

## **PRIESTNALL ALLOTMENTS- ASSET OF COMMUNITY VALUE NOMINATION**

### **Report of the Deputy Chief Executive**

#### **1. INTRODUCTION AND PURPOSE OF REPORT**

- 1.1 To provide Members with information about a nomination received in response to the Community Right to Bid, and
- 1.2 To ask Members to determine the nomination whether Priestnall Allotments should be added to the list of Assets of Community Value, subject to the criteria set out in S 88 of the Localism Act 2011.

#### **2. BACKGROUND**

- 2.1 The Community Right to Bid, which is also known as Assets of Community Value is one of the rights derived from the Localism Act, 2011. The aim of the Right is to empower communities wishing to protect valuable 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 Priestnall Allotments, Laurel End Lane, Heaton Mersey, Stockport as an asset of community value. Information has been collated into this report for consideration.

#### **3. INFORMATION**

- 3.1 The Government has set out in the Localism Act 2011 and the Assets of Community Value regulations 2012 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

#### 4. NOMINATION RECEIVED

4.1 The following nomination has been received:

<b>Identification of Asset</b>	
Type of asset	Allotment Site
Title of asset	Priestnall Allotments
Address	Laurel End Lane, Heaton Mersey, Stockport
Any additional information supplied to help us to identify the asset	As shown edged red on the attached plan
<b>Assessment of Community Value</b>	
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;  See nomination	
<b>Information about the nominating organisation</b>	
Name of organisation	Priestnall Allotments & Garden Society
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
<b>Assessment of nomination</b>	
Is the nominated asset suitable for inclusion on the Council's list of assets of community value	YES
Reasons: The asset and the nominators meet the requirements of the appropriate legislation.	

## 5. RECOMMENDATION

- 5.1 The Area Committee are reminded that Priestnall 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 recommended 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 therefore recommended to add the Priestnall Allotments to the list of Assets of Community Value.

## BACKGROUND PAPERS

Stockport Council Policy Statement – [Community Right to Bid / Assets of Community Value](http://www.stockport.gov.uk/services/communitypeopleliving/yourcommunity/righttobid/)  
[www.stockport.gov.uk/services/communitypeopleliving/yourcommunity/righttobid/](http://www.stockport.gov.uk/services/communitypeopleliving/yourcommunity/righttobid/)

Nomination form submitted by Mrs F Bravey on behalf of the Priestnall Allotments and Garden Society.

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