Communities and Local Government

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community, opportunity, prosperity

Community Right to Buy

Department of Communities and Local Government

Consultation Event

Communities and Local Government

Building the Big Society through the Localism Bill

***Decentralisation** – giving away power to individuals, professionals and communities*

Right to Challenge

Right to Buy

Right to Build & neighbourhood planning

***Big Society** - people, neighbourhoods and communities have more power and responsibility and use it to create better services and outcomes*

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Current situation

Local authorities can already transfer assets at less than market value to the community…

•80% of local authorities in process of transferring assets at less than market value

•1000 local authority asset transfers to communities underway now

•Town halls, markets and community centres have been saved or put to new uses

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Case Study

Hebden Bridge

- 2003/4 Calderdale Council sold the adult education centre's building at short notice.

- The community had no time to prepare a business plan or raise funds.

- Building was sold and lost to the community and fell into disuse.

- As a result, the Council changed their asset disposal policy and inspired people to form the Hebden Bridge Community Association.

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Case Study

Hebden Bridge Town Hall

- One of first communities to take control of its Town Hall
- Strong community led campaign
- LA transferred building on 125 yr lease

- The underused and poorly maintained building is becoming a community hub
- Uses vary from LA meetings to the light opera society's rehearsals
- £3.7m extension and refurbishment planned

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Community right to buy – policy aims

A more radical approach

- A new community right providing:
  - Initiative
  - Opportunity
  - Time

- Level playing field - Communities will be able to bid on a equal basis to private investors

- Could include public or privately owned assets

- Support and advice will be available

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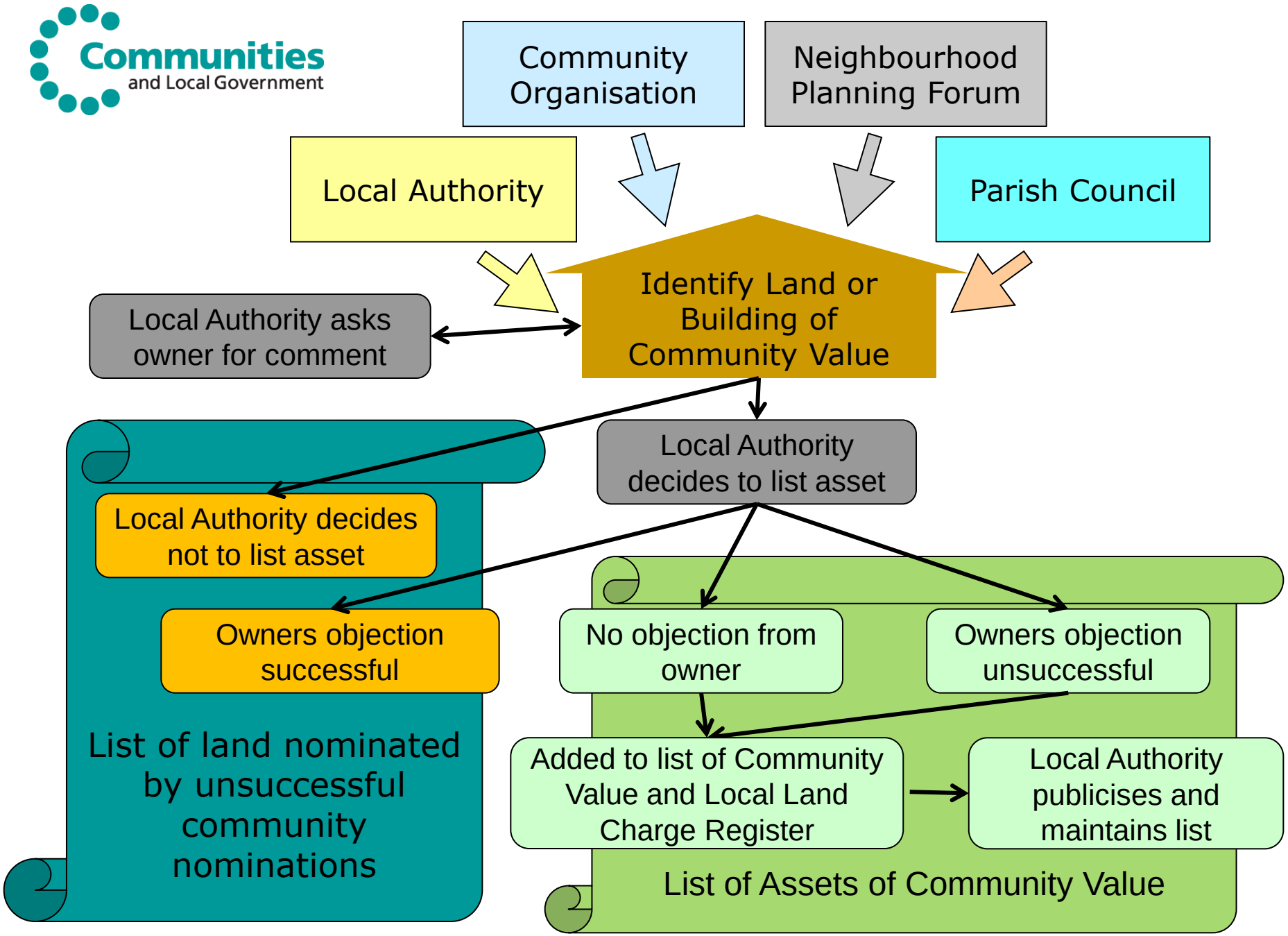
In practice - overview

Communities identify assets of community value

Local authorities hold and control a list of assets of community value

Communities get time and support to bid for assets

More communities take control of local assets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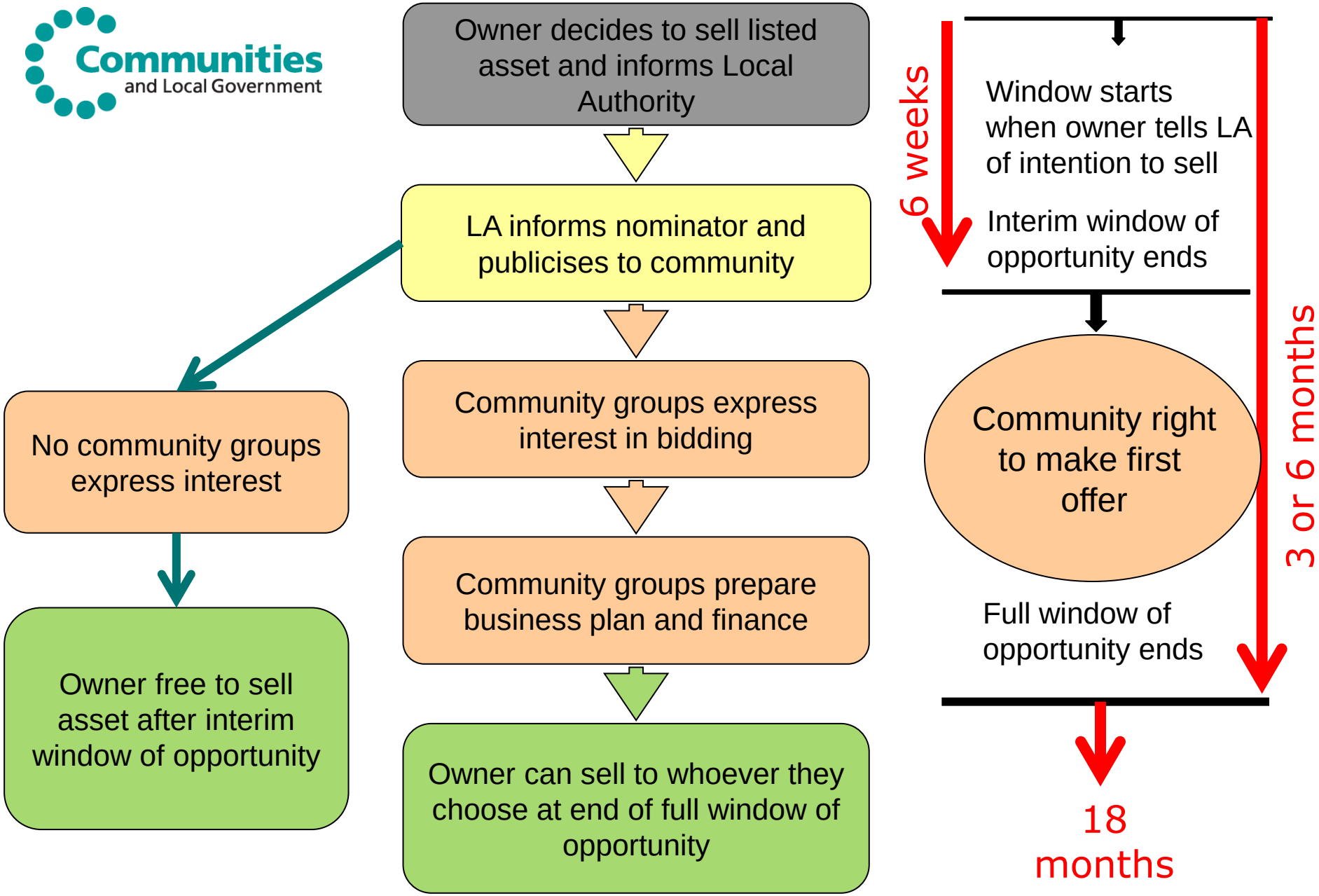
Community Organisation
Neighbourhood Planning Forum
Local Authority
Parish Council
Identify Land or Building of Community Value
Local Authority asks owner for comment
Local Authority decides to list asset
Local Authority decides not to list asset
Owners objection successful
List of land nominated by unsuccessful community nominations
No objection from owner
Owners objection unsuccessful
Added to list of Community Value and Local Land Charge Register
Local Authority publicises and maintains list
List of Assets of Community Value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Owner decides to sell listed asset and informs Local Authority
LA informs nominator and publicises to community
No community groups express interest
Owner free to sell asset after interim window of opportunity
Community groups express interest in bidding
Community groups prepare business plan and finance
Owner can sell to whoever they choose at end of full window of opportunity
6 weeks
Window starts when owner tells LA of intention to sell
Interim window of opportunity ends
Community right to make first offer
Full window of opportunity ends
3 or 6 months
18 months

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Consultation Questions

Department of Communities and Local Government

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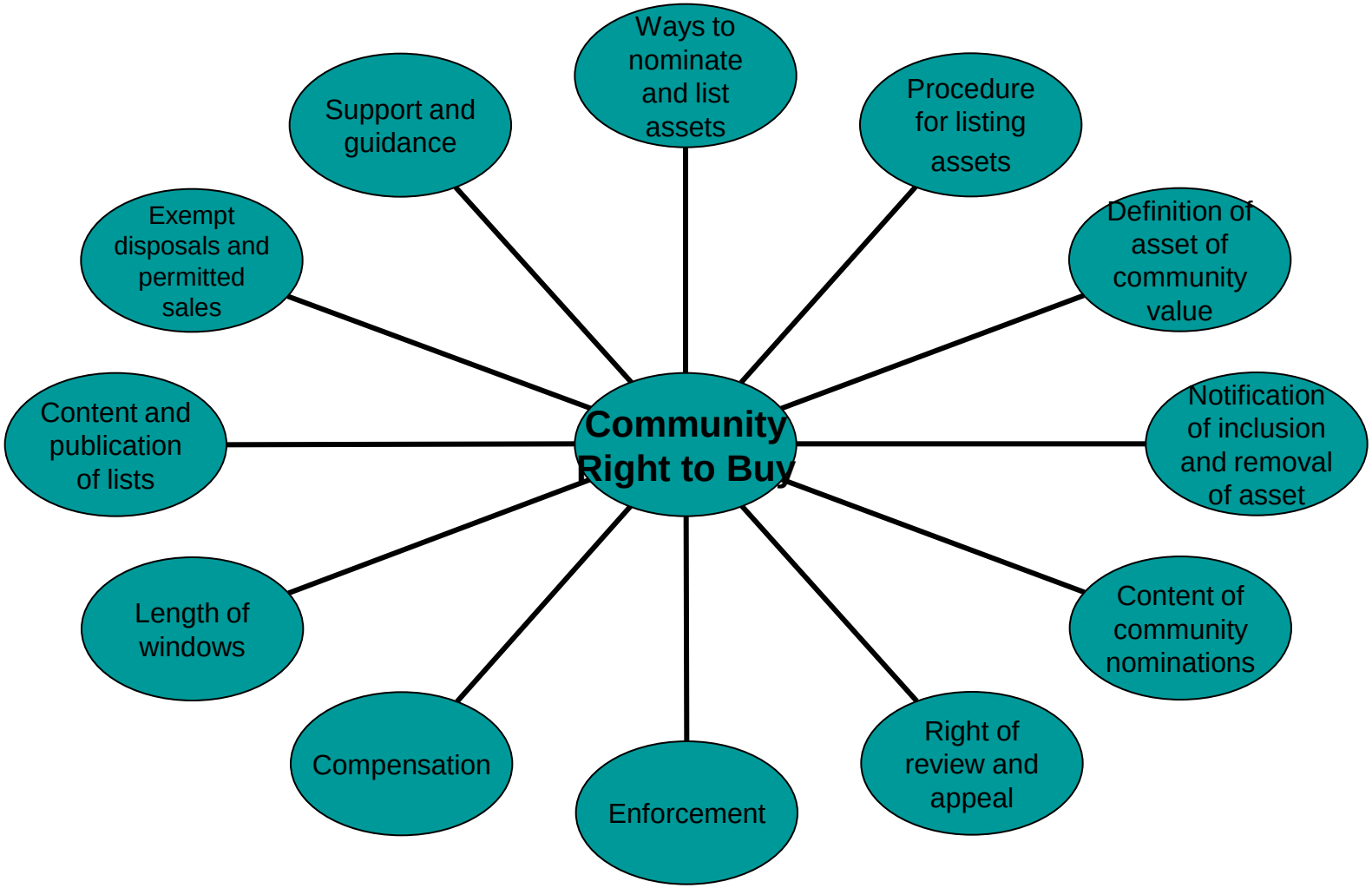
Areas for consultation



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Definition of Asset of Community Value

- Talking about ‘land and buildings’, not services.

- Local authority could consider whether nominated land or building *‘furthers the social, economic, or environmental wellbeing or interests of the local community’.*

- Proposed that definition of asset of community value based on former or current use, as opposed to potential use.

- Would include privately owned as well as publicly owned assets.

- Proposed that all residential property is excluded, except where it is tied to or integral to the working of an asset of community value.

- Community Right to Buy will work alongside existing statutory provisions that govern the disposal of certain types of land.

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Ways in which assets may be nominated and listed

• In addition to Parish Councils, we propose that the nomination process may be open to any groups of individuals that have a ‘local connection’.

Suggested definitions of ‘local connection’:

• whether the local authority is explicitly included in the organisation’s purposes or area of benefit

• whether the group or individual is based within the local authority area or within a specified proximity of the nominated asset, or in the case of a group, has a local branch based in the local authority area

• whether the organisation has a certain number of members who live in the local authority area or within a specified proximity of the nominated asset.

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Length of 'Window of Opportunity' and Protected Periods

• Proposed that the 'interim window of opportunity' should be 6 weeks.

• During this period interested groups may submit a written expression of interest , which would trigger the 'full window of opportunity'. Proposed that this is restricted to Parish Councils and 'community interest groups' that meet certain requirements.

• Proposed that the 'full window of opportunity' is either 3 months or 6 months.

• Proposed that the 'protected period' is 18 months. Only one window of opportunity may take place within the protected period.

• All 3 periods start on the same date (i.e. the date the owner notifies the local authority of their intention to sell).

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Definition of ‘community interest group’

- Proposed that only the following ‘community interest groups’ may trigger the ‘full window of opportunity’ and purchase a listed asset within that period:

a) The local Parish council

a) A group with a local connection which meets two or more of the following requirements:

    - That they are incorporated
    - That they have charitable status
    - That they have an asset lock in another legal form
    - That they include in their constitution that they are non-profit distributing

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Support and Guidance

What support is needed for communities, local authorities, other public bodies and private businesses to help them understand and use the Community Right to Buy?

Eg: First port of call – source of information and advice across all community rights

Eg: Tailored support for community right to buy – specialist help including feasibility studies, business plan development, professional expertise, leverage for investment capital

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What's next

Q & A on technical queries

Workshops – 1 hr 25 mins

- Definition of assets of community value
- How communities nominate, trigger the full window and make an offer
- Length of the windows and protected period