



Assets of Community Value - Nomination

Frequently Asked Questions

1. Who can nominate an asset of community value?

Only certain groups are eligible to nominate an asset, these are:-

- 1 A Parish Council or
- 2 A voluntary or community body with a local connection

The voluntary or community body must have a local connection. The regulations conform a voluntary or community body means:

- (a) A designated neighbourhood forum
- (b) An unincorporated body with at least 21 individual local members which does not distribute any surplus to its members
- (c) A charity
- (d) A company limited by guarantee
- (e) A parish council but no other public or local authority
- (f) An industrial and provident society who meets conditions in section 1 of the 1965 Act and which does not distribute any surplus to its members

The Asset of Community Value (England) Regulations 2012 regulation 4 gives further information. Please note that if a nomination is made by an organisation that does not meet the required criteria then the nomination cannot proceed, there is no discretion available to the Council to waive these requirements.

2. Do I have to use the Councils nomination form?

No – but a nomination must be made in writing and should contain the information required by the Councils nomination form.

3. What supporting information should I include with my nomination form?

There is quite a lot of information required but the application form should guide you through each stage.

It is important to include details showing the nominator is qualified to make a community nomination. Include a proposed boundary plan of the property or land and information about current ownership, for instance is it leased out, are there any booking systems for hire.

The form will also ask for details that demonstrate that the nominated asset is or has in the recent past been used to further the social wellbeing or the social interests of the local community. This use must be the primary use of the asset.



Further details are required to demonstrate that it is realistic to think that such a use if current may continue, or if it was in the recent past, may occur at a time in the next five years.

4. What type of evidence should I submit to demonstrate a current main use or recent past main use?

Examples include:

- The type of activity and policies/approach of the organised activity.
- Number of people using the activity and proportion of local community making use of the property.
- Information on any community consultation in relation to the nomination
- Supporting evidence from any consultation including ward members, local stakeholders.
- Equalities impact, accessibility and inclusive information, how does the facility meet these needs
- Are any of the community services referred to in council policy such as the local plan, cultural and community policies, the local plan etc.
- What will the impact be on the local community if the asset closes?

5. What evidence should I submit to demonstrate that this use can continue?

- Tenancy information including leases and licences.
- Community organisations business plans that show the asset as being required as part of their business plan.
- Financial information showing the community use is viable and will continue to be viable with continued use of the asset.
- Future booking information.

6. Is the Council allowed to ask for further information if there is not enough evidence submitted?

Yes, the Council may ask for further information to be provided by the nominator, but it is not for the Council to gather supporting information directly.

7. Who will the Council notify following receipt of a qualifying nomination?

- a. The owner, leaseholder and or any other occupiers/interest in the property
- b. Local Ward Members
- c. Other users of the Property or Land, such as community groups that hire the property



d. Internal departments within the council.

8. Is the council allowed to engage with the nominator and the owner following a nomination being registered?

Yes, further information can be requested from both parties.

9. How does the council make the decision to list an asset?

The initial assessment will be made by a team of officers within the council, led by the Assistant Director of Assets and Environment. We have produced an evaluation guide which the panel will use to check each part of the nomination and a score is applied. A copy of the evaluation form can be found on the Councils web site.

10. If the nomination fails, can I renew the nomination?

Yes, provided there is additional information other than that already submitted to be considered. Repeated nominations where a listing has failed may be considered vexatious.

11. What does the Council do when a decision is reached?

We will notify the nominator, and the owner, and update the list published on the Councils web site.

We will also register a charge on the property with local land charges where the nomination is approved.

The owner will be provided with advice on the appeals process.

12. Can I appeal the decision?

The nominator has no right under the regulations to request a review or appeal of a refusal to list an asset.

The owner may challenge the decision to list an asset, there is a two-stage process, and is detailed on the council website.