

## **Assessment of Nominations Under Community Right to Bid (Item for information)**

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*Assistant Director:* Helen Rutter/Kim Close, Communities  
*Service Manager:* Area Development Manager (North)  
*Lead Officers:* As above  
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### **Purpose of the Report**

This report is to inform councillors of the result of assessments completed by the Area Development Manager (North) following nominations for The Bell Inn, Ash and the Drayton Arms, Drayton 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.

### **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 2 assessments that are set out in the appendices attached to this report.

- Appendix 1 is the assessment for The Bell public house in Ash - completed on 11<sup>th</sup> July 2014
- Appendix 2 is the assessment for the Drayton Arms in Drayton – completed on 24<sup>th</sup> July 2014

Both nominations meet the relevant criteria and have been placed on the register of assets of community value.

### **Next Steps**

Notification letters have been 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**

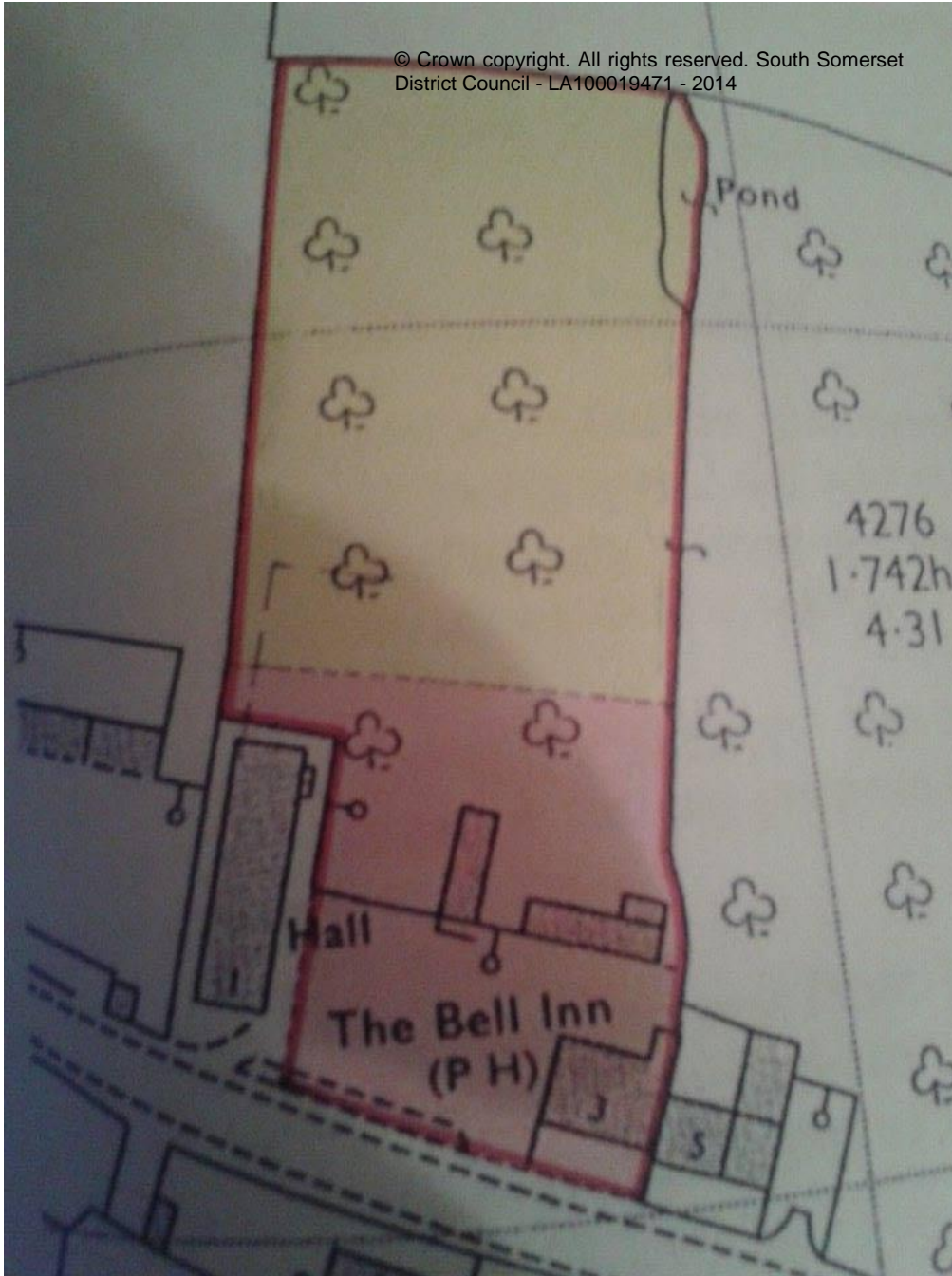
The Council's Equality Objectives and the General Equality Duty have been considered in the assessment of this nomination. There are no implications requiring action arising from this decision.

## Appendix 1 - Community Right to Bid Assessment The Bell Public House, Ash

Name of property/land	The Bell Public House, Ash
Date of decision	11/7/2014
Area Development Manager	Charlotte Jones (North)
Area Chair	Cllr Shane Pledger
Ward Members	Cllr Patrick Palmer, Graham Middleton (Martock)

	Community Right to Bid criteria	Detail	Fits Criteria Y/N
Nominating body	Does the nominating body fit the definition of a 'Community Interest Group?'	Ash Parish Council	Y
Area of interest	Does the nominating body have a 'local connection'? ie. are its activities wholly or partly concerned with the South Somerset area or with a neighbouring authority (which shares a boundary) and is any surplus it makes wholly or partly applied for the benefit of the South Somerset area or a neighbouring authority's area?	Ash Parish Council	Y
Use in recent past	Does the current use of the property or its use in the 'recent past' (ie. the past 5 years) further the social wellbeing and interests of the local community?	Public House with function room, gardens and skittle alley. Also allows use of car park by Primary School	Y
Proposed future use	Does the proposed continued use (or in the next 5 years) further the social wellbeing and interests of the local community?	Intend to continue with existing use with possible addition of community facilities ie shop/post office`	Y
Conclusion	This nomination meets the criteria required and therefore should be added to SSDC's register of assets of community value.		
Decision	The Bell Public House is to be added to SSDC's list of assets of community value		

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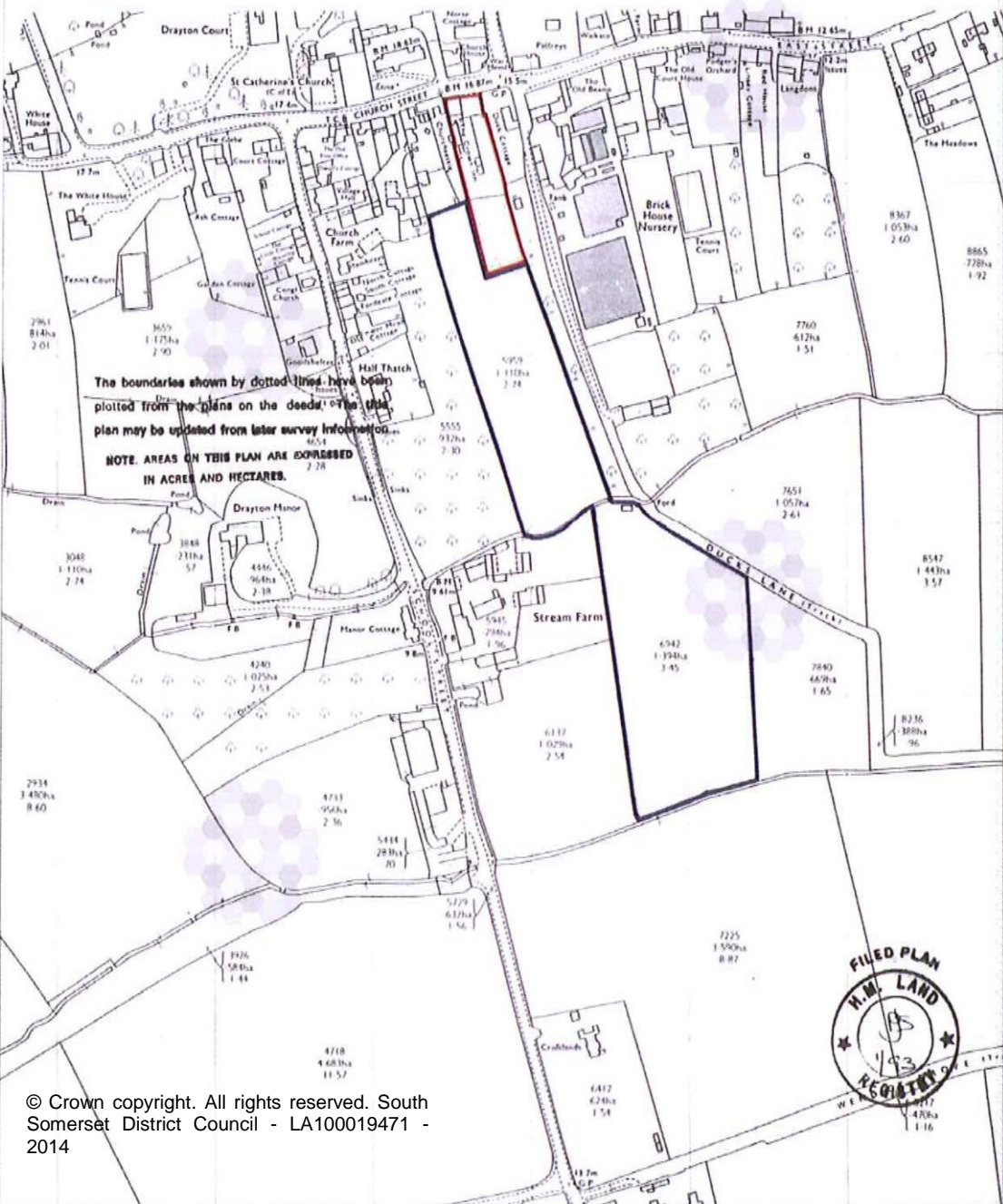


## Appendix 2 - Community Right to Bid Assessment The Drayton Arms, Drayton

Name of property/land	The Drayton Arms, Drayton
Date of decision	24 <sup>th</sup> July 2014
Area Development Manager	Charlotte Jones (North)
Area Chair	Cllr Shane Pledger
Ward Members	Cllr Terry Mounter (Curry Rival)

	Community Right to Bid criteria	Detail	Fits Criteria Y/N
Nominating body	Does the nominating body fit the definition of a 'Community Interest Group?'	Drayton Parish Council	Y
Area of interest	Does the nominating body have a 'local connection'? ie. are its activities wholly or partly concerned with the South Somerset area or with a neighbouring authority (which shares a boundary) and is any surplus it makes wholly or partly applied for the benefit of the South Somerset area or a neighbouring authority's area?	Drayton Parish Council	Y
Use in recent past	Does the current use of the property or its use in the 'recent past' (ie. the past 5 years) further the social wellbeing and interests of the local community?	Public House with garden area	Y
Proposed future use	Does the proposed continued use (or in the next 5 years) further the social wellbeing and interests of the local community?	Public House in community ownership	Y
Conclusion	This nomination meets the criteria required and therefore should be added to SSDC's register of assets of community value.		
Decision	The Drayton Arms, Drayton is to be added to SSDC's list of assets of community value		

H.M. LAND REGISTRY		TITLE NUMBER
		<b>ST95116</b>
ORDNANCE SURVEY PLAN REFERENCE	ST 4024	Scale 1/2500
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