

## **GUIDANCE NOTES FOR GROUPS INTERESTED IN NOMINATING ASSETS OF COMMUNITY VALUE**

This guidance notes are designed to help you to complete the Assets of Community Value nomination form.

### **PART A: ABOUT YOU AND YOUR ORGANISATION**

In this section you need to provide some basic details about yourself as the contact person representing your organisation. We will use this information to contact you directly if we have any questions about your nomination, and to send you the decision as to whether your nomination is accepted or rejected.

#### **Organisation Type**

Only certain organisations are eligible to nominate Assets of Community Value. You need to provide evidence of this in your application.

Groups who can nominate Assets of Community Value are as follows:

- 1) **Parish Councils**
- 2) **Neighbouring Parish Councils:** If a Parish Council borders an unparished area, then they may nominate an asset within that neighbouring area.
- 3) **'Unincorporate Groups'** Nominations can be accepted from any unincorporated group with a membership of at least 21 local people who appear on the electoral roll, within the local or neighbouring local authority. This will allow nominations by local groups formed to try and save an asset, but who have not reached the stage of attaining charitable or corporate status.
- 4) **Neighbourhood Forums:** Neighbourhood Forums must meet the requirements of section 61 F of the Town and Country Planning Act 1990 added by the Localism Act 2011. There can only be one neighbourhood forum in an area. Existing community groups can put themselves forward to be a neighbourhood forum, but must meet the conditions for designation set out in the legislation. The legislation can be downloaded from [www.legislation.gov.uk](http://www.legislation.gov.uk).
- 5) **Community Interest Groups with a Local Connection:** These must have one or more of the following structures:
  - i) A charity.
  - ii) A community Interest company.
  - iii) A company limited by guarantee that does not distribute its profits to members.
  - iv) Community benefit societies.

#### **Supporting Evidence**

In addition to your registered charity number or company number (where applicable), please attach other applicable evidence of your organisation's status such as Articles of Association and registration numbers. This may include a copy of the group constitution, or in the case of a neighbourhood forum, please provide evidence that

you meet the requirements of the relevant legislation governing the creation of such groups.

If you are an unincorporated group please state how many members your organisation has and attach a list of names and home addresses of 21 members registered to vote in the Crawley Borough or a neighbouring authority (Mid Sussex District Council, Horsham District Council and Reigate and Banstead Borough Council).

### **Local Connection**

Your organisation must have a local connection, which means that its activities are wholly or partly concerned with the administrative area of Crawley Borough or a neighbouring local authority. In many cases this may be obvious (e.g. a Parish Council, or an organisation whose activities are confined to Crawley Borough), but in other cases the connection may be less apparent, and you will need to explain what your organisations local connection is.

## **PART B: ABOUT THE ASSET**

### **Asset Details**

In this section, you need to provide us with as much information as you can about the asset that you wish to nominate. Without this information we may have to delay consideration of the nomination until we have received all the necessary facts.

The Council needs to know exactly where the asset is. If your nomination is successful it will be placed on the Local Land Charges register and a restriction entered at the Land Registry. Without accurate information, the Council will not be able to carry out this process.

Please provide the full address of the asset, including a postcode. We also require the name and a description of the assets, together with its location and boundaries.

Please provide the Council with a map clearly showing the location and boundaries of the asset using an Ordnance Survey or other scaled plan printed off with the appropriate red edging carefully drawn onto it.

Other documents or photographs may also be of assistance to us in identifying the asset and supporting your nomination.

### **Landowner Details**

Please also provide as much information as you can about the names and addresses of the owner of the site, together with any occupants. Crawley Borough Council is required to inform the owner of the land, any freeholders, leaseholders and the current occupants of the land about your nomination, including whether or not it is successful. If you hold any Land Registry details regarding your nomination, copies of this information would be of particular assistance to the Council in processing your nomination.

### **Reasons for your nomination**

For a nomination to be successful, it must meet certain legal criteria which are set out in more detail overleaf. Your application must set out why you consider that your proposal meets these criteria.

Examples of possible community assets may include village shops, pubs, community centres, children's centres, allotments and libraries.

### Definition of Community Assets

A building or other land in a local authority's area is land of community value if in the opinion of the authority –

- (a) 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;
- (b) 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.

(Section 88(1) Localism Act 2011)

Section 88(2) of the Act extends this definition to land which has furthered the social wellbeing or social interests of the local community in the recent past, and which it is realistic to consider will do so again during the next five years.

The definition of 'social interests' includes

- a) cultural interests.
- b) recreational interests.
- c) sporting interests.

There are some exceptions to the definition of community assets. These are primarily residential properties. This extends to gardens, outbuildings and other associated land. An asset which could otherwise be listed (e.g. a pub) which contains integral residential quarters can still be listed.

### **WHAT HAPPENS NEXT?**

After receiving your application we will make a decision as to whether your nomination can be listed as an Asset of Community Value within 8 weeks.

If we have any questions or queries about your nomination we may need to contact you in this period.

Once the Council has made a decision, we will write to you to let you know of our decision. The decision will be notified to the nominator and the land owner within seven days of the decision being taken.

The Council must publish both successful and unsuccessful nominations for free inspection. The list will be available on the Council's website.