

## **Assessment of Nominations Under Community Right to Bid – Methodist Church, Stoke-Sub-Hamdon (Item for information)**

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### **Purpose of the Report**

This report is to inform councillors of the result of an assessment completed by the Area Development Manager (North) following a nomination for the Methodist Church in Stoke-Sub-Hamdon to be added to the council's Register of Assets of Community Value.

### **Public Interest**

The Community Right to Bid is one of a series of community rights established by the 2010 Localism Act. It can 'pause' the sale of buildings or land a community cares about such as the local pub, shop, library or playing field. It gives the community time to develop a bid to buy it.

Before this can happen, the land or building must be registered by the local council in its 'Register of Assets of Community Value'. If the property on this register is offered for sale, (and providing certain criteria are met) a local community organisation can have up to six months to prepare a bid.

Further information is published at <http://www.southsomerset.gov.uk/communities/ssdc-and-the-localism-act/community-right-to-bid/>

### **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. SSDC has 8 weeks to consider a nomination.

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 presented to District Executive for decision)

### **The assessment**

This report publishes the assessment, which is set out in the appendix attached to this report.

- Appendix A is the assessment for Methodist Church at Stoke-Sub-Hamdon – the nomination was received on 9<sup>th</sup> November and the assessment completed on 4<sup>th</sup> December 2015 together with the map showing the relevant area for the nomination.

The nomination meets the relevant criteria and so qualifies for inclusion on the council's Register of Assets of Community Value. Consultation with the ward member and Area Chairman either supported or raised no objections to this conclusion.

### **Next Steps**

Notification letters are sent to the Land Registry, relevant parish councils, property owners and the nominating group and the asset will be placed on the SSDC Register of Assets of Community Value.

The owners 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 (\*some exemptions apply).

SSDC then publicises the opportunity under the Community Right to Bid for a relevant group to trigger the moratorium period. A relevant 'community interest group' has six weeks to notify SSDC that it intends 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

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**

None from this report

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

None from this report.

### **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.