

POLICY, FINANCE AND ADMINISTRATION COMMITTEE

7 OCTOBER 2013

REPORT OF HEAD OF COMMUNITIES & NEIGHBOURHOODS

COMMUNITY RIGHT TO BID

1.0 PURPOSE OF REPORT

- 1.1 For members to approve the Community Right to Bid Nomination process and subject to that approval assess and make a decision on a Community Right to Bid application received from the Melton Mowbray Sailing Club.

2.0 RECOMMENDATIONS

- 2.1 **Members approve the Community Right to Bid Nomination Process.**
- 2.2 **Subject to Members approval of Recommendation 2.1 Members assess and make a decision on the Community Right to Bid application received from the Melton Mowbray Sailing Club.**

3.0 KEY ISSUES

Background

- 3.1 The Community Right to Bid came into force on 21st September 2012 and gives communities a right to identify a property that is believed to be of value to their social interests or social wellbeing and gives them a fair chance to make a bid to buy the property on the open market if the property owner decides to sell
- 3.2 Only eligible community groups, local parish councils or local neighbourhood planning forums and charities can nominate.
- 3.3 The Localism Act states that “social interests” include cultural, recreational and sporting interests.
- Examples of a community asset could include:
- **Education, health and wellbeing or community safety**
 - Nurseries and schools
 - Health centres, surgeries and hospitals
 - Day care centres, residential care homes
 - **Sport, recreation and culture**
 - Parks and open spaces
 - Sports and leisure centres
 - Libraries/Theatres/Museums or heritage sites
 - **Community services**
 - Community centres/Youth centres
 - Public toilets

- **Any economic use (e.g. a business such as a shop)**

Village shops - which also provides an important local social benefit which would no longer be easily available if that service should cease

Pubs

Further information on the Community Right to Bid is attached as Appendix A, which, if approved by members will be available on the Council's website.

3.4 In response to potential applications, the council needs to develop a policy and nomination process. Appendix B outlines the Nomination Process and members are asked to approve this nomination process.

3.5 To support the nomination process, a nomination form has been developed, which is attached as Appendix C, members are asked to approve this form as part of the process.

3.6 Subject to member's approval of the nomination process above, members are asked to note and consider an application received from Melton Mowbray Sailing Club, details of which are attached as Appendix D

4.0 **POLICY AND CORPORATE IMPLICATIONS**

4.1 The Community Right to Bid has direct implications around:

- Encourage people to take an active role in their communities.
- Increasing public confidence & pride in neighbourhoods

5.0 **FINANCIAL AND OTHER RESOURCE IMPLICATIONS**

5.1 No direct financial Implications have been identified.

6.0 **LEGAL IMPLICATIONS/POWERS**

6.1 This is set out in the Localism Act 2011 Part 5 Chapters 2 and 3 and Assets of Community Value (England) Regulations 2012:

6.2 Local Authorities must keep a 'List of Assets of Community Value'; the legislation sets out in detail the process they must enter into and what information they must include.

6.3 The legislation also outlines the definition of an asset of community value, which groups can legitimately nominate an asset, the appeals process for land owners, timescales for groups interested in buying land or property on the list, and compensation available to the owners of land or property on the list

6.4 The Head of Communities & Neighbourhoods in consultation with the Solicitor to the Council will ensure the Council fulfils its legal responsibilities in regards to the implications relating to the Community Right to Bid.

7.0 **COMMUNITY SAFETY**

7.1 No direct Community safety Implications have been identified.

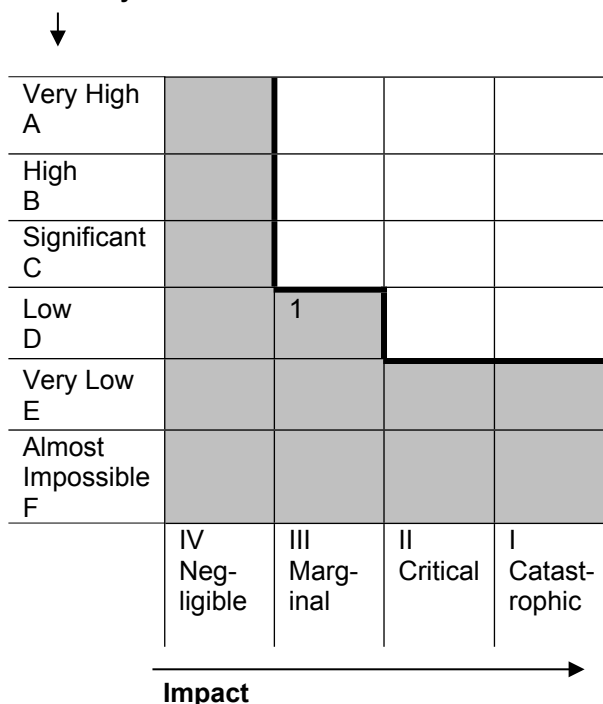
8.0 EQUALITIES

8.1 A comprehensive Impact assessment was carried out by central government in relation to the Community Right to Bid Policy in June 2012 and is available from the following link: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/8505/2168557.pdf

An Equalities Impact has not been carried out on this process; the equality analysis has shown no direct or indirect negative implications, the process relates directly to assets rather than people. The Nomination form for the Community Right Bid process will be available through the council’s website and in hard copy and will be reviewed annually.

9.0 RISKS

9.1 **Probability**



Risk No.	Description
1	New policy that may lead to potential challenges and negative PR
2	
3	

10.0 CLIMATE CHANGE

10.1 No Direct Implications have been identified.

11.0 CONSULTATION

11.1 The Community Right to Bid process is designed to be Community driven and allow communities to take a more active role in their communities.

12.0 WARDS AFFECTED

12.1 All wards are affected, the application relates to the Frisby Ward.

Contact Officer: Harrinder Rai/Emma Trahearn
 Date: 23 September 2013-09-22
 Appendices: A- Information and Guidance on Community Right to Bid

B- Draft Nomination Process
C- Draft Nomination Form
D- Application from Melton Mowbray Sailing Club

Background Papers: Localism Act 2011

Reference: X: C'tees, Council & Sub-C'tees/PFA/2013-14/07-10-13Community right to Bid