 'Community Interest Group?' | Y |
| Area of interest | Compton Dundon Parish Council is the elected local authority representing the residents of the Parish of Compton Dundon. | 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 | Formerly used as a school playing field, children's play area, wildlife garden and temporary classrooms by local education authority. | 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 | To be retained for community use, eg as allotments, environmental area. | 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 land in question is in the ownership of Somerset County Council following the closure of the associated primary school. The playing field and associated land (play equipment, wildlife area and two modular classrooms) were used to support the school curriculum, but also provided space for social and educational events outside of school hours.

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 Bid. 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 August 2013 meeting. If supported by District Executive then the parish 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 previous use of this land will in turn support the benefits of public access to open space and local community facilities.

Background Papers: *Localism Act 2011*
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 Compton Dundon Parish Council July 2013