

**ASSET OF COMMUNITY VALUE NOMINATION- NEWBOULT ROAD ALLOTMENTS,
CHEADLE**

Report of the Deputy Chief Executive

1. INTRODUCTION AND PURPOSE OF REPORT

- 1.1 To provide members with information about a nomination received and to determine whether to include the Newbould Road allotments on the list of Assets of Community Value.

2. BACKGROUND

- 2.1 The Community Right to Bid, which is also known as Assets of Community Value is one of the community rights derived from the Localism Act, 2011. The aim of the Right is to empower communities wishing to protect local assets (land and buildings) by requiring the Council to maintain a list of assets in its area which are of community value, so that upon sale, the community will have a chance to delay a sale in order to prepare a bid to buy. The Right does not restrict in anyway who the owner of the asset can sell his property to, or at what price and does not confer a right of first refusal to community interest groups. The Right does not apply to residential property or operational land as defined in the Town and Country Planning Act 1990 Part 2.
- 2.2 On 1 October 2012 the Council's Executive agreed the Community Right to Bid Policy Statement, which invites written nominations from voluntary and community organisations. The Council is obliged to review every nomination and reach a decision within 8 weeks.
- 2.3 A nomination has been received to list Newbould Road Allotment Site, Newbould Road, Cheadle, Stockport an asset of community value. Information has been collated into this report for Members' consideration.

3. INFORMATION

- 3.1 The Government has published statutory regulations setting out who can nominate assets and a definition of assets of community value. A summary of each is set out below for reference:

An asset is of community value if

- It is at least partly within the local authority's area
- Its main use (i.e. not ancillary) has recently been or is presently being used to further the social wellbeing or social interests of the local community and could reasonably do so in the future i.e. within the next 5 years
- It does not fall within one of the exemptions specified in the Regulations

Only voluntary and community organisations with a local connection, so based in Stockport or a neighbouring authority can nominate an asset for inclusion on the list. This includes:

- Neighbourhood Forums
- Parish Councils
- Unincorporated bodies of 21 named members
- A Charity
- Company Limited by Guarantee
- Industrial or Provident Society
- Community Interest Company

3.2 The nomination received has been reviewed by the Council's Property Services Provider, and the information collated into this report for the Area Committee's consideration.

4. NOMINATION RECEIVED

4.1 The following nomination has been received:

Identification of Asset	
Type of asset	Allotment site
Title of asset	Newboulton Road Allotment Site
Address	Newboulton Road Cheadle, Stockport
Any additional information supplied to help us to identify the asset	As shown edged red on the attached plan.
Assessment of Community Value	
Is the asset at least partly in the local authority's area	YES
Has its main use (i.e. not ancillary) recently been or is presently being used to further the social wellbeing or social interests of the local community and could reasonably do so in the future i.e. within the next 5 years	YES
Does it fall within one of the exemptions listed in the regulations?	NO
Relevant additional information provided in nomination;	
The freehold of the site is owned by Stockport Metropolitan Borough Council. It is occupied by the Newboulton Road Allotment Association.	
Information about the nominating organisation	
Name of organisation	Newboulton Road Allotment Association

Type of organisation	Unincorporated body of 21 named members
Relevant additional information provided in nomination See nomination form	
Is the organisation eligible to make a nomination	YES
Assessment of nomination	
Is the nominated asset suitable for inclusion on the Council's list of assets of community value	YES
Reasons: The nomination meet satisfies the test as set out in Section 88 (1) of the Localism Act 2011.	

5. CONCLUSIONS AND RECOMMENDATIONS

- 5.1 The Area Committee are reminded that Newbould Road Allotments (the Asset) can be determined an Asset of Community Value if it meets those criteria set out in paragraph 3.1 of the report. Officers can confirm that the Asset is within the Local Authority's area; and that it does not fall within one of the exemptions specified in the Regulations.
- 5.2 The Area Committee are therefore asked to consider the information provided in Section 4 of the report and determine whether the Asset's main use (i.e. not ancillary) has recently been or is presently being used to further the social wellbeing or social interests of the local community and could reasonably do so in the future i.e. within the next five years.
- 5.3 The Area Committee is recommended to resolve that the Newbould Road allotments should be added to the list of Assets of Community Value.

BACKGROUND PAPERS

There are none

Anyone wishing to inspect the above background papers or requiring further information should contact Paul Edgeworth on telephone number Tel: 0161 218 1934 or alternatively email paul.edgeworth@stockport.gov.uk