

NOMINATION OF AN ASSET OF COMMUNITY VALUE

Relevant Portfolio Holder	Councillor Adam Kent
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford, Head of Planning, Regeneration and Leisure Services
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Wards Affected	Alvechurch South
Ward Councillor(s) consulted	Councillor Annette English
Relevant Strategic Purpose(s)	Living independent, active, and healthy lives
Key Decision / Non-Key Decision: This is a non-key decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	
This report contains exempt information as defined in Paragraph(s) of Part I of Schedule 12A to the Local Government Act 1972, as amended	

1. RECOMMENDATIONS

The Cabinet RESOLVE / RECOMMEND to:-

- 1) Support the listing of The Village Inn, Holt Hill, Beoley, B98 9AT as an Asset of Community Value**

2. BACKGROUND

- 2.1 As Members are aware from previous reports the Localism Act 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 and nominate such land / buildings to be registered with the Local Authority as an "Asset of Community Value".
- 2.2 Registration lasts for six years and if the property comes up for sale, the legislation allows a community group six weeks to express an interest in its purchase and if they do so, 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 and there is no preference given to the local community bid.

- 2.3 The Council has received a nomination from Beoley Parish Council to list The Village Inn as an ACV. The nomination is attached at Appendix 1.
- 2.4 It has been nominated by Beoley Parish Council, which is a qualifying community entity under the legislation, to make a nomination.
- 2.5 The Village Inn meets all of the statutory criteria for listing, as set out at 3.1 below.
- 2.6 Members are reminded that the final decision regarding whether to list an asset rests with the Head of Planning, Regeneration and Leisure Services in consultation with the Portfolio Holder for Planning and Regeneration and Cabinet is being consulted by The Head of Planning and Regeneration as part of the consultation process.
- 2.7 'In accordance with the process for nominations of Assets of Community Value the ward councillor, Councillor Annette English, has been consulted. The ward councillor has indicated support for the nomination.'

3. FINANCIAL IMPLICATIONS

- 3.1 Property owners who believe they have incurred costs because of complying with these procedures can apply for compensation from the Council. As previously reported to Council, 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. The owners also have a right to appeal the decision made by the Council in agreeing that the building be included on the Assets of Community Value register.

4. LEGAL IMPLICATIONS

- 4.1 The Localism Act 2011 made provision for a system to list "assets of community value", giving community groups the right to make nominations, and requiring local authorities to maintain local registers. Detailed rules around the operation of assets of community value are set out in the Assets of Community Value Regulations 2012.
- 4.2 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 furthers 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.”

5. STRATEGIC PURPOSES - IMPLICATIONS

Relevant Strategic Purpose

- 5.1 As referenced above, the purpose of the ACV register is to further the social well-being or social interests of the local community, in terms of the strategic purposes for this council this contributes to the purpose of, Living independent, active and healthy lives.

Climate Change Implications

- 5.2 Having an AVC in a locality has the potential to reduce the need to travel.

6. OTHER IMPLICATIONS

Equalities and Diversity Implications

- 6.1 None from this report.

Operational Implications

- 6.2 There are no specific operational implications for the District. The list of nominated assets is maintained by Land Charges officers and is available on the Council’s Website.

7. RISK MANAGEMENT

- 7.1 The ACV register is maintained by the Council 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.

Cabinet
2021

24 February

8. **APPENDICES and BACKGROUND PAPERS**

Appendix 1 – Nomination Form and plan

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9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Cllr Adam Kent	06/2/21
Lead Director / Head of Service	Report Author is Head of Service	
Financial Services	Chris Forrester Head of Finance and Customer Services	06/2/21
Legal Services	Clare Flanagan Legal Services Manager	06/2/21
Policy Team (if equalities implications apply)		
Climate Change Officer (if climate change implications apply)		