

LONDON BOROUGH OF HAVERING

ASSETS OF COMMUNITY VALUE

NOMINATION GUIDANCE

Background

This Community Right (sometimes called the “Community Right to Buy” or “Community Right to Bid”) allows local community groups, to ask the Council to list certain assets as being of “community value”. Assets could include public (including Council) and private buildings and land.

If an asset is listed and then comes up for sale, the new right will give communities that are interested a total of 6 months to put together a bid to buy it (including a 6-week cut-off for an initial proposal to be put forward).

A building or land in a local authority’s area will, subject to the Act and Regulations, be listed as an asset of community value if it is successful in the nomination process.

Once an asset is listed, the owner cannot then dispose of it without:

- Letting the local authority know that they intend to sell the asset or grant a lease of more than 25 years.
- Waiting until the end of a six week, interim moratorium period if the local authority does not receive a request from a local community interest group to be treated as a potential bidder.
- Waiting until the end of a six month, full moratorium period if the local authority receives a request from a local community interest group to be treated as a potential bidder.

It is important to note that the owner does not have to sell the asset to the community interest group.

Nomination process

Complete the online form on the Havering website. Nominations will be accepted by e-mail or hard copy; however, submissions via the online form are preferable. If submitting by hard copy, please ensure that the nomination form and supporting documents are attached together in a single pack.

Forms should be returned by either:

E-mail: vcs@havering.gov.uk

Post: Assets of Community Value, London Borough of Havering, Policy and Performance, Town Hall, Main Road, Romford, RM1 3BB

Telephone: 01708 433 393

Please do not hesitate to contact us if you have any queries or need assistance with the form.

If your nomination form is complete we will acknowledge receipt within 5 working days and enter it into the assessment process.

If your nomination form is not fully completed, illegible or the necessary documentation is not attached, it will be returned unprocessed within 5 working days of receipt to the contact person given on your nomination form.

A decision on whether to list the asset will be made within 8 weeks of the receipt of a completed nomination form. Following this, an outcome will be communicated to the contact person given on your nomination form.

Completing the Nomination Form

Section 1

Contact details

1.1 - 1.3 - Please give contact details of the organisation submitting the nomination form as well as the main contact person who can be reached if there are any queries about the nomination form and to whom correspondence can be sent.

1.4 - What type of organisation are you?

The types of organisations eligible for making a nomination are currently defined in Paragraph 5 of the Assets of Community Value Regulations 2012.

Please state which of the following type of organisation you are and attach the related supporting evidence where appropriate:

Eligible organisation types

Evidence to be supplied:

- a) a body designated as a neighbourhood forum pursuant to section 61F of the Town and Country Planning Act 1990;
- b) a parish council;
- c) an unincorporated body
 - i) whose members include at least 21 local individuals, and
 - ii) which does not distribute any surplus it makes to its members;
- d) a charity, including registration number;
- e) a company limited by guarantee which does not distribute any surplus it makes to its members;
- f) an industrial and provident society which does not distribute any surplus it makes to its members; or
- g) a community interest company

Please include - Articles of Association, Constitutions, Terms of Reference, Governance documents as relevant. If your organisation is unincorporated, please include the names and addresses of the 21 members who appear on the electoral roll of Havering or a neighbouring local authority.

1.5 What is your local connection to the nominated asset?

Your organisation must have a local connection to the nominated asset which broadly means that you must be able to demonstrate that your activities are wholly or partly concerned with the Havering area or with a neighbouring authority (which shares a boundary).

A “Local Connection” is defined in detail in Paragraph 4 of the Assets of Community Value Regulations 2012

Please explain what your organisation’s local connection is and provide any related supporting evidence (e.g. maps, documents).

Section 2

Please provide details of the land and/or building you wish to nominate.

We need to know the exact location and extent of the land and/or building you are nominating (e.g. you may want to include the car park area next to a building). Please attach a site plan.

Please provide the following evidence in accordance with Paragraph 6 of the Assets of Community Value Regulations 2012:

Evidence to be supplied:

2.1 Name and address

2.2 A description of the nominated land including its proposed boundaries

Please ensure that the nominated asset is not in one of the categories of land and/or building which cannot be listed as a community asset, as set out in Schedule 1 of the Assets of Community Value Regulations 2012. This can be broadly defined as residential property, land licensed for use as a residential caravan site and operational land of statutory undertakers.

2.3 What is the current or recent non-ancillary use of the land and/or building?

NOTE: A working definition of “non-ancillary” is that the usage is not providing necessary support (e.g. cleaning) to the primary activities carried out in the asset, but is itself a primary, additional or complementary use.

A building or other land will only be considered for inclusion on the list of assets of community value if its actual current use furthers the social wellbeing and interests of the local community or a use in the recent past (up to three years) has done so. The identified use must not be an ancillary one.

Please state therefore what the current non-ancillary use of the nominated land and/or building is, and provide supporting evidence as below:

Relevant evidence includes:

- Numbers of people making use of the facility
- Calendar/session rotas for local groups
- History of use

Section 3 - Ownership and occupiers

- The names and current or last-known addresses of all those holding a freehold estate in the land
- The names and current or last-known addresses of all those holding a leasehold estate in the land
- The names of current occupants of the land

Section 4 – Evidence of Community Value

4.1 Please use this section to set out your reasons for believing that the local authority should conclude that the land is of local community value in line with Paragraph 6c of the Assets of Community Value Regulations 2012.

4.2 Please show how the current main use of the building or land furthers the social interests (which include cultural, recreational or sporting interests) or social wellbeing of the local community as a whole, and not simply the users/customers of the specific service.

An answer should reference the consequences for the local community if the usage ceases and include relevant evidence where possible:

Relevant evidence could include:

- Number of users/members/customers
- Number of volunteer hours drawn in by the facility
- Testimonials of service provided/outcomes
- Accessibility of asset
- Policies of the organisation using the asset
- Equalities impact (identifying the impact it will have on different groups in the local community)
- Involvement by the local community in running/managing it

How strongly does the local community feel the land and/or building usage furthers their social interest?

Provide evidence to show that the local community strongly feels that the nominated asset furthers their social interest which could include:

- Evidence supplied by local stakeholders to support the nomination request (e.g. surveys, petitions)
- Evidence of soundness of the process for gathering community feedback and views
- Reference to and evidence from local documents as to the importance of this asset locally
- Evidence from local ward members

4.3 How will this continue – what evidence are you able to produce e.g. draft business case? If you were to purchase the asset what would be its importance to the community? How would it be used, what groups within the community would benefit, who would own the title, how would any profit be used, how would it be run and maintained? Would it be capable of accommodating the proposed use and would it be viable?

4.4 Whilst we will consider each case on its merits we generally see recent past as being within the last 3 years.

4.5 What evidence do you have to support this assumption? See 4.3 above.

E) Checklist

Please confirm that you have read and understood these notes. It is a condition of your nomination form that you have read and understood the Notes before submitting your form.

If you answer no to this question, it will not be possible to process your nomination form.

Please confirm that you have answered all of the questions

Your application will be returned to you unprocessed if questions are unanswered.

Please confirm that the contents of this form supplied by your organisation are correct, to the best of your knowledge

Please ensure that you have attached all of the documents that are relevant to your application