

Area West Committee – 21st August 2013

7. 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 Dinnington Parish Meeting to place Dinnington Docks Public House, Dinnington onto the SSDC Register of Assets of Community Value.

Public Interest

The Government is trying 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 Dinnington Parish Meeting 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/>

Please note that

Recommendation

That the Public House, car park and beer garden known as Dinnington Docks, Dinnington, in the current ownership of Mrs Hilary Hardisty 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.

On 01/08/2013 District Executive agreed a change in procedures for Community Right To Bid nominations. In future the assessment and registration of nominated assets will be

carried out by the Area Development Manager in consultation with Ward Member and Area Chair. It will no longer be a requirement for either the Area Committee or the District executive to agree to the registration of specific community assets. All nominations will be reported to these committees for information only. The recommendation in this report is therefore a hybrid of previous and latest procedures.

Details of Nomination Received

	Detail	Community Right to Bid Criteria	Fits Criteria Y/N
Name of Property/Land	Dinnington Docks Public House, car park and beer garden.		
Nominating Body	Dinnington Parish Meeting	Does it fit the definition of a 'Community Interest Group?'	Y
Area of interest	Dinnington Parish Meeting is the elected local authority representing the residents of the Parish of Dinnington	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	Village Public House	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	Not known. The Dinnington Parish Meeting wishes it to remain as the village public house and to prevent it from undergoing any change of use, should that ever be proposed.	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 property is attached. (Appendix A)

The current owner is Mrs Hilary Hardisty who has no plans to sell Dinnington Docks at this present time.

The nominating group is an eligible body, and the current and proposed future use of the public house fits with the provisions of the Community Right to Buy.

The nomination is recommended for inclusion on the Register of Assets of Community Value.

Next Steps

If Area West Committee agrees with this nomination 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 Dinnington Docks will in turn continue the current benefits to the public.

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 Dinnington Parish Meeting June 2013
