



# Assets of Community Value - Nomination Form

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## Background – The Localism Act 2011 and the Community Right to Bid

The Localism Act 2011 has created the Assets of Community Value provision that gives eligible organisations (including Town and Parish Councils and certain community groups) the opportunity to nominate buildings or land to be listed as assets of community value.

The listing of assets of community value is intended to give communities a greater chance to take control of buildings and land important to them. The Community Right to Bid for assets of community value does this through regulating that when a listed asset comes up for sale there is a delay in the sale process. This delay has been introduced to improve the chance for the local community to prepare and buy the asset when it comes onto the market.

The Council's website includes guidance on the Community Right to Bid at: <http://www.westoxon.gov.uk/residents/communities/community-rights/> These guidance notes and the guidance in the nomination form are intended to explain the Community Right to Bid and assist you in writing an asset of community value nomination.

This form is designed to provide the Council with the information required to assess an asset of community value nomination. The form seeks information on:

- The details about your organisation
- The asset being nominated
- Evidence as to why the asset furthers the social wellbeing of your community.

## Section 1 – Instructions for completing the form

Please print and complete the form and return it with any supporting evidence to the address given at the end. Alternatively, if you would prefer, a Word version of this form can be completed and submitted by email. Please contact [legal.services@publicagroup.uk](mailto:legal.services@publicagroup.uk) or telephone 01993 861000 to obtain a copy of this version.

## Section 2 - About your community organisation

Organisation's Name and address
Name of organisation:
Address including postcode:
Contact Details
Name:
Position in organisation:
Address including postcode:
Daytime telephone number:
Email:

Organisation type (please tick which applies and include supporting evidence as appropriate)	
Parish/ Town Council	<input type="checkbox"/>
A Neighbourhood Forum	<input type="checkbox"/>
Unincorporated body (with a membership of at least 21 local people who are registered to vote locally; and it must not distribute any surplus it makes to its members.)*	<input type="checkbox"/>
Charity*	<input type="checkbox"/>
Company limited by guarantee* (Which does not distribute any surplus it makes to its members.)	<input type="checkbox"/>
Community Benefit Society (former Industrial and Provident society)* (Which does not distribute any surplus it makes to its members.)	<input type="checkbox"/>
Community interest company*	<input type="checkbox"/>
<p><b>Supporting evidence*</b></p> <p>Please provide a copy of the following as relevant to your organisation and tick documents provided:</p> <p>Registration number _____</p> <p>Memorandum of Association <input type="checkbox"/></p> <p>Articles of Association <input type="checkbox"/></p> <p>Companies House Return <input type="checkbox"/></p> <p>Trust Deed <input type="checkbox"/></p> <p>Constitution/ Terms of reference/ Standing Orders <input type="checkbox"/></p> <p>Interest Statement for Community Interest Company <input type="checkbox"/></p> <p>In the case of an unincorporated body, at least 21 of its members must be registered to vote locally. If relevant, please confirm the number of such members. If they are registered to vote in the area of a neighbouring local authority, rather than in West Oxfordshire District, please confirm which area that is.</p> <p>Number _____ List of names and home addresses attached <input type="checkbox"/> (use sheet at end of form)</p>	

### Local connection

Your organisation must have a local connection, which means that its activities are wholly or partly concerned with West Oxfordshire or a neighbouring local authority. In some cases the local connection will be obvious (as in the case of a Town or Parish Council). If your local connection is not obvious, please give an explanation.

### Distribution of surplus funds

For groups other than town and parish councils, please confirm and provide evidence that any surplus made by the group is wholly or partly applied for the benefit of the area covered by West Oxfordshire District Council or a neighbouring local authority area.

### Section 3 – Details of the community asset you are nominating

What is the asset? For example - shop, pub, community facility. Please provide details of the use of the asset over the past 5 years. Please state if any part of the asset is used as a residence.	
Address or location of the asset	
Where relevant, please describe the nominated land and its proposed boundaries. Give as much detail as possible and attach a sketch plan or map if this helps.	
Name of current occupant of the land or building (eg perhaps a licensee)	
Telephone:	Email:
Name and address of any party with a leasehold interest in the land or building	
Telephone:	Email:
Name and address of the owner of the freehold of the land or building	
Telephone:	Email:

## Section 4 – Supporting evidence for the nomination

**Please read these notes before answering the questions in this section.** These guidance notes and the introduction to each question are provided to help you complete your asset of community value nomination form.

The Council will only list a nominated asset if it satisfies the relevant test in the Localism Act 2011. This defines an asset of community value as being a building or other land in the authority's area where **in the opinion of the authority it satisfies either test 1 or 2 below:**

### **Test 1 – Used where the land and/ or building has current community value:**

- an actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests of the local community, and
- 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 wellbeing or social interests of the local community.

### **Test 2 – Used where the land and/ or building had community value in the recent past:**

- there was a time in the recent past when an actual use (not an ancillary use) of the building or other land furthered the social wellbeing or interests of the local community, and
- it is realistic to think that there is a time in the next five years when there could be non-ancillary use of the building or other land that would further (whether or not in the same way) the social wellbeing or social interests of the local community.

**In forming your nomination case, please consider which of the above tests is applicable to the land and/or building that you are nominating.**

The Localism Act defines social interests to include (in particular) – cultural interests; recreational interests; and sporting interests. Beyond that, there is no national guidance as to what the key terms in the definitions mean.

It is for the nominating organisation to argue why it considers the nominated land and/ or building is an asset of community value and satisfies the relevant test. The nomination form sets out further guidance on the types of points the District Council would wish to see considered. Please use the sections below to explain why you believe that the nominated asset should be listed as an asset of community value. Use the sections to explain how the asset furthers the social wellbeing or social interests (including cultural, recreational, sporting interests) of the local community.

It is important that you answer as fully as possible as the nomination may be challenged by the property owner. This may be through an initial response to a notification regarding the nomination or through a subsequent review request should the Council decide to add the asset to its List of Assets of Community Value.

Please note that the information may be sent to the property owner.

**Determining whether the use furthers social wellbeing or social interests**

Please answer **either 4.1 or 4.2** depending on which is relevant to your nomination.

**Answer 4.1** if the asset is now open/ accessible to the local community.

**Or**

**Answer 4.2** if the asset is currently closed/ not accessible to the local community, but there was a time in the recent past when it supported social wellbeing or social interests.

4.1 What is the current main (non-ancillary) use of the land and/ or building and how does this further the social wellbeing or social interests of the local community?

**Or:**

4.2 If the main use of the land and/ or building **does not currently** further the social wellbeing or social interests of the local community, please explain why not. When did the land and/ or building last further the social wellbeing or social interests of the local community?

Please give details of the history of use as far as you know it.

4.3 Please give as much information as possible about why the nominated land and/ or building is of community value. Continue on a separate sheet if necessary. The types of information listed below are examples and you should use the prompts to develop and support your nomination:

- What are your main reasons for the nomination?
- What services or social benefits has the facility made possible for the community?
- What groups use the facility currently or in the recent past?
- The level or scale of use of the facility – the numbers of users/members/customers.
- Details of actual use (include for example calendar/ session rotas for use by local groups).
- Testimonials from community activity supported.
- Involvement by the local community in running or managing the facility.
- The impact of its loss (or potential loss).



**Realism of future use**

Please answer either 4.4 or 4.5 depending on which is relevant to your nomination.

**Answer 4.4** if the asset is currently open/ accessible to the local community.

**Or**

**Answer 4.5** if the asset is currently closed/ not accessible to the local community, but where there was a time in the recent past when it supported social wellbeing or social interests.

4.4 Please indicate why you consider that the nominated land and/ or property will continue to further the social wellbeing or social interests of the local community in the future. Please provide any supporting information that is relevant. For example, have you:

- Discussed the nomination with the asset owner?
- Assessed the viability of the proposed use (through considering purchase and running costs)?
- Considered how purchase of the asset could be funded?
- Considered how the facility could be run for the benefit of the community?

**Or:**

4.5 Please demonstrate why it is realistic to think that there will be a time in the next five years when the main use of the nominated land/ and or property will further the social wellbeing or social interests of the local community. Please provide any information as to how the nominating organisation proposes to reinstate a use which supports the community. For example, have you:

- Discussed the nomination with the asset owner?
- Assessed the viability of the proposed use (through considering purchase and running costs)?
- Considered how purchase of the asset could be funded?
- Considered how the facility could be run for the benefit of the community?

## Section 5 – Submitting this nomination

Signature:	Date:
Name of person authorised to sign: (please print)	
Position in community organisation:	
Please send the completed form to:	
Legal Services, West Oxfordshire District Council, Woodgreen, WITNEY, Oxfordshire OX28 1NB	
Email: <a href="mailto:legal.services@publicagroup.uk">legal.services@publicagroup.uk</a>	

### Fair Processing Statement

We will process the information provided in accordance with the General Data Protection Regulation and the Data Protection Act 2018 for the purposes of administering the Community Right to Bid procedure established under the Localism Act 2011. Name and contact details provided will be shared with the owner of the asset in the event that the nominating organisation subsequently submits an intention to bid.

Any information provided to the Council may be subject to disclosure under the Freedom of Information Act 2000 and/or The Environmental Information Regulations 2004 unless an exemption applies as provided for in the legislation.

### West Oxfordshire District Council - office use only

Date received: \_\_\_\_\_

Date nomination accepted (validation complete): \_\_\_\_\_

Reference Number: \_\_\_\_\_

**Nominating as an unincorporated body**

If nominating as an unincorporated body with membership of at least 21 local people who appear on the electoral roll within the local authority, or a neighbouring local authority, who does not distribute any surplus to its members please complete the form below and ask each member to sign confirming the statement below.

“We confirm that we wish to nominate the building/ land specified as an asset of community value as set out in the Localism Act 2011 and that we appear on the electoral roll within the local authority, or a neighbouring local authority.”

Name of building/ land to be nominated

NAME (Please print)	ADDRESS (Please print)	SIGNATURE

**(continuation sheet – see overleaf)**

**Nominating as an unincorporated body (continuation sheet)**

If nominating as an unincorporated body with membership of at least 21 local people who appear on the electoral roll within the local authority, or a neighbouring local authority, who does not distribute any surplus to its members please complete the form below and ask each member to sign confirming the statement below.

“We confirm that we wish to nominate the building/ land specified as an asset of community value as set out in the Localism Act 2011 and that we appear on the electoral roll within the local authority, or a neighbouring local authority.”

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NAME (Please print)	ADDRESS (Please print)	SIGNATURE