
NOMINATION OF ASSET OF COMMUNITY VALUE: HAGLEY LIBRARY

Relevant Portfolio Holder	Cllr Kit Taylor
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford – Head of Planning & Regeneration
Wards Affected	Hagley
Ward Councillor Consulted	Yes
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To consider a request to list Hagley Library (DY9 0NW) as an Asset of Community Value.

2. RECOMMENDATIONS

- 2.1 **That Cabinet consider the contents of the report and decide to either:-**

(a) Support the listing of Hagley Library as an Asset of Community Value; or

(b) Not support the listing of Hagley Library as an Asset of Community Value.

3. KEY ISSUES

- 3.1 As Members are aware from previous reports the Localism Act included the 'Community Right to Bid' which gave communities a right to identify a building or other land that they believe to be of importance to their community's social well-being so that if it comes up for sale there is a six month period within which they can prepare their bid to buy the asset. The property in question can then be sold on the open market. Community groups have the same rights as any other bidders but there is no preference given to the local community bid.
- 3.2 Officers have received a nomination (Appendix 1) for Hagley Library which is owned by Worcestershire County Council. The nomination has been made by Hagley Parish Council. The Parish has requested that the asset be nominated to give the ability for it to remain as a community asset in the future.

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- 3.3 Consideration of the nomination has been undertaken by the Head of Planning and Regeneration, as prescribed in the current process. It is recommended that the nomination meets the definition of being registered as an asset of community value in its current form in the following ways:
- The main use of the building and land furthers the social well being or social interests of the local community and it is realistic to think that this can continue into the near future
 - The building provides cultural, recreational and sporting interests
- 3.4 Consultation has been undertaken with the County Council who have commented that they have no objections to the application for the Library to be listed as an Asset of Community Value.
- 3.5 There are no financial implications arising from the registration of the asset as one of community value.

Legal Implications

- 3.6 The Localism Act 2011 made provision for a new system of listing of assets of community value, giving community groups the right to make nominations, and requiring local authorities to maintain local registers. Further more detailed rules around the operation of assets of community value are set out in the Assets of Community Value Regulations 2012.
- 3.7 The test for listing an Asset of Community Value as set out in Section 88 (1) of the Localism Act 2011 is as follows:-
- “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 user further s the social well-being 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 well-being or social interests of the local community.”
- 3.8 Clearly the library is utilised by the community on a regular basis and therefore meetings both elements of the test.

Service / Operational Implications

- 3.9 There are no specific operational implications for the District. The list of nominated assets will be maintained by Land Charges officers and will be available on the Councils Website.

Customer / Equalities and Diversity Implications

- 3.10 There are no direct implications under this heading. The Council has put in place a process to ensure that applications for assets of community value to be listed are considered properly and in accordance with the relevant legislation and guidance. It is open to all sectors of the community to present nominations.

4. RISK MANAGEMENT

- 4.1 The register will be maintained to ensure that all assets nominated are included to mitigate any risks associated with assets not being included on the register. Consideration by officers and members will be undertaken at each nomination to ensure a consistent approach is taken.

5. APPENDICES

Appendix 1 – Nomination for Hagley Library

6. BACKGROUND PAPERS

Included as Appendices save for the Localism Act 2011, Assets of Community Value (England) Regulations 2012 and guidance issued by DCLG copies of which are available publically.

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CABINET

01 APRIL 2015

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