Community Asset Listing Guidance notes

**What is the definition of an asset of community value?**

A building or land is of community value if, in the Council’s opinion:

The actual current main use of the building or land, furthers the social wellbeing or social interests of the local community and it is realistic to think that there can continue to the main use which will further the social wellbeing or social interests of the local community (although not necessarily in the same way).

or

In the recent past, the main use of the building or land furthered the social wellbeing or social interests of the local community and it is reasonable to think that within 5 years the building or land could be brought back into a use that would further the social interests or social wellbeing of the local community (although not necessarily in the same way as before).

Some categories of assets are excluded from listing; principally residential property though there is an exception to this where an asset which could otherwise be listed contains integral residential quarters e.g. a caretaker’s flat. Other exclusions include land licensed for use as a residential caravan site and operational land of statutory undertaker.

**About your voluntary or community group (Section 2)**

We are asking for the information in this section because we need evidence that you are eligible to make a nomination. We have to do this in order to satisfy the Regulations.

It is essential for you to state the type of organisation you belong to as only those voluntary and community bodies listed below are eligible to make a nomination.

* **Parish Councils**. This may be for an asset in its own area, or in the neighbouring parish council.
* **Neighbouring Parish Councils.** If the parish council borders an unparished area, then they may nominate an asset within that neighbouring local authority.
* **Unincorporated groups.** Nominations can be accepted from any unincorporated group with membership of at least 21 local people who appear on the electoral roll within the local authority, or a neighbouring local authority. This will for instance enable nomination by a local group formed to try to save an asset, but which has not yet reached the stage of acquiring a formal charitable or corporate structure.
* **Neighbourhood forums**. The procedure for becoming a neighbourhood forum is set out in section 61F of the Town and Country Planning Act 1990, added by the Localism Act 2011. There can only be one neighbourhood forum for an area. Existing community groups, civic societies and others can put themselves forward to be a ‘neighbourhood forum’. Prospective neighbourhood forums need to ensure they meet the conditions for designation set out in the legislation, for example a forum should have an open membership policy and seek to drawn its membership from across the neighbourhood area and from different sections of the local community.
* **Community interest groups with a local connection.** These must have one or more of the following structures:
	+ A charity
	+ A community interest company
	+ A company limited by guarantee that is non profit distributing
	+ An industrial and provident society that is non- profit distributing (these groups will be renamed as community benefit societies by the Co-operative and Community Benefit Societies and Credit Unions Act 2010 when it comes into force)

**Information to support the nomination (Section 4)**

A nomination must include the following information:

1. A description of the nominated land including its proposed boundaries. These boundaries do not have to be the same as ownership boundaries, for instance as shown on the Land Registry plan if the land is registered; nor is it necessary for all parts of the nominated site to be in the same ownership.
2. Any information the nominator has about the freeholders, leaseholders and current occupants of the site.
3. The reasons for nominating the asset, explaining why the nominator believes the asset meets the definition in the Act.
4. The nominator’s eligibility to make the nomination.

Please note that any information provided in this section may be copied and passed to the owner(s) of the property concerned.

**Where can I get further Information?**

The non-statutory advice note provides a legislative overview of Community Right to Bid: <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/14880/Community_Right_to_Bid_-_Non-statutory_advice_note_for_local_authorities.pdf>

Further details of the Community Right to Bid are available no the governments website:

<http://communityrights.communities.gov.uk/what-are-community-rights/community-right-to-bid/>