

**ASSETS OF COMMUNITY VALUE  
PROCEDURE GUIDE**

### Key terms used in the procedure

<b>Term</b>	<b>Explanation</b>
the Act	means the Localism Act 2011.
the List	means the List of Assets of Community Value.
the Asset/an Asset	means the building or land being nominated for inclusion on the List.
the Council	means Runnymede Borough Council.
the Nominee	means party who submitted the nomination for inclusion on the List.
Community Interest Group	means groups that are eligible to prompt a Full Moratorium Period.
the Owner/an Owner	means the person or organisation that owns the Asset.
the Leaseholder	means the person or organisation with a lease of at least 25 years.
Community Asset Nomination Form	means the form used by organisations to submit their nomination. This form is available on the Council's website to download or to submit electronically.
LACV Appraisal Form	means the standard form used by the Council to record the outcome of an appraisal. The report is for internal use and records the decision to add or exclude the asset from The List.
Deliberation Period	means the eight week period between the notification that the Asset has been added to the list and the final date when the Owner can request an Internal Review
LACV Review Form	means the standard form for internal use only and is used by the Council to record the outcome of an Internal Review.
Internal Review	means a process undertaken by the Council if the Owner of the Asset is dissatisfied with the Council's decision to add the Asset to the List. The Internal Review is undertaken by the Chief Executive or Corporate Head of Finance and IT of the Council who was not connected to the original decision to add the Asset.
Reviewing Officer	means the title given to the Council officer nominated to undertake the Internal Review.
Appeal	means a right to appeal of the Owner if they are dissatisfied with the decision of the Reviewing Officer. The Owner appeals to the First-Tier Tribunal which is part of the Courts and Tribunals Service.
Compensation	The Owner is entitled to compensation for loss or expense that would not have occurred if the Asset had not been listed. A claim can be made for any period of delay in entering into a binding agreement and for reasonable expenses incurred with a successful appeal. A claim for compensation must be in writing to the Council before the end of 13 weeks after the loss or expense was incurred.
Notice of Disposal	means the Notice of Disposal and is the written notification given by the Owner that they intend to dispose of the Asset which is on The List.
Disposal	means the sale or the granting of a lease of at least 25 years duration.

Interim Moratorium	means the six weeks from the Notice of Disposal when Community Interest Groups have an opportunity to submit an Expression of Interest to the Council for them to consider by the Owner as potential bidders.
Full Moratorium Period	means the six month period from Notice of Disposal where the Owner cannot dispose of the Asset without conforming to the conditions of the Act. This period is used by Community Interest Groups to submit an offer to the Owner.
Protection Period	means an 18 month Protection Period from the date the Notice of Disposal was received by the Council. This means that no further delay will be experienced with the disposal once the Full Moratorium Period has expired.

## Assets of Community Value - Explanation of Terms

The Act states that an Asset is of community value if in the opinion of the Council:

- An actual current use of the Asset that is not ancillary furthers the social wellbeing or social interests of the local community;
- It is realistic to think that there can continue to be a principle use of the Asset which will further (whether or not in the same way) the social wellbeing or social interests of the local community;
- There was a time in the recent past when an actual use of the Asset (which was not an ancillary) 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 Asset that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.

The Act left a number of terms that require explanation.

### 1) Social Wellbeing

The Act defines that social interests include the following: cultural interests, recreational interests and sporting interests. If the use does not meet the social interest criteria then the Asset can only be listed if it meets the social wellbeing criteria. However, there is no set definition for social wellbeing, either in the Act or in general circulation. Whilst attempts to define social wellbeing exist they are ambiguous and gave little in the way of guidance. In the absence of a set definition the Council will use the following definition as a guide:

*“those aspects of life that society collectively agrees are important for a person’s happiness, quality of life and welfare”.*

(source – New Zealand Ministry of Social Development’s Social Report,

### 2) Realistic

During the passage of the Act and subsequent regulations through Parliament there was debate about the use of the word realistic and principle of the continued use of an Asset. The Councils approach will be:

- If the Asset has a current principle use that meets the criteria, it will be presumed that the same use can continue in the future; and
- If the Asset had a use in the recent past that meets the criteria, it will be presumed that the same use can continue, unless there have been events that would prevent such a use, such as dereliction or demolition.

### 3) Recent Past

The phrase recent past is also not defined in the Act. The Act does however define a time period for when the land could be brought back into community use as five years. Once listed, land remains on the list for five years. The reason for not defining recent past is to provide local authorities flexibility in cases, such as when land has been empty, derelict or disused for less than five years. The Council’s criteria for defining recent past will be five years. Exceptions may be considered by the Council in the following cases:

- If the land has been disused for more than five years and when it was last in use its principle use furthered the social wellbeing or social interests of the community;
- If the land has been in use, but has been used for a non-qualifying purpose, and the land was purchased as using a compulsory purchase order or other statutory power for use by the Council or other public sector body.

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## **ASSETS OF COMMUNITY VALUE**

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### **1.0 Introduction**

The Council has published this guide to provide a set of criteria by which all nominations of land for inclusion onto the Council's List of Assets of Community Value will be evaluated. The procedure will provide a fair, equitable and transparent process by which the Council will meet its statutory obligations under the Act.

### **2.0 Assets of Community Value**

#### **2.1 Provisions of the Act**

The community right to nominate provisions in the Act (titled Assets of Community Value) entitles community organisations to nominate public or private land of community value in their local area to be included by the Council in a List of Assets of Community Value to be maintained by them. The provisions also introduce an opportunity for community organisations to express an interest when an Asset comes up for sale. This allows such groups time to get together, raise funds and bid for The Asset. This places them in a position to compete with other purchasers.

#### **2.2 The responsibilities of the Council**

The Council is legally obliged to maintain a list of Assets of Community Value nominated by communities where an application to list an Asset has gone through the process described in The Act. If an owner wants to sell a listed Asset they must tell the Council who will then give notice to the community of the proposed sale. Eligible community interest groups will have an opportunity to submit an expression of interest to the Council. On receipt a six month Full Moratorium Period will apply that provides community interest groups with a chance to bid to purchase the listed Asset.

#### **2.3 Definition of an Asset of Community Value**

An Asset is deemed to have community value if:

- 1) The principle use of the Asset is currently (or in the recent past - last five years) furthering the social wellbeing or cultural, recreation or sporting needs of the local community.
- 2) This use is realistic, sustainable and furthers community interests, social wellbeing.
- 3) If the use is not current it is realistic to think that it could be used for such a purpose in the next five years.

#### **2.4 Organisations that are entitled to submit nomination**

- A local parish council (there are none in the Council's area)
- Neighbourhood forums that are designated to take forward neighbourhood planning.
- An unincorporated body that includes at least 21 members who are registered to vote locally.
- A voluntary or community body with local connections.
- A charity with a local connection.
- A company limited by guarantee or non-profit Industrial Provident Society.
- A community interest company.

#### **2.5 Organisations entitled to seek a Full Moratorium Period**

Only a community interest group can seek a Full Moratorium Period unlike a community

nomination which can be made by a wider range of community groups. This means a parish council in whose area the listed Asset lies or any incorporated community group which meets the following criteria.

- 1) It has a local connection and its activities partly or wholly occur in the Council's area
- 2) It is a charity, a company limited by guarantee, a Company Interest Company, an Industrial and Provident Society or a Community Benefit Society.

### 3.0 Summary of the procedure

a) The Council will accept all written nominations in both electronic or hard copy formats. The Council would recommend that nominations are made using the Council's **Community Asset Nomination Form** which is available to download or submit on line using the Council's website. The form is shown on page nine and details the information which is required by the Council.

b) The Council will consider nominations where the main purpose of the asset is:

- Public Services Assets:- Children centres, schools, nurseries, health centres, doctors surgeries, hospitals, day care centres and residential care homes.
- Sport, Recreation & Culture Assets:- Theatres, libraries, cinemas, swimming pools, sports centres, parks, village halls, ornamental gardens, open spaces, museums or play areas.
- Community Services Assets: - Community centres, youth centres or public toilets.
- Local Democracy Assets: - Town, civic or guild halls.
- Economic Assets: - Village shops, the local pub, markets, the post office or the local bank.

This is not a complete list. The Council will consider each nomination based on its merits.

c) The Council will exclude land that is:

- Outside the Council's area;
- Residential properties and associated land (such as gardens);
- Sites covered by Part 1 of the Caravans Sites and Control of Development Act 1960;
- Operational land such as roads and rail networks;
- Used by public utilities as defined in section 263 of the Town and Country Planning Act 1990;
- Assets not recently used and that are not currently in use for a primary social purpose;  
and
- Assets that have been empty or derelict for many years and remain so at the present time.

d) The Council will manage the format and any modifications to the List. If the Council considers that land provides value then it will add that land to the List of Assets of Community Value for a period of five years. If the nomination is unsuccessful the Council will add the land to the List of Unsuccessful Community Nominations. Both will be published on the Council's website under Assets of Community Value. The format of the list is shown below.

Asset Details			Appraisal		Listing Review		Disposal of Asset			Status	Land Registry
Asset Ref (unique ref)	Asset Name	Address	Date asset Listed	Expiry of Listing	Internal review	Appeal	Interim Moratorium Date	Full Moratorium Date	Protection Period Expiry	Current Position	Registration of Restriction against Title
LACV1	The Asset	Value Street	12/10/2012	12/10/2017	Yes - Expired					Internal Review to completed by 01/12/12	04/05/2016

Each asset is given a unique reference number on the receipt of the written nomination

The asset remains on the list for five years from the date added

The owner has a right to request a review and if still dissatisfied a right to appeal

When the owner notifies the Council of an intention to dispose of an asset, the Council will implement a moratorium to give eligible community group an opportunity to express an interest in the asset

This will include the status, key dates, intention of disposal and the group prompting a Full Moratorium

Date restriction registered at Land Registry

- e) The Council will notify the Owner, the occupier, and the Nominee, as required by the procedure, of any inclusion, removal, change or intended sale of Assets. The Council, will, where necessary, publish such changes on The Councils website using the List of Assets of Community Value. A list and copies of the standard letters/forms that will be used to implement this procedure are shown on pages 13 – 31.
- f) The Council will review its decision to add an Asset to the list if requested in writing by the Owner no later than eight weeks from the notification that the Asset has been added. If still dissatisfied the Act provides the Owner with the right to appeal.
- g) The Act allows Owners, who believe that they have incurred losses as a result of these procedures, to apply for compensation from the Council. A claim for compensation must be made in writing to the Council and received no later than 13 weeks after the loss or expense was incurred. It should state the amount of compensation sought for each part of the claim and be accompanied by supporting evidence.
- h) The Council will give written notification of its decision and the reasons for such decisions in respect of a claim for compensation. An Owner can ask the Council to review a claim for compensation if rejected or the value to be paid is less than the original amount claimed. The Owner must request a review within a period of eight weeks beginning on the date of the Council's decision. The Council will undertake a review within eight weeks of the receipt of the request and provide its decision in writing to the Owner. If the Owner is not satisfied with the review they may appeal to the First Tier Tribunal. Claims for compensation will be considered for the following:
- 1) Arising from the period of delay in entering into a binding agreement to dispose of an Asset.
  - 2) A claim for reasonable legal expenses incurred in a successful appeal to the First-Tier Tribunal against the Council's decision to list an Asset.
  - 3) A claim for reasonable legal expenses incurred in a successful appeal to the First-Tier Tribunal if the Council refuse to pay compensation or the full amount being claimed.
- i) The Council will be accountable for enforcing the Act and to minimise non-compliance and proper use of the moratorium process a Local Land Charge will be placed on the Local Land Charges Register for any listed Asset. The Council will also apply for the listing to be recorded on the Land Registry as a restriction. A non-compliant disposal of a listed Asset will be void and not recognised in law. For clarification the following disposals are exempt from the moratorium process.
- 1) Disposal through the gift of an Asset.
  - 2) Disposal of an Asset containing a business which uses the Asset and which is a growing concern.
  - 3) Disposal within a family or partnership, between trustees of a trust or companies in a group.
  - 4) Disposal in the execution of a will, Compulsory Purchase Order or legal proceedings such as a result of a court order.
  - 5) Disposal of an Asset that is part of a larger estate, part of which is listed, but where the whole estate is owned by the same person and is a single lot of land.

- 6) Disposal from one National Health Service body to another.
- 7) Disposal of closed Church of England churches (Part 6 Mission and Pastoral Measure 2011).
- 8) Disposals for ongoing educational provision.
- 9) Disposals as a result of power of sale, bankruptcy or insolvency.

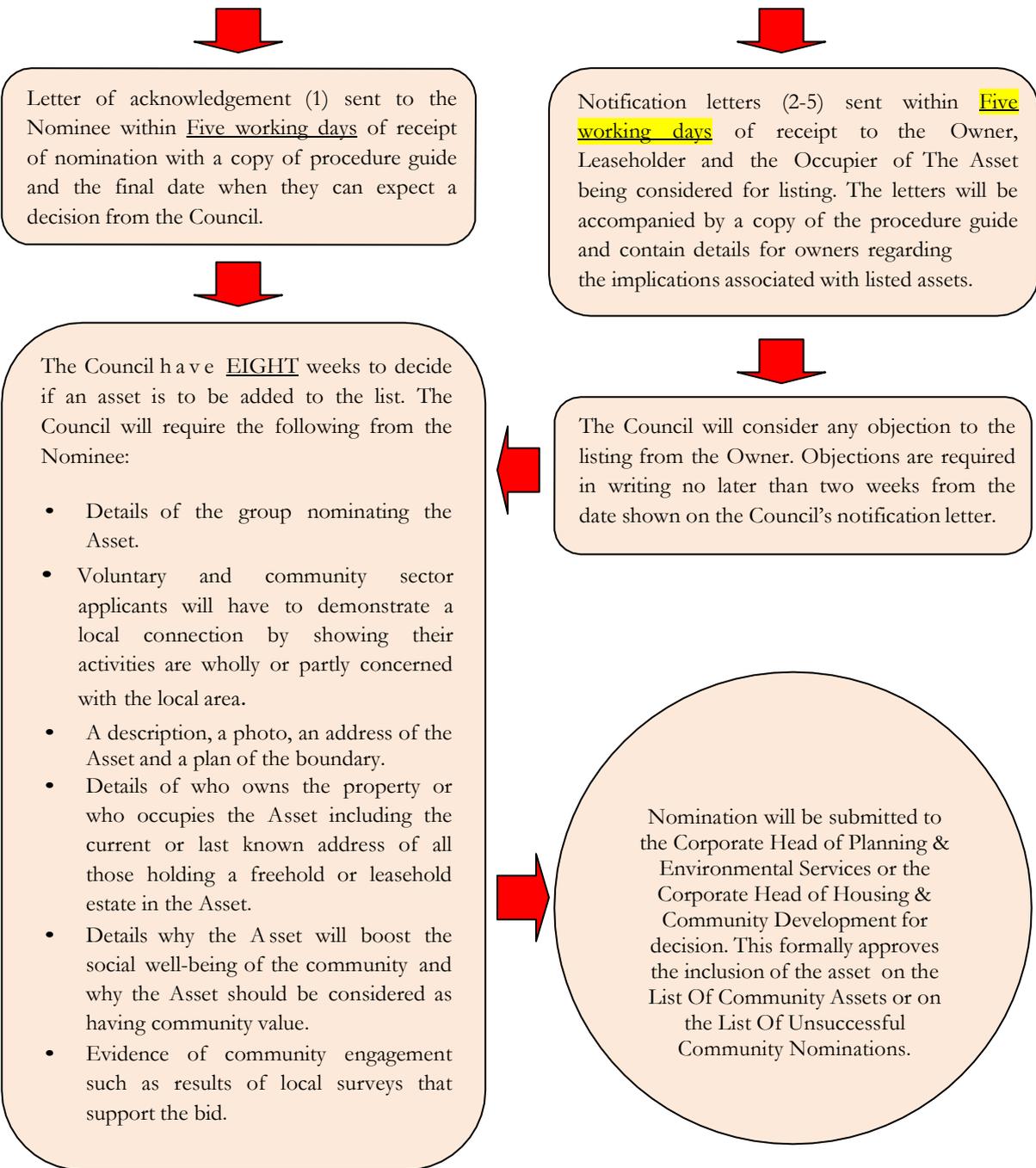
4.0 The procedure

# LIST OF ASSETS OF COMMUNITY VALUE

## STAGE ONE

The Council's webpage provides a formal COMMUNITY ASSET NOMINATION FORM but nominations will be accepted in any written form, online, by email or by letter.

### NOMINATION RECEIVED BY THE COUNCIL



## LIST OF ASSETS OF COMMUNITY VALUE STAGE TWO

### DECISION MADE

Yes: Add the Asset to the List.

Confirmation Letter will be sent on or before the expiry of the eight weeks appraisal period notifying the Nominee and the Owner that the bid was successful. The letter will detail:

- The intention of the Council to include the Asset on the List of Assets of Community Value.
- That the Asset will remain on the list for a period of five years.
- That the Owner has a right to request an Internal Review of the Council's decision to list an Asset. This must be given in writing before the end of the eight week Deliberation Period starting from the date shown on the letter.

The Owner can request an Internal Review of the Council's decision to add the Asset to the List of Assets of Community Value

The Owner has a right to appeal to the First Tier Tribunal if they are dissatisfied with the outcome of the Internal Review.

No: Do not add the Asset.

A letter will be sent on or before the expiry of the eight weeks appraisal period notifying the Nominee that the bid was unsuccessful.

A letter will be sent to all parties no later than twelve weeks from the date of nomination and the bid is placed on the List Of Unsuccessful Community Nominations for a period of five years.

In addition, the Council will include details of the listing on the Local Land Charges Register and apply to the Registrar for the listing to be recorded on the Land Registry as a restriction

# LIST OF ASSETS OF COMMUNITY VALUE

## STAGE THREE

The Owner has a right to request an Internal Review of the Councils decision to add an asset to the List of Assets Of Community Value. The request must be sent in writing by the Owner within eight weeks of the notification to add the asset to the List.

### REQUEST FOR INTERNAL REVIEW

Letter of acknowledgement sent to Owner within five days of request for Internal Review. The letter will include:

- Contact details of the Reviewing Officer.
- The date when the review will be completed.
- Their right to Appeal if dissatisfied and to reasonable compensation if their Appeal is successful

Reviewing Officer will be either CEO or Corporate Head of Resources. This officer will be responsible for the Review and for making a final decision on the Asset's inclusion on the List.

An Internal Review must be undertaken by an officer of the Council of who did not take part in making the decision to include the Asset on the List.

The Owner may appoint a representative to act on his or her behalf. The Reviewing Officer must provide the representative with any documentation which is required to be sent to the Owner.

An oral hearing must be held at the Owners written request.

Where no request is made in writing the Reviewing Officer can decide if they require an oral hearing.

Both the Owner and representative may make representations to the Reviewing Officer both orally or in writing.

The Reviewing Officer must complete the Review by the end of eight weeks from the date when the written request was received from the Owner.

On completion the Reviewing Officer will complete the LACV Review Form and the Council will provide a written response to the Owner. The letter will state:

- They have been successful and the Asset will be removed from the List.
- They were unsuccessful and the Asset will remain on the List.

The Owner is dissatisfied with the outcome and informs the Council of their intention to Appeal to the First Tier Tribunal.

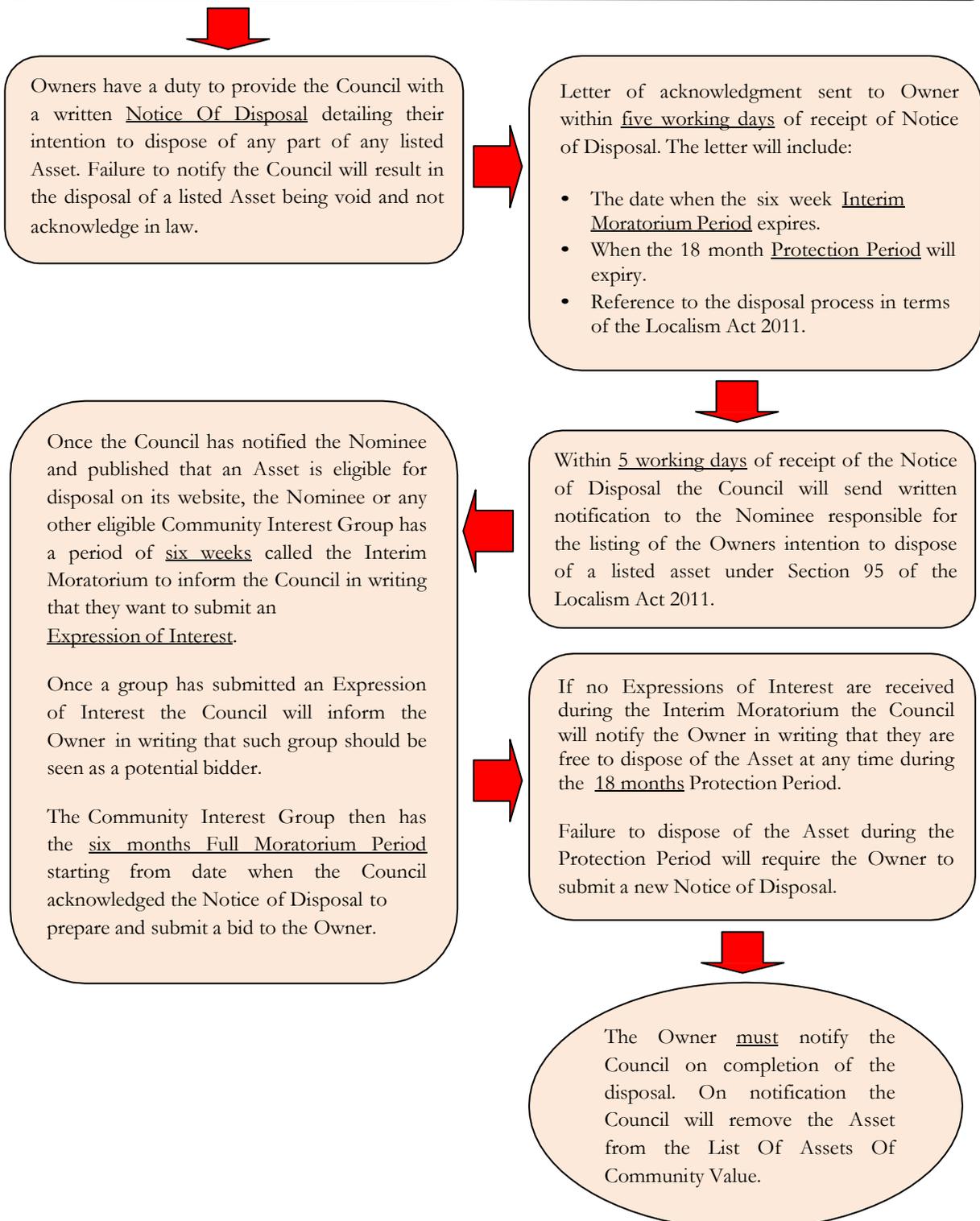
At this stage the Council will take legal advice and refer the matter to its solicitors

# LIST OF ASSETS OF COMMUNITY VALUE

## STAGE FOUR

When the Council add an asset to the list the properties inclusion will require the Owner to notify the Council in writing when intending to sell such listed assets.

### NOTIFICATION OF DISPOSAL OF LISTED ASSET



## 5.0 Templates to be used with this procedure

### **Standard Forms**

Page 14	Community Asset Nomination Form
Page 16	LACV Appraisal Form (internal use only)

### **Stage 1**

Page 17	Letter 1 – Acknowledgment of Nomination
Page 18	Letter 2 – Notification to all interested parties

### **Stage 2**

Page 19	Letter 3 – Notification to Nominee of unsuccessful nomination
Page 20	Letter 4 – Notification to other interested parties of unsuccessful nomination
Page 21	Letter 5 – Notification to Nominee of successful nomination
Page 22	Letter 6 – Notification to other interested parties of successful nomination

### **Stage 3**

Page 23	Letter 7 – Acknowledgment of request for internal review
Page 24	Letter 8 – Notification of outcome of internal review

### **Stage 4**

Page 25	Letter 9 – Acknowledgment of notice of disposal by owner
Page 26	Letter 10 – Notice of disposal to all interested parties
Page 27	Letter 11 – Notice to owner of expression of interest received
Page 28	Letter 12 – Notice to owner of lack of expressions of interest
Page 29	Letter 13 – Notice to interested parties that the Asset has been removed from the List
Page 30	Letter 14 – Notice to Nominee that Asset removed from the List after expiry of 5 year period.

**Community Asset Nomination Form.**



**COMMUNITY ASSET NOMINATION FORM**

If you need assistance completing this form please refer to the Procedure Guide which can be downloaded from the Council's website.

<b>Section 1 About your community organisation</b>			
<b>Name of Organisation:</b>	_____		
<b>Address of Organisation:</b>	_____		
<b>Postcode:</b>	_____		
<b>Your details:</b>			
<b>Title</b>	: _____ <b>First</b>		
<b>Name: Surname</b>	:		
<b>Position in organisation</b>	:		
<b>Email address</b>	:		
<b>Address</b>	:		
<b>Postcode</b>	: _____ <b>Tel:</b> _____ <b>Mobile:</b> _____		
<b>Organisation type</b>	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Parish Council  <input type="checkbox"/> Group Neighbourhood Forum  <input type="checkbox"/> Industrial and Provident Society  <input type="checkbox"/> Charity                 </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Unincorporated Community  <input type="checkbox"/> Community Interest Company  <input type="checkbox"/> Company Limited by Guarantee  <input type="checkbox"/> Other: Please State                 </td> </tr> </table>	<input type="checkbox"/> Parish Council <input type="checkbox"/> Group Neighbourhood Forum <input type="checkbox"/> Industrial and Provident Society <input type="checkbox"/> Charity	<input type="checkbox"/> Unincorporated Community <input type="checkbox"/> Community Interest Company <input type="checkbox"/> Company Limited by Guarantee <input type="checkbox"/> Other: Please State
<input type="checkbox"/> Parish Council <input type="checkbox"/> Group Neighbourhood Forum <input type="checkbox"/> Industrial and Provident Society <input type="checkbox"/> Charity	<input type="checkbox"/> Unincorporated Community <input type="checkbox"/> Community Interest Company <input type="checkbox"/> Company Limited by Guarantee <input type="checkbox"/> Other: Please State		
<b>How many members do you have? This is particularly important for unincorporated community groups. ____ members.</b>			
<b>Section 2 About the asset to be nominated</b>			
<b>Name of asset</b>	_____		
<b>Address of asset</b>	_____		
<b>Postcode</b>	_____		
<b>Owner's name</b>	_____		
<b>Address</b>	_____		
<b>Postcode</b>	_____		
<b>Tel No.</b>	_____		
<b>Current occupier's name</b>	_____		

<b>Boundary of asset</b>
What do you consider to be the boundary of the land? Please give as much detail/be descriptive as possible (if possible, please include a photograph, a plan or map identifying the asset's location).
<b>Is the asset (please tick one)</b>  <input type="checkbox"/> In use at the present time. <input type="checkbox"/> Empty or derelict.
<b>If in use, what is the main use of the asset?</b>
<b>If not in use, when was the asset last in use and what was its main purpose?</b>
<b>Section 3     Supporting information for nomination</b>
Why do you feel the property is an asset of community value? Please give as much information as possible, including any details of local community support such as local surveys etc.
<b>Section 4     Attachment checklist</b>
<input type="checkbox"/> Copy of group constitution (if you are a constituted group). <input type="checkbox"/> Name and home address of 21 members registered to vote in nomination area (if group is not constituted). <input type="checkbox"/> Site boundary plan or map (if possible).
<b>Section 5     Declaration</b>
I confirm that to the best of my knowledge the information contained in this nomination form is complete and accurate.   Signed: _____ Dated: _____

# LACV APPRAISAL FORM

Asset Ref Number		Assessed By		Date Received		Appraisal Deadline		
Asset Name and Address								
Name and Address of Organisation								
The reason for Nomination								
<b>Definition of the Act</b>								
Asset Use				Distant Past	Recent Past	Present	Future	Add to List
The main use of the asset furthers the social wellbeing of the local community at the present time and it is realistic to assume that this can continue for the next five years.								
The main use of the asset furthered the wellbeing of the local community in the last five years and it is realistic to assume that this can in the next five years.								
The main use of the asset furthered the social wellbeing of the local community in the distant past but is not currently in use for a social purpose.								
The asset has been empty or derelict for many years and remains so at the time of the assessment.								
<b>Section One: Eligibility</b>								
						<b>Yes</b>	<b>No</b>	
Is the asset in the Runnymede						<input type="checkbox"/>	<input type="checkbox"/>	
Is the asset eligible.						<input type="checkbox"/>	<input type="checkbox"/>	
Is the asset in use (not empty or derelict)						<input type="checkbox"/>	<input type="checkbox"/>	
Is the asset's current use primarily being used to further wellbeing or social interests						<input type="checkbox"/>	<input type="checkbox"/>	
Has the asset been used to further wellbeing or social interests in the last five years						<input type="checkbox"/>	<input type="checkbox"/>	
It is realistic that the asset could further wellbeing in the next five years						<input type="checkbox"/>	<input type="checkbox"/>	
Is the nominee eligible to nominate the asset						<input type="checkbox"/>	<input type="checkbox"/>	
If you answered <b>NO</b> to any of the above please go to Section three.								
<b>Section Two: Social Wellbeing</b>								
If listed would the asset offer any of the following. As a guide the asset must provide and be able to demonstrate substantial and sustainable benefits in the next five years.								
						<b>Yes</b>	<b>No</b>	
Health benefits						<input type="checkbox"/>	<input type="checkbox"/>	
Educational benefits						<input type="checkbox"/>	<input type="checkbox"/>	
Employment benefits						<input type="checkbox"/>	<input type="checkbox"/>	
Training benefits – leading to employment or more active lifestyles						<input type="checkbox"/>	<input type="checkbox"/>	
Recreation benefits						<input type="checkbox"/>	<input type="checkbox"/>	
Sporting benefits						<input type="checkbox"/>	<input type="checkbox"/>	
Cultural value						<input type="checkbox"/>	<input type="checkbox"/>	
Is it essential to the local community – i.e. the last stop in town						<input type="checkbox"/>	<input type="checkbox"/>	
Is there community support for the application – local surveys etc						<input type="checkbox"/>	<input type="checkbox"/>	

**Section Two: Representations of the Owner**

Provide a summary of grounds put forward by the owner opposing the nomination

**Section Three: Assessment**

Is the asset eligible for inclusion on the List of Assets of Community Value. **Yes**   **No**  
  

Provide reasons and details supporting decision:

Please provide the following where practicable: Location plan, photographs and relevant supporting documentation such as summaries of any local support initiatives such as public opinion surveys etc.

**Section Four: Record of Decision**

Signature

Date:

Corporate Head of Planning & Environmental Services or  
Corporate Head of Housing & Community Development

*Letter 1: acknowledgment of nomination*

My Ref:  
Your Ref:

Date

Dear Sir/Madam

## **ASSETS OF COMMUNITY VALUE – ACKNOWLEDGMENT LETTER**

The community right to nominate provisions in the Localism Act 2011 entitles community organisations to nominate public or private land of community value to be included by the Council on a List of Assets of Community Value.

Please accept this letter as written acknowledgment that the Council has received your nomination for the following asset to be included on its List of Assets of Community Value.

Asset Name:

Address:

Postcode:

This nominated asset has been given the following reference number LACV                      which will be used in all communications relating to this asset.

The Council having received your nomination will:

- Notify the owners and all other relevant parties (as determined by the Council) of your nomination of this asset.
- Undertake an appraisal of your nomination using the process as laid down in its List of Assets of Community Value Procedure Guide. A copy has been enclosed with this letter.
- Provide its written decision in respect of your nomination no later than

The Council may contact you during the appraisal period if further information is required. If you need any clarification of the procedure or additional information please contact the Council using the details shown above.

Yours faithfully

*Letter 2: Notification of nomination to Freeholder/Leaseholder/Occupiers*

My Ref:  
Your Ref:

Date:

Dear Sir/Madam

**ASSETS OF COMMUNITY VALUE – NOMINATION OF ASSET**

The community right to nominate provisions in the Localism Act 2011 entitle community groups to nominate public or private land of community value to be included by the Council on a List of Assets of Community Value maintained by it. The Council has a duty to bring all nominations to the attention of the owner of the nominated land.

This is written notification to you as the owner/leaseholder/interested party that the Council has received a nomination from \_\_\_\_\_ to list the following land:

<b>ASSET NAME</b>	
<b>ADDRESS (including postcode)</b>	

This asset has been given the following reference number LACV \_\_\_\_\_ which will be used in all written or verbal communications. The Council having received the nomination will:

- Acknowledge receipt of the nomination.
- Notify all other parties (as determined by the Council) of this nomination.
- Undertake an appraisal of your nomination using the process as laid down in its List of Assets of Community Value Procedure Guide. A copy has been enclosed with this letter.
- Will make its decision on this nomination within eight weeks and provide you with its written verdict no later than twelve weeks from the date of this letter.

The Council recommends that you as owner fully understand the implications associated with an asset that is included on the List of Assets of Community Value. Therefore, the Council suggests that you consider the content of the Localism Act 2011, Part five, Chapter three with particular attention given to Section 95 and the restrictions relating to the disposal of listed assets.

If you have any objections to the nomination please provide the Council with written details no later than two weeks from the date shown on this letter.

If you require any clarification on the procedure or Localism Act 2011, please refer to the Council's Procedure Guide or contact the Council using the details shown above.

Yours faithfully

*Letter 3: Unsuccessful nomination - Nominee*

My Ref:  
Your Ref:

Date:

Dear Sir/Madam

**ASSETS OF COMMUNITY VALUE – UNSUCCESSFUL LACV APPRAISAL**

With reference to the Council’s letter dated \_\_\_\_\_ regarding your nomination of the following asset for inclusion onto the List of Assets of Community Value.

<b>ASSET NAME</b>	
<b>ADDRESS (including postcode)</b>	
<b>ASSET REFERENCE</b>	<b>LACV</b>

Having considered the information supplied by your organisation and all additional written contributions from all interested parties the Council has categorised this nomination as unsuccessful. The reason for this decision is:

--

If you have any questions regarding this letter please contact the Council using the details shown above or refer to the Council’s Procedure Guide.

Yours faithfully

Letter 4: Unsuccessful nomination - Generic

My Ref:  
Your Ref:

Date:

Dear Sir/Madam

**ASSETS OF COMMUNITY VALUE – UNSUCCESSFUL LACV APPRAISAL**

I refer to the Council's letter dated \_\_\_\_\_ regarding the nomination of the following asset for inclusion on the List of Assets of Community Value.

<b>ASSET NAME</b>	
<b>ADDRESS (including postcode)</b>	
<b>ASSET REFERENCE</b>	<b>LACV</b>

Having considered the nomination submitted by \_\_\_\_\_ as nominee and all additional written contributions from all interested parties the Council has categorised this nomination as **UNSUCCESSFUL**. The reasons for the Council's decision were:

The Council will now add this nomination to the List of Unsuccessful Community Nominations for a period of five years. This list is available to view on the Council's website by searching under Assets of Community Value.

If you have any questions regarding this letter please contact the Council using the details shown above or refer to the Council's Procedure Guide.

Yours faithfully

*Letter 5: Successful LACV appraisal - Nominee*

My Ref:  
Your Ref:

Date:

Dear Sir/Madam

**ASSETS OF COMMUNITY VALUE – SUCCESSFUL LACV APPRAISAL**

With reference to the Council's letter dated \_\_\_\_\_ regarding your nomination of the following asset for inclusion onto the List of Assets of Community Value.

<b>ASSET NAME</b>	
<b>ADDRESS (including postcode)</b>	
<b>ASSET REFERENCE</b>	<b>LACV</b>

Having considered the information supplied by your organisation and all additional written contributions from all interested parties the Council has categorised this nomination as **SUCCESSFUL**.

The Council will now add this nomination to the List of Assets of Community Value for a period of five years. This list is available to view on the Council's website by searching under Assets of Community Value.

Please note that the owner will have a right to request an Internal Review and if still dissatisfied to appeal to First Tier Tribunal on this listing.

If you have any questions regarding this letter please refer to the Council's Procedure Guide or contact the Council using the details shown above.

Yours faithfully

Letter 6: Successful LACV appraisal – Owner/Generic

My Ref:  
Your Ref:

Date:

Dear Sir/Madam

**ASSETS OF COMMUNITY VALUE – SUCCESSFUL LACV APPRAISAL**

With reference to the Council’s letter dated \_\_\_\_\_ regarding your nomination of the following asset for inclusion onto the List of Assets of Community Value.

<b>ASSET NAME</b>	
<b>ADDRESS (including postcode)</b>	
<b>ASSET REFERENCE</b>	<b>LACV</b>

Having considered the nomination submitted by \_\_\_\_\_ as nominee and all additional written contributions from all interested parties the Council has categorised this nomination as **SUCCESSFUL**. The reasons for the Council’s decision are:

The Council will now add this nomination to the List of Assets of Community Value for a period of five years. This list is available to view on the Council’s website by searching under Assets of Community Value.

Please note that the owner will have a right to request an Internal Review no later than eight weeks from the date shown on this letter if dissatisfied with this decision. For more details please refer to stage three of the Procedure Guide shown on the reverse of this letter.

If you have any questions regarding this letter please refer to the Council’s Procedure Guide or contact the Council using the details shown above.

Yours faithfully

*Letter 7: Internal Review acknowledgment - Owner*

My Ref:  
Your Ref:

Date:

Dear Sir/Madam

**ASSETS OF COMMUNITY VALUE – REQUEST FOR INTERNAL REVIEW**

With reference to the Council's letter dated \_\_\_\_\_ regarding its decision to add the following asset to the List of Assets of Community Value.

<b>ASSET NAME</b>	
<b>ADDRESS (including postcode)</b>	
<b>ASSET REFERENCE</b>	<b>LACV</b>

Please take this as written acknowledgment of your request for an Internal Review of the Council's decision to categorise this nomination as successful. The Council has appointed the following Reviewing Officer to undertake this exercise.

<b>NAME :</b>	
<b>DESIGNATION :</b>	
<b>ADDRESS :</b>	
<b>TELEPHONE :</b>	
<b>E-MAIL</b>	

The Reviewing Officer will be responsible for co-ordinating all matters relating to this review and for making the final decision no later than \_\_\_\_\_.

At this time the Council requires:

- The name and address of any representative appointed to act on your behalf.
- A written request from you if you require an oral hearing.

Please note that you as the owner have a further right to appeal to First Tier Tribunal if still dissatisfied. For more details please refer to stage three of the Procedure Guide previously supplied or available to download/view on the Council's website.

If you have any questions please contact the Reviewing Officer using the details shown above.

Yours faithfully

*Letter 8: Internal Review Decision – Owner*

My Ref:  
Your Ref:

Date:

Dear Sir/Madam

**ASSETS OF COMMUNITY VALUE – INTERNAL REVIEW DECISION**

With reference to the Council's letter dated \_\_\_\_\_ regarding its decision to add the following asset to the List of Assets of Community Value.

<b>ASSET NAME</b>	
<b>ADDRESS (including postcode)</b>	
<b>ASSET REFERENCE</b>	<b>LACV</b>

Following your request the Council has undertaken an Internal Review of this listing and its decision to add this asset to the list. The outcome of this review is:

Please note that you as the owner have a further right to appeal to First Tier Tribunal if still dissatisfied with the outcome of this review.

If you have any questions regarding this letter or you intend to make an appeal please contact the Council using the details shown above.

Yours faithfully

*Letter 9: Notice of disposal acknowledgment Owner*

My Ref:  
Your Ref:

Date:

Dear Sir/Madam

**ASSETS OF COMMUNITY VALUE – NOTICE OF DISPOSAL**

With reference to the following asset listed on the Council's List of Assets of Community Value.

<b>ASSET NAME</b>	
<b>ADDRESS (including postcode)</b>	
<b>ASSET REFERENCE</b>	<b>LACV</b>

Please take this as written acknowledgment that the Council has received your written notification of your intention to dispose of this asset. The Council will:

- Notify the nominee of your intention to dispose of this listed asset.
- Publish a disposal listing on the Council's website.
- Implement a six week Interim Moratorium Period from the date of this letter.
- Implement an 18 month Protection Period from the date of this letter. Expiry date:
- Notify you as owner of any expression of interest from any eligible community interest group during the Interim Moratorium Period. On notification a Full Moratorium Period of six months from the date of this letter will be imposed.
- Notify you in writing at the end of the Interim Moratorium Period if no expressions of interest are received.

The Localism Act 2011 Part five, Chapter three, Section 95 explains the restrictions on disposal and the obligations of the owner in terms of disposal of a listed asset. Please note that a non-compliant disposal of a listed asset will be void and not recognised in law. The Council recommends that owners familiarise themselves with the Act and stage four of the Council's Procedure Guide provided earlier or available to download/view from the Council's website.

If you have any questions regarding this letter please refer to the Council's Procedure Guide or contact the Council using the details shown above.

Yours faithfully

*Letter 10: Notice of disposal – Generic*

My Ref:  
Your Ref:

Date:

Dear Sir/Madam

**ASSETS OF COMMUNITY VALUE – NOTIFICATION OF DISPOSAL**

<b>ASSET NAME</b>	
<b>ADDRESS (including postcode)</b>	
<b>ASSET REFERENCE</b>	<b>LACV</b>

Please take this as written notification that the owner as per their obligation under the Localism Act 2011, Part five, Chapter three, section 95 has notified the Council of their intention to dispose of this asset.

Your organisation, if eligible, or any other Community Interest Group has a period of six weeks called the Interim Moratorium from the date shown on this letter to inform the Council in writing that they want to submit an Expression of Interest to bid for this asset. Once a group has submitted an Expression of Interest the Council will inform the owner in writing that such group should be seen as a potential bidder. The Community Interest Group then has the six months Full Moratorium Period starting from the date when the Council acknowledged the owners Notice of Disposal to prepare and submit a bid to the owner.

If no Expressions of Interest are received during the Interim Moratorium the Council will notify the owner that they are free to dispose of the asset at any time during the 18 months Protection Period.

If you have any questions regarding this letter please refer to the Council's Procedure Guide or contact the Council using the details shown above.

Yours faithfully

*Letter 11: Expression of interest received - Owner*

My Ref:  
Your Ref:  
  
Date:

Dear Sir/Madam

**ASSETS OF COMMUNITY VALUE – EXPRESSION OF INTEREST**

With reference to the Council’s letter dated \_\_\_\_\_ and your notification to dispose of the following asset listed on the Council’s List of Assets of Community Value.

<b>ASSET NAME</b>	
<b>ADDRESS (including postcode)</b>	
<b>ASSET REFERENCE</b>	<b>LACV</b>

Please take this as written notification that the Council has received an expression of interest from:

<b>NAME</b>	
<b>ADDRESS</b>	

This means that you as owner may not dispose of the listed asset for six months from the date when the Council acknowledged your Notice of Disposal. This is known as the Full Moratorium Period which expires on xxxxxx

Although community interest groups should be seen as potential bidders they are not obliged to prepare or submit a bid to you. Likewise you as owner of the asset are not obliged to accept a bid from such groups.

As referred to in the Council’s previous letter, the Localism Act 2011 Part five, Chapter three, Section 95 explains the restrictions on disposal and the obligations of the owner in terms of disposal of a listed asset. Please note that a non-complaint disposal of a listed asset will be void and not recognised in law.

If you have any questions regarding this letter please refer to the Procedure Guide or contact the Council using the details shown above.

Yours faithfully

Letter 12: No Expression of interest – Owner

My Ref:  
Your Ref:

Date:

Dear Sir/Madam

**ASSETS OF COMMUNITY VALUE – EXPRESSION OF INTEREST**

With reference to the Council's letter dated \_\_\_\_\_ and the following asset listed on the Council's List of Assets of Community Value.

<b>ASSET NAME</b>	
<b>ADDRESS (including postcode)</b>	
<b>ASSET REFERENCE</b>	<b>LACV</b>

Please take this as written confirmation that no Expression of Interests have been received and you are free to dispose of the asset without further delay during the remainder of the Protection Period which expires on xxxxxxxx

Please note the following:

- If you fail to enter a binding agreement or to dispose of the listed asset before the expiry of the Protection Period you as owner have an obligation to submit a new Notice of Disposal for this listed asset.
- On disposal of the listed asset you are required to inform the Council of the date of disposal and the name of the owners.

As referred to in the Council's previous letter, the Localism Act 2011 Part five, Chapter three, Section 95 explains the restrictions on disposal and the obligations of the owner in terms of disposal of a listed asset. Please note that a non-complaint disposal of a listed asset will be void and not recognised in law.

If you have any questions regarding this letter please refer to the Procedure Guide or contact the Council using the details shown above.

Yours faithfully

*Letter of 13 : Asset removed from list - Generic*

My Ref:  
Your Ref:  
  
Date:

Dear Sir/Madam

**ASSETS OF COMMUNITY VALUE – REMOVAL OF LISTED ASSET**

The community right to nominate provisions in the Localism Act 2011 entitles community organisations to nominate public or private assets of community value to be included by the Council on a List of Assets of Community Value. The following asset was added to the list on xxxxxxxxxx

<b>ASSET NAME</b>	
<b>ADDRESS (including postcode)</b>	
<b>ASSET REFERENCE</b>	<b>LACV</b>

Please take this as written notice that the Council has removed this asset from the List of Assets of Community Value for the following reason:

Unless otherwise stated this asset will be added to the List of Unsuccessful Community Nominations for the remainder of the five years listing period. This period ends on xxxxxxxxx

If you have any questions regarding this letter please contact the Council using the details shown above.

Yours faithfully

*Letter 14: Asset removed end of five year listing - Nominee*

My Ref:  
Your Ref:

Date:

Dear Sir/Madam

**ASSETS OF COMMUNITY VALUE – EXPIRY OF FIVE YEAR LISTING PERIOD**

The community right to nominate provisions in the Localism Act 2011 entitles community organisations to nominate public or private assets of the community value to be included by the Council on a List of Assets of Community Value. The following asset was added to the list on xxxxxxx

<b>ASSET NAME</b>	
<b>ADDRESS (including postcode)</b>	
<b>ASSET REFERENCE</b>	<b>LACV</b>

Please take this as written notice that the Council will remove this asset from the List of Assets of Community Value on xxxxxxxx at the end of the five years listing period.

Your group as the original nominee can submit a new nomination to have this asset relisted. Details on how this can be done can be found on the Council's website by searching under Assets of Community Value.

If you have any questions regarding this letter please contact the Council using the details shown above.

Yours faithfully