

Welcome

Annual Parish Meeting 2019:

new School Radio & Cherish Our Buildings

All Welcome. 7pm on April 24th at the School



*Hosted by All Cannings
Parish Council*

Community Assets

Safeguarding the buildings and spaces for Our Community



Community Assets

Safeguarding the buildings and spaces for Our Community

Community right to bid for assets of community value

This new right means communities can ask the council to list certain assets as being of value to the community.

If an asset is listed and then comes up for sale, the new right will give communities that want it six months to put together a bid to buy it.

This gives communities an increased chance to save much loved shops, pubs or other local facilities.

Parish councils or local community groups can nominate both privately and publicly owned assets which meet the definition of community value.

[Source: [Wiltshire Council](#)]

Community Assets

Safeguarding the buildings and spaces for Our Community

Community right to bid for assets of community value

A building or land in Wiltshire Council's area must be listed as an asset of community value if:

- Current primary use of the building/land or use of the building/land in the recent past furthers the social well-being or social interests (cultural, recreational, or sporting interests) of the local community
- It is realistic to think that now or in the next five years there could continue to be primary use of the building/land which will further the social well-being or social interests of the local community (whether or not in the same way as before)

Community Assets

Safeguarding the buildings and spaces for Our Community

Community right to bid for assets of community value

Owners of listed assets cannot dispose of them 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 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 does receive a request from a community interest group to be treated as a potential bidder
- The owner does not have to sell the asset to the community group.
- There is also a 'protected period' (18 months from the time that the owner notified the local authority of their intention to dispose of the asset) - during this time there can be no further moratoriums.

Community Assets

Safeguarding the buildings and spaces for Our Community

What sort of things can be listed as an Asset of Community Value?

We should note here that both the Village Green and The Glebe Field are already registered as village greens so already have protected status.

Community services

This could include:

- **Community centres**
- Youth centres

Economic use

This could include:

- **Village shops**
- **Village pubs**

Any economic use (e.g. a business such as a shop) which also provides an important social benefit to the local settlement. This social benefit is best demonstrated by the fact that if the asset was lost the service would not otherwise be readily available in the settlement. Alternatively, if an area is developing a neighbourhood plan and has designated an asset as 'for community use' then that might also demonstrate its value to the local community. In both cases it is the social value of the business to the local community that counts, not just the nature of the business.



Community Assets

Safeguarding the buildings and spaces for Our Community

Before nominating

It is important to consider the current ownership of the land and other safeguards that may already be in place.

For example, if a school should close and Wiltshire Council wish to dispose of a playing field within ten years of the school's closure, consent needs to be obtained from the Secretary of State for Education. As you would expect, this is a lengthy procedure unless the field continues in playing field use (which in most cases it is likely to), likely to be longer than the delay if listed as an asset of community value and then put up for sale.

Community Assets

Safeguarding the buildings and spaces for Our Community

Before nominating

Church of England owned churches, although not excluded from listing in the legislation, will be exempt from the sale moratoria being applied under the Localism Act, as the Church has its own separate and lengthy consultation process set out in legislation for the closure and sale of its property (disposals of closed Church of England churches are covered under Part 6 of the Mission and Pastoral Measure 2011: the lengthy process in Part 6 of the Measure involves public consultation, and at the end of it the building will either be sold or leased for an agreed purpose, or demolished, or transferred to the Churches Conservation Trust for preservation - following which outcomes it will be possible to nominate the building if appropriate).



Community Assets

Safeguarding the buildings and spaces for Our Community

Before nominating

Property which is already in community ownership or owned by a charitable trust is also likely to be eligible for listing, depending on its use. However, charitable assets are already protected by an asset lock that limits how trustees can apply their funds, and prevent charitable funds being used for private benefit. In the event that a charity is wound up, all assets must go to a charity with similar objectives. In such cases, it may make sense to have a conversation with the charity about ideas you have for the use of their assets rather than nominate the property as an asset of community value

In the case of the Village Hall and Shop the Parish Council has been asked to consider appointing an arbitrator in the case of a dispute between the 3 charities involved in the Hall Site: Mary Watney Trust, Village Hall and Community Shop. The listing of this would legitimise that position and further safeguard the assets.

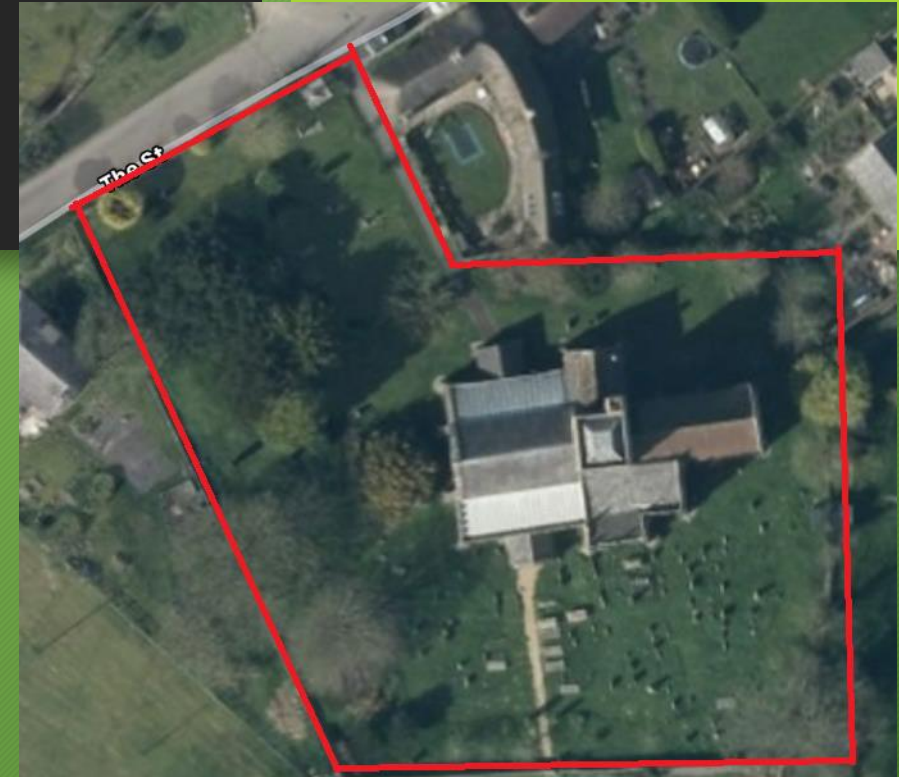
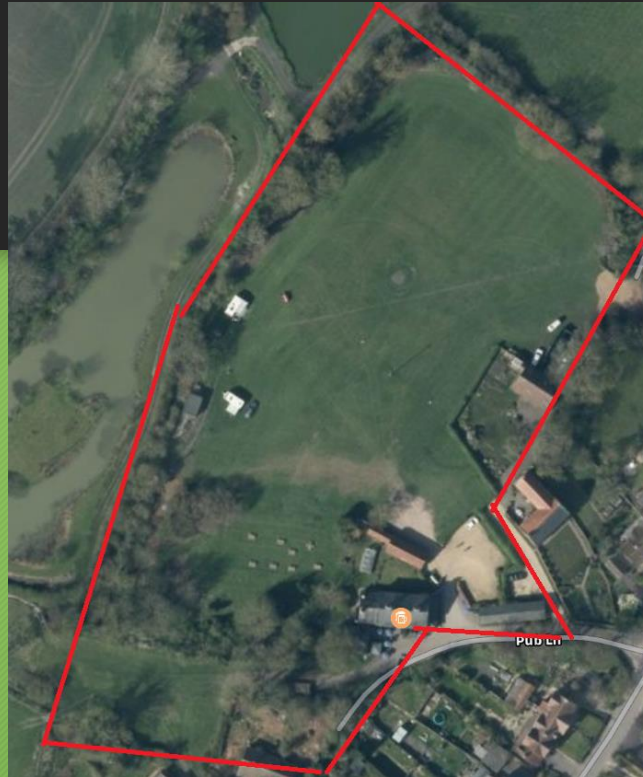


Community Assets

Safeguarding the buildings and spaces for Our Community

The Village Hall, Pub, Church and all their associated lands (including the Community Shop) would be suitable for listing.

I strongly believe that we should do so. Nobody knows what the future holds.



Community Assets

Safeguarding the buildings and spaces for Our Community

What are your thoughts?

N.B. There will be a follow-up discussion and vote on this in the Parish Council meeting that immediately follows this one.

