

CHEADLE HULME GARDEN AND 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 if the asset should be added to the List of Assets of Community Value in accordance with the provisions of the Localism Act 2011 and The Assets of Community Value (England) Regulations 2012.

2. BACKGROUND

- 2.1 The Community Right to Bid, which is also known as Assets of Community Value is one of the new community 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 **Cheadle Hulme Garden and Allotments Association, Billy's Lane** as an asset of community value. Information has been collated into this report for Members' consideration.

3. INFORMATION

- 3.1 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 | Land |
| Title of asset | Cheadle Hulme Garden & Allotments |
| Address | Billy's Lane, off Heathfield Road, Cheadle Hulme, SK8 6HU |
| Any additional information supplied to help us to identify the asset | As 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; See nomination attached appendices. | |
| Information about the nominating organisation | |
| Name of organisation | Cheadle Hulme Garden and Allotments Association (CHGAA) |

| | |
|--|---|
| Type of organisation | Unincorporated bodies of 45 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 asset and the nominators meet the requirements of the appropriate legislation. | |

5. RECOMMENDATION

- a. The Area Committee are reminded that Cheadle Hulme Garden and Allotment (the Asset) can be determined an Asset of Community Value if it meets those criteria set out in the Localism Act 2011 as summarised in paragraph 3.1 of this report.
- 5.2 The nomination is valid appears to satisfy the criteria set out in the Localism Act 2011, the Committee is recommended to approve the addition of Cheadle Hulme Garden and Allotment 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/

Nomination form

Anyone wishing to inspect the above background papers or requiring further information should contact Alima Ahmed -Zaman (Strategic Lead Corporate Estate), on 07356182688
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