Ian Harvey
Civic Voice
@civic_voice
info@civicvoice.org.uk

NEW COMMUNITY RIGHTS

Community Right to Bid	Community Right to Challenge
Neighbourhood Planning	Community Right to Build

CAMRA CAMPAIGN FOR REAL ALE

civic voice talking civic sense

NALC

The Theatres Trust

SD supporters direct

To give communities a fair chance to make a bid to buy local assets on the open market

"It's a great way for us to say this is what we care about"
Alan Postill, Marple Civic Society

Councillor Dale Smith
Menstone Parish Council

"It's just a precautionary application. In many ways, I hope it's not needed."

COMMUNITY RIGHT TO BID

- Introduced in the Localism Act 2011
- Implementation 20/09/2012

- Assets might currently be owned by:
  - your local authority
  - another public body
  - a private company
  - an individual.

village shops

Swimming pools

Pubs

Former schools

Open spaces

WHAT IS AN ASSET?

BUT ALSO THE QUIRKY!

Melbourne Society – The Melbourne Holy Well

Civic Society was anxious to secure the future of the historic site and believed this was only possible if it was in the ownership of a body or organisation committed to its preservation.

The Society successfully applied to South Derbyshire County Council for it to be listed as an Asset of Community Value under the Localism Act.

"aims to ensure that buildings and amenities can be kept in public use and remain an integral part of community life

DEFINITION

The definition to which each local authority operating the scheme will refer:

to further the social well-being and interests of the local community

WHAT DO PROVISIONS DO?

- Provisions give **voluntary and community groups** a right to nominate a building or other land to be listed as an asset of community value by the local authority.

- If the owner decides to sell the asset, then the **community will have an interim period** in which to submit a written notification of their intention to bid for the asset.

- A full window (moratorium) will be triggered giving a community group a longer period of time within which to raise funds to bid to buy the asset.

- At the end of the moratorium, the asset owner will be free to sell to **whomever they choose** to on the open market.

WHAT DON'T THE PROVISIONS DO?

- Restrict who the owner of a listed asset sells to

- Restrict the price the owner wishes to sell at

- Restrict how the owner chooses to develop his property once listed

21 IS THE MAGIC NUMBER

•Nominations must include:

•A description of the nominated asset including its boundaries

•The names of current occupants of the asset and anyone having a freehold or leasehold estate in the land

•Your reasons for thinking that the asset is of community value and

•Evidence that you are eligible to make a community nomination
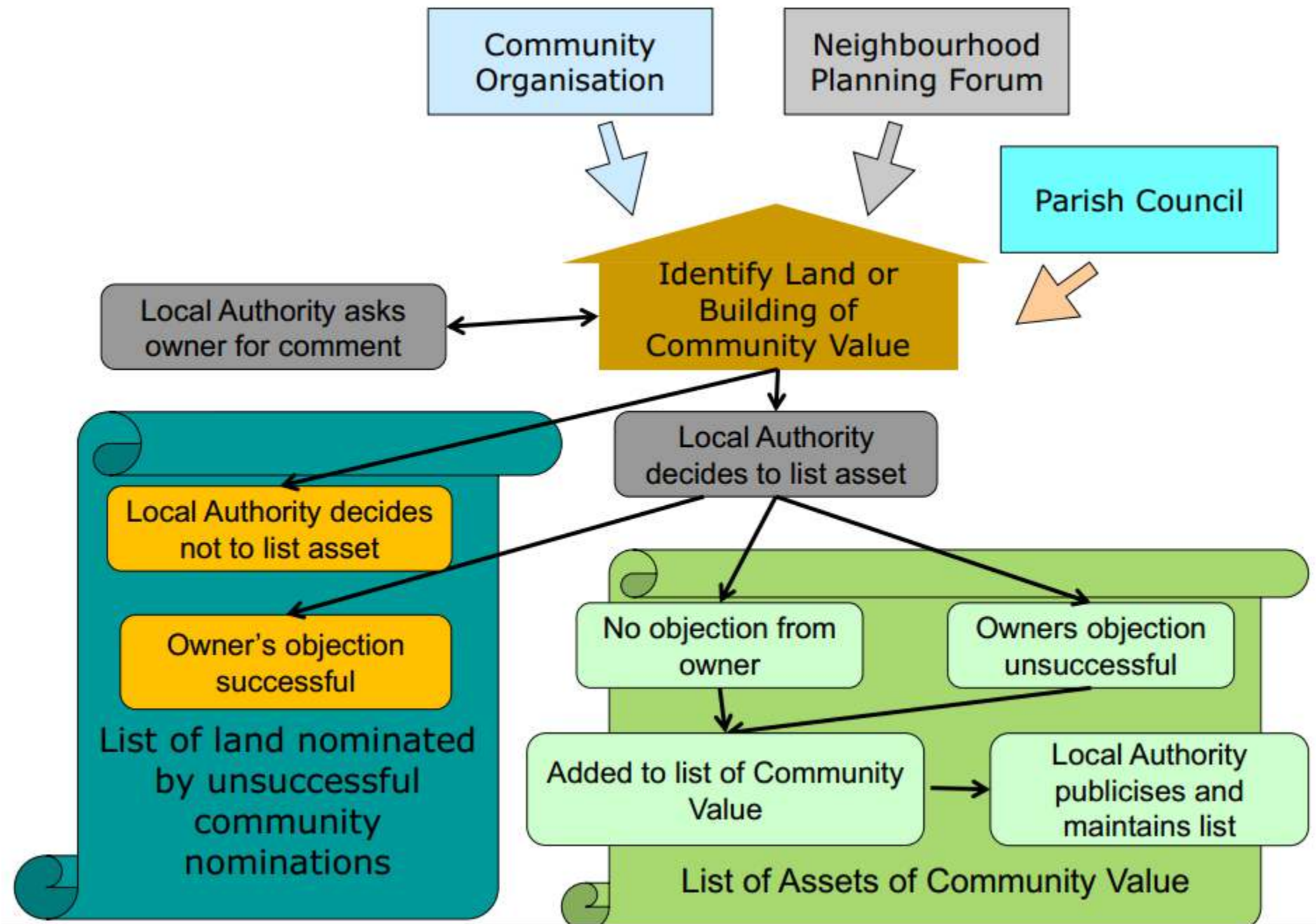
a.. The asset will now be placed on the list of Assets of Community Value and will remain on the register for 5 years

b. The Council is required to apply to the Land Registry for a restriction to be added to the registered title that "no transfer or lease is to be registered without a certificate signed by a conveyance that the transfer or the lease did not contravene the Localism Act"

c.. The owner has the right to appeal against the listing but must do so within 8 weeks

d.. The owner has to notify the Council if they wish to dispose of the asset. This then triggers a moratorium period.
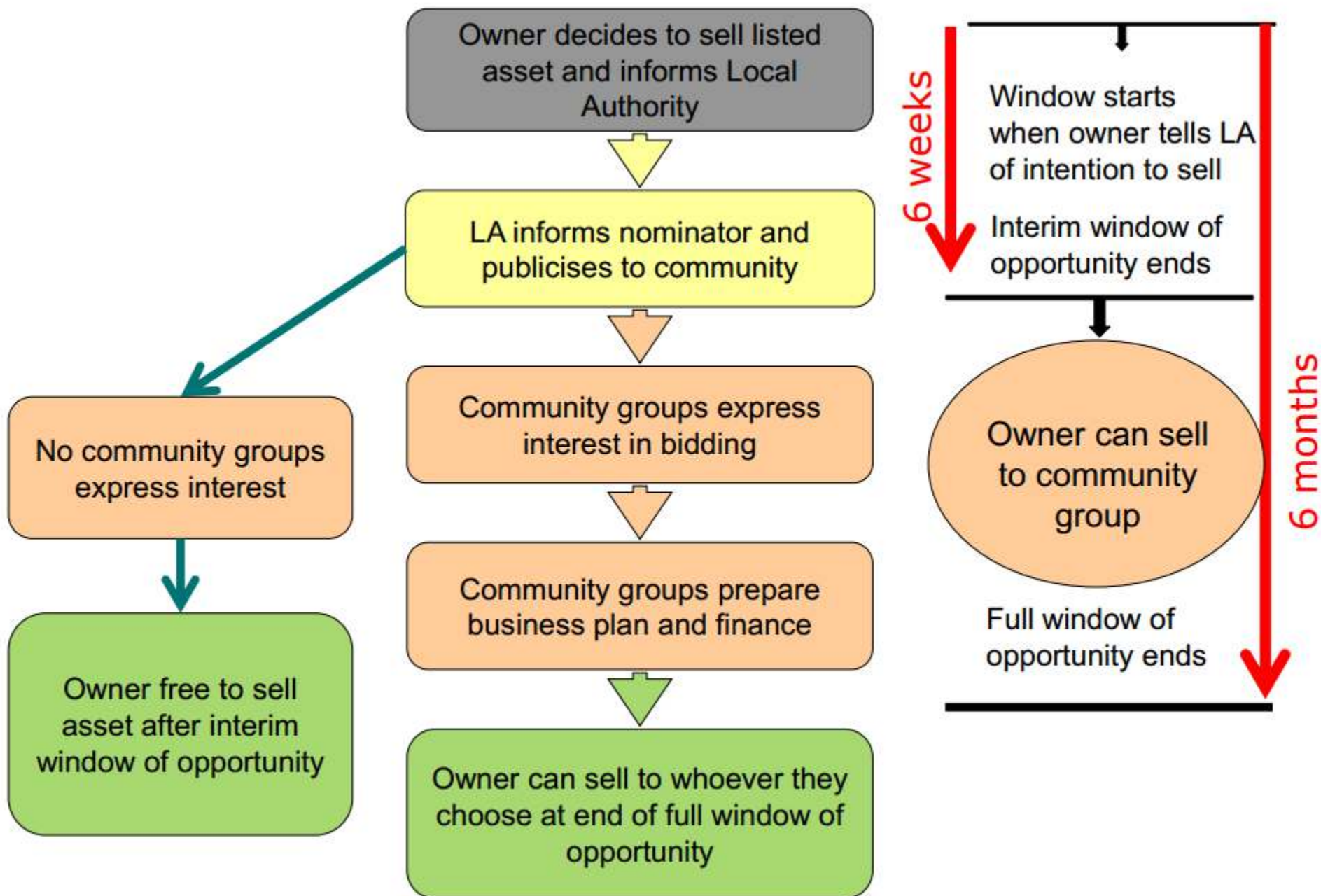
Its not perfect…..

- 6 months (development time is usually 2-3 years)
- 'Right to' may create conflict in communities
- The owner doesn't have to sell to you
- It is only for 5 years. Need to relist!

Council	No. Assets Nominated	No. Assets Listed	Assets Rejected
Barnsley Metropolitan Borough Council	3	0	3
Calderdale Metropolitan Borough Council	5	4	1
City of Bradford Metropolitan Borough Council	13	10	3
City of Wakefield Metropolitan District Council	4	0	4
Craven District Council	6	6	0
Doncaster Metrolpolitan Borough Council	3	1	2
East Riding of Yorkshire Council	22	7	15
Hambleton District Council	5	5	0
Harrogate Borough Council	2	1	1
Kingston upon Hull City Council	0	0	
Kirklees Council	1	1	0
Leeds City Council	10	8	2
North East Lincolnshire Council	0	0	0
North Lincolnshire Council	2	2	0
North Yorkshire County Council	1	1	0
Richmondshire District Council	0	0	0
Rotherham Metrolpolitan Borough Council	0	4	0
Ryedale District Council	1	1	0
Scarborough Borough Council	3	1	0
Selby District Council	4	3	1
Sheffield City Council	3	1	2
York City Council	?	?	

LEADERSHIP

UTTLESFORD DISTRICT COUNCIL HAS 172 ASSETS OF COMMUNITY VALUE ALREADY LISTED

"It's a great way for us to say this is what we care about"
Alan Postill, Marple Civic Society

WHAT YOU CAN DO

- Find out if your local authority has started a list?

- Speak with colleagues about sites you think are suitable….. and

- Start listing!