

ASSETS OF COMMUNITY VALUE

John Male QC and Thomas Jefferies

Introduction

1. In November 2011 the Department for Communities and Local Government published “A plain English guide to the Localism Act”. That guide described (at pp.8/9) the purpose of the provisions which we are going to consider as follows:

“Community right to bid (assets of community value)

Every town, village or neighbourhood is home to buildings or amenities that play a vital role in local life. They might include community centres, libraries, swimming pools, village shops, markets or pubs. Local life would not be the same without them, and if they are closed or sold into private use, it can be a real loss to the community.

In many places across the country, when local amenities have been threatened with sale or closure, community groups have taken them over. In some cases, however, community groups who have attempted to take assets over have faced significant challenges. They often need more time to organise a bid and raise money than the private enterprises bidding against them.

The Localism Act requires local authorities to maintain a list of assets of community value which have been nominated by the local community. When listed assets come up for sale or change of ownership, the Act then gives community groups the time to develop a bid and raise the money to bid to buy the asset when it comes on the open market. This will help local communities keep much-loved sites in public use and part of local life”.

2. For those of you with some spare time, a search of local authorities’ Assets of Community Value Lists shows some remarkable love affairs with, for example, telephone boxes, derelict old tips, civic amenity sites (i.e. recycling centres) as well as pubs and libraries.

The statutory materials and policy statements

3. Part 5 of the Localism Act 2011 is headed “Community Empowerment”. Part 5 is a hotch potch of provisions including a “Community right to challenge”, a right to oppose or veto excessive council tax rises and the “Community right to bid” with which we are concerned. Specifically, sections 87 to 108 give certain defined local bodies or groups the right to bid (but not a right of first refusal) for land of community value which the owner wants to dispose of. The owner may be entitled to compensation if it suffers loss. The right to compensation lies against the local authority rather than against the local body or group.
4. The statutory provisions are supplemented by The Assets of Community Value (England) Regulations 2012 (“the Regulations”), a Policy Statement prepared by the Department for Communities and Local Government (“the Policy Statement”) and the plain English guide.
5. In summary, each local authority must maintain a list of land in its area that is “land of community value”. If land is added to the list it remains on it for five years. During that time, the owner cannot make a “relevant disposal” without giving notice of its wish to do so. The disposal cannot be made if within six weeks a “community interest group” asks to be treated as a potential bidder, and for six months if such a request is made, to give time for the community group to bid. After that period has ended, the disposal can be made within 18 months of the notice. If the disposal is not completed, the process has to start again. Community interest groups have no right to buy, only the right to bid. Compare this with the Scottish position to which we will return at the end of this paper.

Land of community value

6. Section 88 defines “land of community value”:

“(1) For the purposes of this Chapter but subject to regulations under subsection (3), a building or other land in a local authority's area is land of community value if in the opinion of the authority—

(a) an actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests of the local community, and

(b) it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community.

(2) For the purposes of this Chapter but subject to regulations under subsection (3), a building or other land in a local authority's area that is not land of community value as a result of subsection (1) is land of community value if in the opinion of the local authority—

(a) there is a time in the recent past when an actual use of the building or other land that was not an ancillary use furthered the social wellbeing or interests of the local community, and

(b) it is realistic to think that there is a time in the next five years when there could be non-ancillary use of the building or other land that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.”

(3) The appropriate authority may by regulations –

(a) provide that a building or other land is not land of community value if the building or other land is specified in the regulations or is of a description specified in the regulations;

(b) provide that a building or other land in a local authority's area is not land of community value if the local authority or some other person specified in the regulations considers that the building or other land is of a description specified in the regulations.”

7. It can be seen that section 88 defines what is (see subs (1)) and what is not (subs (2)) land of community value, but also provides (see subs (3)) for the addition to those categories by way of the Regulations.
8. “Social interests” are defined by section 88(6) as including (in particular) cultural interests, recreational interests or sporting interests.
9. “Land” is defined by section 108 as including (a) part of a building, (b) part of any other structure, and (c) mines and minerals, whether or not held with the surface”. As the definition is inclusive, it could include open land such as playing fields, playgrounds or other amenity areas.
10. The Policy Statement gives the examples of a village shop, pub, community centre and village hall, many of which close each year.
11. Where use has ceased, land can still be listed if it has been used for a qualifying use in the “recent past”, (see section 8(2)(a)) and it is realistic to think it could be so used in the next five years.
12. Not surprisingly, there is no definition of “recent”. The Policy Statement suggests that this depends on the circumstances, and is a matter for the local authority. It says, at p. 6:

“For example, “recent” might be taken as a longer period for instance for land which was formerly used by the public until the MoD took it over for live ammunition practice, than for a derelict building. Ten or even twenty years might be considered recent for the former but not for the latter.”
13. Schedule 1 to the Regulations identifies land which is not of community value (and therefore may not be listed). It includes “a residence together with land connected with that residence”, unless only part of the building is used as a

residence, and it would otherwise be eligible for listing: see paragraph 1. It also includes land in respect of which a site licence is required under Part 1 of the Caravan Sites and Control of Development Act 1960: see paragraph 2. It also includes operational land (generally of statutory undertakers) as defined in section 263 of the Town and Country Planning Act 1990.

The only way is Essex¹

14. As this article in the EG shows, the Uttlesford District Council List makes for fascinating reading. A copy of that list is attached.
15. It may be relevant that Uttlesford is the authority whose area is most directly affected by any expansion at Stansted and has well organised residents' groups. Or, it may be that the citizens of Uttlesford simply have a strong sense of civic pride.
16. More pertinently to those of you here today also attached is what is believed to be the current Bristol City Council list.

The listing process

17. Section 89 provides that land can be nominated for listing by:
 - (i) a parish council in England in respect of land in that council's area;
 - (ii) a community council in respect of land in Wales in that Council's area;
 - (iii) a person that is a voluntary or community body (defined by Reg.5) with a local connection (defined by Reg. 4).

Broadly speaking, the bodies in (iii) must be not for profit organisations.

18. The responsible authority must decide whether to list the land within eight weeks of receiving the nomination (Reg. 7). It must consult the owners, lessees and

¹ See the article in the Estates Gazette, 6 July 2013, p. 87.

lawful occupiers of the land, and the parish council (Reg 8). It must give notice of its decision to the same people and the nominator (section 91(2)), drawing attention to the consequences of listing and the right of the owner to a review (section 91(3)).

19. The owner of land included in a local authority's list can ask for a review under section 92 within eight weeks of notice of the authority's decision by a different officer of the local authority. Section 92(1) gives the right to "the owner". In contrast (and potentially in conflict with section 92(1)) the regulations suggest that the right is available to "an owner" (Reg 10). The "owner" is the owner of the freehold, or if there are leases granted for terms exceeding 25 years, the lowest in the chain: see section 107. The Secretary of State can change the definition: see section 107(6).
20. On the review there is a right to an oral hearing and to make representations: see Schedule 2 to the Regulations. An appeal can be made from the review decision to the First Tier Tribunal by the same owner or his successor (Reg 11).
21. The nominator is given no statutory right to a review or appeal. It would seem therefore that his only remedy would be to seek to challenge the local authority's decision by judicial review.
22. In addition to listing the land successfully nominated, it must also identify all land unsuccessfully nominated for listing for at least five years after the nomination, with the reasons for not listing it (section 93(3))

Effect of listing

23. Land included in the list remains on it for five years: see section 87(3). Specifically, section 87(3) provides that "the entry for that land is to be removed from the list with effect from the end of the period of 5 years beginning with the date of [the] entry". It is unclear whether there could then be a further entry.

24. The listing is a local land charge (section 100), and the Council must apply to register a restriction on any registered title (see Schedule 4, paragraph 4 to the Regulations).
25. While land is on the list an owner cannot make a “relevant disposal” without following the statutory procedure and also waiting for the moratorium to expire: section 95(1).
26. A disposal which contravenes section 95(1) is ineffective, unless the disponor is unaware that the land is listed, having made all reasonable efforts to find out: see Regulation 21(1) and (2).
27. There are important consequential amendments to the Land Registration Rules 2003 which reinforce the provisions mentioned in the last three paragraphs of this paper: see Schedule 4 to the Regulations. In summary, a purchaser cannot register its title to an asset of community value unless it provides a conveyancer’s certificate that the moratorium procedures have been complied with: see Schedule 4 para.2 amending the 2003 Rules.

The moratorium

28. Section 95 deals with the “moratorium”. Sub-section (1) provides as follows:

“(1) A person who is an owner of land included in a local authority’s list of assets of community value must not enter into a relevant disposal of the land unless each of conditions A to C is met.”
29. The owner proposing to make a “relevant disposal” must notify the local authority in writing of his wish to enter into a relevant disposal: see section 95(2). This is condition A. The local authority must make an entry of that notification in the list, and give notice to the nominator: see section 97.

30. There is then an “interim moratorium period” of six weeks from the notification under section 95(2) during which any “community interest group” (broadly the same as, but not all of, the bodies who can make a nomination (Reg.12)) can make a written request to the local authority to be treated as a potential bidder: see section 95(3). The local authority must pass on any such request to the owner: see section 98. If such a request is received, there is then a “full moratorium period” of six months.
31. Condition B is that either the interim period has ended without the local authority having received during the period any such written request from any such community interest group, or the full moratorium period has ended.
32. If no request is made within six weeks, or if a request is made and the full moratorium period has ended, the owner can make the disposal within the period of 18 months from the date of the section 95(2) notification. This is called “the protected period”: see section 95(4) and (6). Condition C is that the protected period has not ended.
33. During the protected period, the owner can make a disposal to a community interest group: see Regulation 13. However, the community interest group has no right to buy, or even to be considered as a buyer. Its only right is to bid.
34. If a local authority itself is the owner and has itself decided to list the land, it will have to have regard to the listing, and balance the social benefits of disposal to a community group against the benefit of securing the best price. Any such decision could be susceptible to judicial review.

Relevant disposals

35. It can be seen that the above provisions relate to “relevant disposals”. A relevant disposal is defined by section 96 as follows:

“(2) A disposal of the freehold estate in land is a relevant disposal of the land if it is a disposal with vacant possession.

(3) A grant or assignment of a qualifying leasehold estate in land is a relevant disposal of the land if it is a grant or assignment with vacant possession.

(4) If a relevant disposal within subsection (2) or (3) is made in pursuance of a binding agreement to make it, the disposal is entered into when the agreement becomes binding.

(5) Subject to subsection (4), a relevant disposal within subsection (2) or (3) is entered into when it takes place.

(6) In this section “qualifying leasehold estate”, in relation to any land, means an estate by virtue of a lease of the land for a term which, when granted, had at least 25 years to run.”

36. The terms of this definition are important. A sale of the freehold without vacant possession (say for example, subject to a leasehold interest) would not fall within the definition. Nor would the grant of a lease for less than 25 years. This may provide scope for legitimate avoidance. Assume the sale of freehold land with vacant possession. A short lease of land could be granted. Provided that lease was not regarded as a sham, the land could then be sold subject to the lease. The disposal would not be with vacant possession, and therefore not a relevant disposal.
37. A number of relevant disposals are excluded from the moratorium provisions by section 96(1) and Schedule 3 to the Regulations. They include gifts, transfers between family members, and disposals by trustees or executors, on divorce or insolvency.
38. Attention is drawn to the following exceptions which may also be helpful to landowner clients:
- (i) a disposal of land only part of which is listed, so long as it is a single unit in single ownership (see section 96(5)(e) and the Regulations, Schedule 3, paragraph 1);

- (ii) if the disposal is of an estate in land on which a business is carried on and at the same time and to the same person as a disposal of that business as a going concern” (section 96(5)(f));
- (iii) a disposal to a particular person pursuant to a s106 obligation entered into before the listing (para.4(1)(a));
- (iv) a disposal pursuant to a legally enforceable option or right or pre-emption (para 4) enter into before the listing (para.4(1)(b));
- (v) a disposal by a mortgagee exercising a power of sale (para 6);
- (vi) a disposal to a “group undertaking” (para 10);
- (vii) a disposal which is subject to a statutory requirement regarding the making of the disposal, where that requirement could not be observed if the requirements of section 95(1) were complied with (para 15).

Implications for publicly owned land

- 39. If the land and buildings which are listed are owned by a local authority or other public body, they may face difficult decisions.
- 40. So, a building may only be nominated because of a threat of closure and sale, for example a library. The issue on listing is likely to be whether it is realistic to think there can continue to be use which furthers social wellbeing or interests. That in turn may depend on whether, for example, the Council would be willing to grant a lease to a community body at a discounted rent, or sell at below market value.
- 41. A local authority has power to sell under s123 of the Local Government Act 1972, but:

“Except with the consent of the Secretary of State, a council shall not dispose of land under this section, otherwise than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained.”
- 42. The duty to obtain the best price is subject to the General Disposals Consent 2003, which allows sale of land at a discount of up to £2m where it would, in the opinion

of the authority, promote or improve the economic social or environmental well-being of its area or residents.

43. The local authority therefore has power to sell at a discounted price to promote well-being. So, it could sell the library at a discount to a local group. If, however, it wants to sell to a developer to get the best price, it might be able to justify refusing to list on the ground that it intends to sell at the best price and it is unrealistic to think that any community interest group could afford to pay the market price. However, it would probably have to take into account the prospect of a community group being able to raise the fund to pay the market price.
44. If the building has been listed, the Policy Guidance indicates (at pp.5/6) that the listing may affect planning decisions: “it is open to the Local Planning Authority to decide that listing as an asset of community value is a material consideration if an application for change of use is submitted.”
45. For the same reason, the listing is presumably a material consideration in relation to whether, to whom and on what terms the land should be sold.
46. The question arises whether a purchaser would be protected by the “safe harbour” provision in section 128(2) LGA 1972 which provides:

"Where under the foregoing provisions of this Part of this Act or under any other enactment, whether passed before, at the same time as, or after, this Act, a local authority purport to acquire, appropriate or dispose of land, then –

(a) in favour of any person claiming under the authority, the acquisition, appropriation or disposal so purporting to be made shall not be invalid by reason that any consent of a Minister which is required thereto has not been given or that any requirement as to advertisement or consideration of objections has not been complied with, and

(b) a person dealing with the authority or a person claiming under the authority shall not be concerned to see or enquire whether any such

consent has been given or whether any such requirement has been complied with".

47. This is a commonly found provision designed to protect purchasers. It has been held that it prevents the sale from being impeached on grounds that it was at an undervalue by any means, including judicial review, and regardless of whether the challenge is made by the vendor or a third party. See London Borough of Barnet v Barnet Football Club Holdings Ltd [2004] EWHC 519.
48. It seems unlikely, however, that it would afford any protection to a purchaser from a local authority in breach of section 95(1), because the invalidity would not result from the lack of consent or non-compliance with any requirement as to advertisement or consideration of objections. Also, reg.21(1) and (2) expressly deal with the consequences of contravention of section 95(1) and reg.21(1) provides that the "disposal of land is ineffective". Reg. 21(2) provides that para.(1) does not apply if the person making the disposal, having made all reasonable efforts to find out if the land to be disposed of is listed, does not know that it is listed at the time the dispute is entered into. There are therefore express provisions which protect a purchaser.

Compensation

49. Section 99 and Regulation 14 make provision for compensation to be paid by the responsible authority to an owner who has suffered loss as a result of the listing. It is worth setting out some of the detailed compensation provisions as they define the who, when and what of compensation.
50. In particular, Regulation 14 provides as follows:

"Compensation

14. (1) An owner or former owner of listed land or of previously listed land, other than an owner or former owner specified in regulation 15, is entitled to compensation from the responsible authority of such

amount as the authority may determine where the circumstances in paragraph (2) apply.

(2) The circumstances mentioned in paragraph (1) are that the person making the claim has, at a time when the person was the owner of the land and the land was listed, incurred loss or expense in relation to the land which would be likely not to have been incurred if the land had not been listed.

(3) For the avoidance of doubt, and without prejudice to other types of claim which may be made, the following types of claim may be made –

- (a) a claim arising from any period of delay in entering into a binding agreement to sell the land which is wholly caused –
 - (i) by relevant disposals of the land being prohibited by section 95(1) of the Act during any part of the relevant six weeks that is on or after the date on which the responsible authority receives notification under section 95(2) of the Act in relation to the land, or
 - (ii) in a case where the prohibition continues during the six months beginning with that date, by relevant disposals of the land being prohibited during any part of the relevant six months that is on or after that date; and
- (b) a claim for reasonable legal expenses incurred in a successful appeal to the First-Tier Tribunal against the responsible authority's decision –
 - (i) to list the land,
 - (ii) to refuse to pay compensation, or
 - (iii) with regard to the amount of compensation offered or paid.”

51. The regulations specifically provide for compensation for delay preventing a binding contract during the moratorium period, and for the costs of a successful appeal to the First Tier Tribunal (Reg 14(3)). Any claim for compensation must be made to the responsible authority within 13 weeks after the loss was incurred or finished being incurred (Reg 14(5)). Again, there is provision for a dissatisfied owner to seek a review and then to appeal to the First Tier Tribunal.

Relevance to property litigators

52. Some of you may think that this paper is peripheral to what property litigators do. That is not so for at least two reasons. First, our practical experience in recent months suggests otherwise. Most property owners dislike any potential (let alone an actual) interference with their right to deal freely with their land. This is particularly so where funding issues arise and banks or other financial institutions are involved. Yet, Part 5 is just such an interference. Appeals to the first tier tribunal are starting to come through.
53. Secondly, once legislation is in place, experience of politicians suggests that it will be tinkered with, amended or “improved”. In this regard, in Scotland the equivalent scheme gives a right of first refusal to the community group: see the Land Reform (Scotland) Act 2003, part 2 “The community right to buy”. The price payable is determined by agreement between the parties or by the “appointed valuer” or, on appeal to the Lands Tribunal. Effectively, in Scotland the community group has a right of pre-emption. The legislation in England and Wales could be amended to give the same or a similar right if there was the political will to do so.

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Parish	Asset address	Use	Officer comments	Date entered on list	Comments
Ashdon	Village Hall Crown Hill	Village Hall	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Ashdon	Village Green	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Ashdon	War memorial Village Green	Monument	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Ashdon	Primary School	School	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Ashdon	Rose and Crown PH Crown Hill	Pub	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Ashdon	Playing field Rectory Lane	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Ashdon	Playing field All Saints Close and Church Field	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Ashdon	Baptist Church Redwinter Road	Church	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Ashdon	All Saints Church Church End	Church	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Ashdon	Ashdon Village Museum Walden Road	Museum	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Ashdon	Cricknet Field Walkons Park	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Ashdon	Allotments, Bartlow Road	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Ashdon	Ashdon Football Field, Bartlow Road	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Ashdon	Ashdon Windmill, Braggs Mill, Mill Lane	Windmill	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Birchanger	3 informal Car parks, Birchwood, Birchanger Lane	Car parks	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Birchanger	Village Green, Birchanger Lane	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Birchanger	Village Hall Birchanger Lane	Village Hall	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Birchanger	Birchanger Recreation Ground and allotments	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Birchanger	Birchanger Church	Church	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Broxted	Village Hall, Brown's End Road	Village Hall	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Broxted	Molehill Green Village Stores	Shop	The current use furthers the social wellbeing or interests of the local community	26/03/2013	
Chrishall	Methodist Chapel and hall, Crawley End	Chapel and hall for community use	The current use furthers the social wellbeing or interests of the local community	13/12/2012	Owners intention to sell letter received 13/03/13.
Gt Canfield	Church Hall, Marsh Lane	Church Hall	The current use furthers the social wellbeing or interests of the local community	13/12/2012	Interim moratorium: 24/04/2013 Full Moratorium: 13/09/13 Protected Period: 13/09/2014
Gt Canfield	Cricknet Club, Gt Canfield Road	Cricknet Club	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Canfield	Village Green, Church End Green	Village Green	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Chesterford	Horse River Green, South St	Open space	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Chesterford	Cononation Green, School St	Open space	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Chesterford	Open Space, Rookery Close	Open space	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Chesterford	Open Space Pilgrims Close x 4	Open space	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Chesterford	Primary Academy, School St	School	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Chesterford	Academy playing field	Playing field	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Chesterford	All Saints Church, Church St	Church	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Chesterford	Congregational Chapel, Carmel St	Chapel/hall	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Chesterford	The Plough PH, High St	Pub	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Chesterford	Crown and Thistle, High St	Pub	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Chesterford	Community Centre	Community Centre	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Chesterford	Recreation Ground	Open Space	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Chesterford	Surgery, School St	Surgery	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Chesterford	The High St Surgery, High St	Surgery	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Chesterford	Phone Box Horse River Green	Phone Box	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Chesterford	Shop, School St	Shop	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	Land behind Beaumont Hill	Open space	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	Parsonage Downs	Open space	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	Town Square	Local events	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	Dunmow Clinic	Health clinic	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	Recreation Ground The Causeway	Recreation ground	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	Talberds Ley, Drs Pond, The Downs	Open space	The current use furthers the social wellbeing or interests of the local community	13/12/2012	

Parish	Asset address	Use	Officer comments	Date entered on list	Comments
Gt Dunmow	open space (behind Threeways) Lime Tree Hill	Open space	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	Newton Green	Open space	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	Dourdan Pavilion The Causeway	Sports pavilion	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	The Star Market Place	Restaurant and rooms	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	Saracens Head Hotel Church Street	Restaurant and rooms	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	The Maltings Mill Lane	Historic building, venue, museum	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	The Queen Victoria Stamford Road	PH and restaurant	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	Angel and Harp Church St	PH and restaurant	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	Rowena Davey Day Centre Chequers Lane	Day centre	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	St Mary the Virgin Church Church End	Church	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	The Post Office High Street	Post Office	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	Old Police Station Stamford Road	Voluntary sector office	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	Former Library North St	Youth Centre	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	Foakes Hall and car park	Hall	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	Foakes House Stamford Road	Town Council offices	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	The Boards Head High Street	PH	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	The Chequers Stamford Road	PH	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Dunmow	Recreation Ground, Off The Causeway	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Gt Dunmow	David Cock bequest land, Nr Langleys	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Gt Easton and Tily	Great Easton Playing Field	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Gt Hallingbury	St Giles Church Church Rd	Church	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Hallingbury	Village Hall Church Rd	Hall	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Hallingbury	Sir John Houbton PH Bedlairs Green	PH	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Gt Hallingbury	Car park and field Church Rd	Car park and field	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Hadstock	Village Hall	Village Hall	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Hadstock	Village green	Open space	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Hadstock	The Kings Head PH Linton Road	PH	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Hadstock	Recreation Ground	Open space	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Hempstead	Village Hall High St	Village Hall	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Hempstead	Bluebell Inn High St	PH	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Hempstead	St Andrews Parish Church Church Hill	Church	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Hempstead	The Glebe Church Hill	Church	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Hempstead	Open space Church Hill	Open space	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Hempstead	Pond Church Hill	Open space	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Hempstead	Allotments High St/Hill Rd/Anso Rd	Allotments	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Hempstead	Ponds Church Hill	Open space	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Hempstead	Village Green High St	Open space	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
High Easter	St Mary's Parish Church, The Street	Church	The current use furthers the social wellbeing or interests of the local community	26/03/2013	
High Easter	Playing fields and playground, the Street	Open space	The current use furthers the social wellbeing or interests of the local community	26/03/2013	
High Easter	Village Hall The Street	Village Hall	The current use furthers the social wellbeing or interests of the local community	26/03/2013	
High Easter	Pump Green The Street	Open space	The current use furthers the social wellbeing or interests of the local community	26/03/2013	
High Easter	Village sign The Street	Sign	The current use furthers the social wellbeing or interests of the local community	26/03/2013	
High Easter	2 x Bus shelters The Street	Bus shelters	The current use furthers the social wellbeing or interests of the local community	26/03/2013	
High Easter	Allotments r/O The Street	Allotments	The current use furthers the social wellbeing or interests of the local community	26/03/2013	
High Easter	Post Office The Street	Post Office	The current use furthers the social wellbeing or interests of the local community	26/03/2013	
High Easter	Jubilee Wood south Playing Field The Street	Open space	The current use furthers the social wellbeing or interests of the local community	26/03/2013	
High Rodling					
Langley	The Bull Langley Lower Green	PH	The current use furthers the social wellbeing or interests of the local community	13/12/2012	

Parish	Asset address	Use	Officer comments	Date entered on list	Comments
Little Eason	Recreation Ground Manor Road	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Little Eason	Memorial Hall Manor Road	Village Hall	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Little Hallingbury	Village Hall Lower Road	Village Hall	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Little Hallingbury	The George PH George Green	PH	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Little Hallingbury	St Mary's Church Wrights Green Lane	Church	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Little Hallingbury	Car park, Lower Road	Car park	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Little Hallingbury	Gaston Green Chapel Gaston Green	Chapel	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Little Hallingbury	Little Hallingbury Mill, Mill Lane	Mill	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Margaret/Roding	St Margaret's Church Chelmsford Rd	Church	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Quendon and Rickling	Parish Rooms Green Road	Office	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Quendon and Rickling	Village Green Rickling Green	Open space	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Quendon and Rickling	Village Hall Cambridge Road	Hall	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Quendon and Rickling	The Fountain Cambridge Road	Fountain/shelter	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Quendon and Rickling	Crocket Pavilion Rickling Green	Pavilion	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Quendon and Rickling	Primary School Rickling	School	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Quendon and Rickling	St Simon and St Jude Church, Quendon	Church	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Quendon and Rickling	All Saints Church Rickling	Church	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Quendon and Rickling	The Cricketers Arms Rickling Green	PH	The current use furthers the social wellbeing or interests of the local community	13/12/2012	
Saffron Walden	Friends School Mount Pleasant Rd	School	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	County High Audley End Road	School	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	St Mary's C of E School Castle St	School	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Katherine Semar School Ross Close	School	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Dame Bradbury's School Ashdon Road	School	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	R A Butler School South Road	School	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	St Thomas More School South Road	School	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Alotment land Crocus Fields	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	The Police Station East St	Police Station	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Fire Station Hill St	Fire station	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Museum Museum St	Museum	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Castle Museum St	Castle	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Tennis courts at Museum	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Rose and Crown car park, Common Hill	Pub	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Land to west Little Walden Road	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	The Library Market Square	Library	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	The Green and housing land fronting Little Walden Road	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Allotments Windmill Hill	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Bridge End Gardens	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Saffron Walden golf course	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	The Fry Art Gallery Castle Street	Art Gallery	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Swan Meadow car park	Car park	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Pond area Freshwell Street	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	The Friends Meeting House High Street	Church	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Tennis courts John Dane Player Court	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Saffron Walden Hospital Radwinter Road	Hospital	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Radwinter Road Allotments	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Lord Butler Leisure Centre Peaslands Road	Leisure centre	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Greenways open space	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Linear strip at end of The Maple	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Open space Blacklands Close	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	The Common car park	Car park	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Golden Acre Community Centre Ross Close	Community Centre	The current use furthers the social wellbeing or interests of the local community	19/02/2013	

Parish	Asset address	Use	Officer comments	Date entered on list	Comments
Saffron Walden	The Town Hall	Town Hall	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Fairycroft House Fairycroft Road	Community centre	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Jubilee Gardens, Hill St	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Saffron Walden	Methodist Chapel, Castle Street	Church	The current use furthers the social wellbeing or interests of the local community	09/05/2013	
Sampford's	The School and Village Hall High Street Gt Sampford	School and village hall	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Sampford's	Cricket clubhouse and pitch, Tillinges Gt Sampford	Cricket pitch and club house	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Sampford's	Baptist Church hall and grounds Gt Sampford	Church	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Sampford's	Red Lion High Street Gt Sampford	Pub	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Sampford's	St Michael's Church Gt Sampford	Church	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Sampford's	St Mary's Church Lt Sampford	Church	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Thaxted	Church Hall and allotments, Margaret Street	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Thaxted	Clarence House Conservation Garden and school room	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Thaxted	Walnut Tree Meadow	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Thaxted	Damaris Mead (adjacent to recreation ground)	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Thaxted	Guildhall	Guildhall	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Thaxted	Community Information Centre, 7 Town Street	Information Centre	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Thaxted	Clarence House	Information Centre	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Ugley	Village hall Cambridge Road	Village Hall	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Wendens Ambo	Village shop Audley End Station	Shop	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Wendens Ambo	Phone and post box Duck Street	Phone and post box	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Wendens Ambo	The Wick Royston Road and Duck Street	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Wendens Ambo	Parish Church Church Path	Church	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Wendens Ambo	Village Hall Royston Road	Village Hall	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Wendens Ambo	The Bell Inn Royston Road	Pub	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Wendens Ambo	Cricknet Field Royston Road	Open space	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Wendens Ambo	Fighting Cocks PH London Road	Pub	The current use furthers the social wellbeing or interests of the local community	19/02/2013	
Wendens Ambo		Pub	The current use furthers the social wellbeing or interests of the local community	19/02/2013	

Parish	Asset address	Use	Officer comments
Arkesden	10 Acres, Wicken Road	Proposed as allotments	Correspondence with the owner has been submitted by the Parish Council relating to discussions about purchasing the site. The Parish Council have a clear intent to purchase the land if available although there is considerable difference in the value attached to the land. There is no agreement to sell the land to the Parish Council (or anyone) at present. It is therefore not considered that 'it is realistic to think that in the next 5 years the land could further the social wellbeing or interests of the community'.
Ashdon	Waiting room Ashdon Halt Fallowden Lane	Unused	No correspondence with the owner has been submitted about purchasing the site. It is therefore not considered that 'it is realistic to think that in the next 5 years the land could further the social wellbeing or interests of the community'.
Ashdon	Old School House Church End	Local industry	No correspondence with the owner has been submitted about purchasing the site. It is therefore not considered that 'it is realistic to think that in the next 5 years the land could further the social wellbeing or interests of the community'.
Broxton	The Chapel, Chapel End	Disused Chapel	No correspondence with the owner has been submitted about purchasing the site. It is therefore not considered that 'it is realistic to think that in the next 5 years the land could further the social wellbeing or interests of the community'.
Gt Canfield	Essex County Council land	Potential open space	No correspondence with the owner has been submitted about purchasing the site. It is therefore not considered that 'it is realistic to think that in the next 5 years the land could further the social wellbeing or interests of the community'.
Quendon and Rickling	Bluebell Wood adj B1383	Open space	No correspondence with the owner has been submitted about purchasing the site. It is therefore not considered that 'it is realistic to think that in the next 5 years the land could further the social wellbeing or interests of the community'.
Quendon and Rickling	Quendon Hall	Wedding/function venue	The fact that the site has a long history and a medieval deer park does not mean that it qualifies as an Asset of Community Value. No specific community use has been identified which would allow listing.
Saffron Walden	Former Boys British School East St	Business	No correspondence with the owner has been submitted about purchasing the site. It is therefore not considered that 'it is realistic to think that in the next 5 years the land could further the social wellbeing or interests of the community'.
Saffron Walden	12 Bridge Street	Bus depot	It is not considered that the bus depot provides a community asset. No correspondence with the owner has been submitted about purchasing the site. It is therefore not considered that 'it is realistic to think that in the next 5 years the land could further the social wellbeing or interests of the community'.
Saffron Walden	Walden Place and grounds Myddylton Place	Sheltered housing	No correspondence with the owner has been submitted about purchasing the site. It is therefore not considered that 'it is realistic to think that in the next 5 years the land could further the social wellbeing or interests of the community'.
Saffron Walden	Sheltered housing Hanover Place	Sheltered housing	No correspondence with the owner has been submitted about purchasing the site. It is therefore not considered that 'it is realistic to think that in the next 5 years the land could further the social wellbeing or interests of the community'.

Saffron Walden	Audley Park off Abbey Lane/London Road	Parkland/farmland	No correspondence with the owner has been submitted about purchasing the site. It is therefore not considered that 'it is realistic to think that in the next 5 years the land could further the social wellbeing or interests of the community'.
Saffron Walden	Elm Grove Fairycroft Road	Sheltered housing	No correspondence with the owner has been submitted about purchasing the site. It is therefore not considered that 'it is realistic to think that in the next 5 years the land could further the social wellbeing or interests of the community'.
Saffron Walden	Council depot Shire Hill	Council depot	No correspondence with the owner has been submitted about purchasing the site. It is therefore not considered that 'it is realistic to think that in the next 5 years the land could further the social wellbeing or interests of the community'.
Saffron Walden	Civic amenity site Thaxted Road	Civic amenity site	No correspondence with the owner has been submitted about purchasing the site. It is therefore not considered that 'it is realistic to think that in the next 5 years the land could further the social wellbeing or interests of the community'.
Saffron Walden	The old tip and old depot Thaxted Road	Derelict	No correspondence with the owner has been submitted about purchasing the site. It is therefore not considered that 'it is realistic to think that in the next 5 years the land could further the social wellbeing or interests of the community'.
Saffron Walden	Land south of Freshwell Gardens and west of Freshwell Street	Overgrown open space	No correspondence with the owner has been submitted about purchasing the site. It is therefore not considered that 'it is realistic to think that in the next 5 years the land could further the social wellbeing or interests of the community'.
Sampfords	Scout hut and land Church Hill Lt Sampford	Hall	No correspondence with the owner has been submitted about purchasing the site. It is therefore not considered that 'it is realistic to think that in the next 5 years the land could further the social wellbeing or interests of the community'.
Wendens Ambo	Audley End Railway Station	Station	The building is 'operational land' as set out in section 263 of the Town and Country Planning Act 1990 and is therefore excluded from consideration under Schedule 1 of The Assets of Community Value (England) Regulations 2012.



Assets of Community Value Lists

Publication date Tuesday, September 24, 2013

Localism Act Part 5 Chapter 3 – Community Right to Bid

Community Right to Bid was introduced under the Localism Act 2011. The Act requires local authorities to maintain and publish the lists of assets of community value which have been nominated by the local community. The lists will be for both the successful and unsuccessful nominations and each asset will stay on the list for a period of 5 years.

Owner notice of intent to sell

When successfully nominated assets come up for sale, the Act then gives community interest groups the time to submit a request to the local authority to be considered as a bidder, and time to develop a business case and secure funding to support the bid to put the asset on the open market.

Moratorium period

Interim moratorium period – This is a six week period from the date the Council accepted receipt of the owner's notice of intent to dispose of the asset on the open market. During this period eligible community interest groups can express an interest in being considered as a potential bidder by sending in a written request to the Council.

Full moratorium period - This is a six month period from the date the Council accepted receipt of the owner's notice of intent to dispose of the asset on the open market. It will only apply if an eligible community interest group sends in a written request to express be considered as a potential bidder.

After the moratorium period – either the six weeks if there has been no community interest, or the full 6 months – the owner will be free to dispose of the property to whomever they choose and at whatever price, and no further moratorium will apply for an 18 month protected period. The owner does not have to sell the asset to a community group

Assets of Community Value – registers

Successful nominations

CRtB reference	Asset name and address	Nominated by nomination date	Effective listing date	Date listing expires	Current status
12-02	The Vassall Centre and its grounds Gill Avenue Fishponds Bristol BS16 2QQ	The Vassall Centre Trust 27/12/2012	06/02/2013	05/02/2018	Assets listed for community value Owner has submitted notice of intent to sell Acceptance date: 19/02/2013 Full moratorium expired: 18/08/2013 Protected period expires: 18/08/2014
13-01	Scout hut and land Balfour Road Bristol BS8 2NT	Bristol South District Scout Council 11/02/2013	22/03/2013	21/03/2018	Expression of interest to bid accepted

Unsuccessful nominations

CRtB reference	Asset name and address	Nominated by nomination date	Reason for not listing the asset
12-01	Whiteladies Picture House 44 Whiteladies Road, Bristol BS8 2NT	Whiteladies Picture House Ltd Nomination date 27/12/2012 Decision date 16/01/2013	Assets not listed for community value The length of time the asset has been a void building exceeds 10 years which is outside of the authority's qualifying period for recent past.
13-02	United Reformed Church and Hall Bishopsworth Church Road, Bishopsworth, Bristol, BS13 8JY	Phoenix scouts group Nomination date 18/03/2013 Decision date 30/04/2013	Nomination organisation not eligible.
13-03	Bull Inn 333 Crews Hole Road St George Bristol BS5 8BQ	Friends Of Troopers Hill Nomination Date 04.08.2013 Δεχ101010ν Δαρε 24.09.2013	List of members of community group did not reach the minimum requirement of 21 names and addresses which appear on the electoral roll.

Bristol City Council – assets of community value list

CRtB reference	Asset name and address	Nominated by nomination date decision date	Reason for not listing the asset
13-04	The Greenbank Hotel 57 Belle View Road Easton Bristol BS5 6DP	The Greenbank Community Nomination Date 14.08.2013 Decision Date 24.09.2013	Assets not listed for community value List of members of community group did not reach the minimum requirement of 21 names and addresses which appear on the electoral roll.

Nominations currently under consideration

CRtB reference	Asset name and address Under consideration	Nominated by nomination date	8 week decision period expiry date
13-05	Hamilton House (Known as Finance House) 80 Stokes Croft Bristol BS2 6TT	Coexist Community Interest Company Nomination Date 12.09.2013	07.11.2013
13-06	Lynmouth Road Allotments Mina Road St Werburghs Bristol	Lynmouth Road Allotments Association Nomination Date 25.09.2013	20.11.2013