

Area North Committee – 27 November 2013

14. Montacute Working Men’s Club – Assessment of Nomination Under Community Right to Bid (Item for information)

Strategic Director: Rina Singh, Place & Performance
Assistant Director: Helen Rutter/Kim Close, Communities
Service Manager: Charlotte Jones Area Development Manager (North)
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Purpose of the Report

This report is to inform councillors of the decision to place Montacute Working Men’s Club onto the SSDC Register of Assets of Community Value, following a nomination made by Montacute Parish Council.

Public Interest

On 12th September 2013 SSDC received a nomination from Montacute Parish Council to include the Montacute Working Men’s 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. SSDC has 8 weeks to consider a nomination.

Recommendation

That members note the report.

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 4th November by the Area Development Manager (North). The assessment is set out in Appendix 1. A map showing the nominated site is provided at Appendix 2.

Next Steps

The Parish Council, the property owner and the Land Registry will be 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.

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).

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 has 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 & Adapting to Climate Change Implications

None in relation to this decision.

Equality and Diversity Implications

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