

Asset of Community Value Nomination Guidance Notes

Please note that what follows is guidance based on [The Localism Act 2011](#) and [guidance available at the time \(October 2012\)](#) and it is important that you use these guidance notes in conjunction with the most up to date regulations and guidance available.

Background

- Local community groups, including Parish Councils, can 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, this will give community groups 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.

In most cases, once an asset is listed the owner cannot then dispose of it without:

- Notifying the local authority of their intent 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.

Listing as an Asset of Community Value may also be taken into account in any application for planning permission. This will not necessarily prevent a change of use but in certain circumstances may add additional protection to the existing use of the asset.

Nomination process

Nominations will be accepted by e-mail or hard copy; however, submissions by e-mail 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: AOCV@peterborough.gov.uk

Post: AOCV
Peterborough City Council
Town Hall
Bridge Street
Peterborough
PE1 1HG

Tel: 01733 3845340 or 01733 384547 and ask to speak to the Property Records team

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

- We will endeavour to confirm receipt of your nomination within 5 working days.
- If your nomination form is not fully completed, illegible or the necessary documentation is not attached, we will advise the contact person given on your nomination form as to the nature of the issues with the nomination. Your nomination will not be considered valid until all the issues are addressed.
- If your nomination form appears on face value to meet the criteria, it will be considered valid and accepted into the full consideration process.
- A decision on whether to list the asset will be made within 8 weeks of the receipt of a valid nomination form. The decision will be based on the evidence supplied, any additional information obtained from interested parties and assessed against the eligibility criteria defined in [Part 5, Chapter 3 of the Localism Act 2011](#). Following this, the outcome will be communicated to the contact person given on your nomination form.

Completing the Nomination Form

Please make sure all sections of the nomination form are filled in to the best of your knowledge, providing supporting evidence where appropriate.

Contact details

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 on **Part 1.1** through to **Part 1.9** of the form.

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 tick the boxes on **Part 1.10** of the form confirming which of the following type of organisation you are and attach the related supporting evidence where appropriate. Please also confirm any company registration numbers, registered charity numbers or Financial Services Authority registration numbers that may be relevant at **Part 1.11** of the form:

Part 1.10 - Eligible organisation types	Part 1.12 - 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 individuals, and (ii) which does not distribute any surplus it makes to its members; (d) a charity; (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	Examples of evidence required: <ul style="list-style-type: none">• Articles of Association• Constitutions• Terms of Reference• Governance documents• Charity Commission Report• Letter from Director or Chairperson• Minutes from meetings of the organisation

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 Peterborough City Council 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 at **Part 1.13** of the form what your organisation’s local connection is and provide any related supporting evidence (e.g. maps, documents).

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 provide the following evidence in accordance with [Paragraph 6 of the Assets of Community Value Regulations 2012](#):

Evidence to be supplied

- 2.1**
- The site address and postcode (if known)
 - A recent photograph of the asset
 - A plan clearly marking the extent of the nominated boundaries of the asset
- 2.2**
- Please write a brief description of the asset
- 2.3**
- The names and current or last-known addresses of current occupants of the land
 - The names and current or last-known addresses of all those holding a freehold or leasehold estate in the land (include details of the Registered Title numbers for freehold & leasehold interests if known)

If you don’t know these details, you can obtain them from [The Land Registry](#)

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.

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 five years) has done so. The identified use must not be an ancillary one.

Please state in **Part 2.4** of the form what the current non-ancillary use of the nominated land and/or building is, and provide supporting evidence as below:

Relevant Use includes:

Regular use by a group made up of members from the local community such as:

- Sports Teams,
- Resident’s Associations,
- Parent & Child Groups,
- Fitness and Lifestyle groups
- or any regular event supported by locals

Relevant evidence includes:

It is not sufficient to simply state that events or activities take place. You must be able to provide evidence to support any statements made, Examples of such evidence are:

- Calendar/session rotas for local groups
- Flyers/posters for events and activities
- Minutes from group meetings
- Letters of support from attending groups or individuals
- Links to websites
- Copies of articles in local publications (include date and name of publication)

Why do you believe the asset is of community value?

Please use **Part 3** of the form 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](#). The information you provide at **Part 3.1** of the form should consider each of the following points;

1. How does the nominated land and/or building meet the social interests of the local community as a whole?

An asset will promote social wellbeing if it provides for interaction between people, the formation or strengthening of friendships and social networks, particularly within an identifiable community, and supports a sense of local identity, and serves to counter negative factors such as loneliness and social isolation.

Please show how the current main use of the building or land furthers the social interests or social wellbeing of the local community as a whole, and not simply the users/customers of the specific service. Please detail the consequences for the local community if the usage ceases and include relevant evidence where possible:

Relevant information includes:

- Number of users/members/customers
- Number of volunteer hours drawn in by the facility
- Accessibility of 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
- Positive impacts on:
 - Health and Wellbeing
 - Local natural environment and wildlife
 - Cultural, sporting or recreational activities

2. Why is the nominated land and/or building usage seen as having social value for the local community?

Consider:

- The nominated asset's impact on;
 - Local community pride
 - Cohesion
 - Sense of place (e.g. hosting community wide events)
 - Sustainable living
 - Areas of need

All of the information given in part 3 must be supported by evidence such as:

- Testimonials of service provided/outcomes
- Policies of the organisation using the asset
- Copy of Membership list from associated groups
- 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 Parish Plan/Community Plan or other local documents as to the importance of this asset locally

If you are nominating an asset that is no longer used by the community (**but has been in the last 5 years**), you may want to consider the following questions:

Has the land and/or building requirement for this usage changed significantly since its initial use so that the asset is not fit for purpose?

Evidence to support your answer includes showing how changes to service requirements are in line with national trends, as well as market testing and planning history.

If yes to the above above, how could it be made fit for purpose practically within reasonable resource requirements and timescales?

Relevant evidence includes:

- Outline business plans
- Survey reports
- Advice from the Council's Property Services department
- Market intelligence
- Status and progress of proposals for taking over/managing the asset in the future