

**HIGH PEAK BOROUGH COUNCIL**

**Individual Executive Decision**

**22 September 2023**

<b>TITLE:</b>	<b>Community Right to Bid – Nomination of a Community Asset (Glenbrook Activity Centre, Hope Rd, Bamford, Hope Valley S33 0AL)</b>
<b>EXECUTIVE COUNCILLOR:</b>	<b>Councillor A McKeown (Leader)</b>
<b>CONTACT OFFICER:</b>	<b>David Smith, Head of Communities, Culture and Climate Change</b>
<b>WARDS INVOLVED:</b>	<b>HOPE VALLEY</b>

**Appendices Attached:**

**Appendix 1 - Assets of Community Value Assessment Form**

**Appendix 2 –Location Plan**

1. **Reason for the Report:** The Borough Council has received a nomination for the Glenbrook Activity Centre, Hope Road, Bamford, S33 0AL to be registered as an asset of community value and in accordance with the Council's policy must decide whether to approve or refuse the nomination.
2. **Recommendation**
  - 2.1 That the nomination for the listing of the Glenbrook Activity Centre, Hope Road, Bamford, S33 0AL be approved for the reasons as set out in the report.
3. **Executive Summary**
  - 3.1 A nomination has been made by Friends of Glenbrook under the Localism Act 2011 (provisions relating to the community right to bid) for the Glenbrook Activity Centre on Hope Road to be listed by the Council as an asset of community value.

3.2 Officers, following the Council's policy, have assessed the application using the agreed criteria (as attached at Appendix 1).

#### 4. **How this report links to Corporate Priorities**

4.1 The community rights measures in the Localism Act 2011 have the potential to support the delivery of the Council's corporate aims and priorities.

#### 5. **Options and Analysis**

5.1 That the nomination is approved (recommended).

5.2 That the nomination is not approved (not recommended).

#### 6. **Implications**

6.1 Community Safety - (Crime and Disorder Act 1998)

No implications.

6.2 Workforce

No implications.

6.3 Equality and Diversity/Equality Impact Assessment

No implications.

6.4 Financial Considerations

No implications.

6.5 Legal

The Council is required under the Localism Act 2011 to consider nominations from eligible organisations to register land/property as an asset of community value. The Council has a Community Right to Bid Policy (approved in June 2018) which sets out the process the Council will follow.

6.6 Sustainability

No implications.

6.7 Internal and External Consultation

Ward Councillors have been informed about the nomination and

are supportive of the nomination.

The Parish Council has been informed about the nomination and has no objections or further comments

## 6.8 Risk Assessment

Owners of properties listed by the Council can appeal against the decision of the Council to list their property as an asset of community value and, if successful, recover their costs.

## 7. **Background**

7.1 The Community Right to Bid provides a mechanism for parish councils and voluntary bodies to request that buildings and/or land in their community is registered with the Council as an 'Asset of Community Value'. The owner of any land and buildings registered with the Council is then required to inform the Council of their intention to dispose of these assets. Should eligible organisations express an interest in acquiring the land or buildings a moratorium on the sale is triggered during which time community groups or parish councils can seek to raise funds to make a bid to purchase the asset. Once listed, land remains on the register of assets of community value for 5 years from the date of entry unless it is appropriately disposed of.

7.2 The moratorium operates to prevent certain proposed disposals of land being made until specified conditions are met.

- *Notification.* The owner must firstly notify the local authority that it wishes to enter into a relevant disposal.
- *Interim moratorium period.* The community interest group then has six weeks to notify the local authority that it wishes to be treated as a potential bidder. If no such request is made, then the owner can proceed with disposal of the land and no further moratorium period will apply for a protected period lasting 18 months.
- *Full moratorium period.* If the community interest group requests to be treated as a potential bidder within 6 weeks, then the moratorium on disposal runs for 6 months. As before, no further moratorium period will apply for a protected period lasting 18 months.

7.3 The right does not restrict in any way decisions by the owner of a listed asset about whom they can sell their property to, or at what price, and they do not confer on parish councils or voluntary bodies a right to buy. It is important to recognise that:

- The right granted on registration is NOT a right to buy. It does not create a right of first refusal or any preferential pricing or a right to buy of any kind.

- The price for land remains its open market value even if a moratorium is triggered.
- The owner may continue to market the property and negotiate potential sales during the moratorium period.
- The prohibition during the moratorium period is only on entering into a binding contract to dispose of the land (unless the disposal is to a community interest group)
- Registration does not compel the owner to enter into any negotiations with a community interest group or to engage with them in any other way.
- At the end of the moratorium period, the owner can sell to anyone it chooses at whatever price it is able to obtain.

7.4 In 2015 the Government provided additional protection for property registered as an Asset of Community Value by removing permitted development rights such that planning permission is required if an owner wishes to demolish or change the use of a registered property.

## **8 The Application**

8.1 The Council received a nomination on 14 July 2023 from Friends of Glenbrook requesting that the Glenbrook Activity Centre, Hope Road, Bamford should be listed as an Asset of Community Value under the community right to bid measure of the Localism Act 2011 (Part 5 Chapter 3: Assets of Community Value).

8.2 The land is identified on the attached map (Appendix 2). At the time of nomination the asset continues to be used.

8.3 Officers have assessed the nomination (Appendix 1) and confirmed that:

1. The Friends of Glenbrook group is eligible to make the nomination.
2. The land and buildings are not exempt from listing.
3. The building has been used in the recent past by the local community to further the social well-being and social interests of the local community (as defined by the Localism Act 2011) and this use is not ancillary.
4. The application suggests that the Friends of Glenbrook Group would incorporate to a CIC or CIO (if appropriate) and would look to continue to provide outdoor education and community use on a 'not-for-profit' basis as well as enabling the continued use by the very close 'local community' as well as the 'wider local community'

8.4 Accordingly, the Council's officers have assessed that the criteria for listing have been met and recommend that the nomination for listing as an Asset of Community Value be approved.

8.5 This assessment is based on the following:

- a. The Glenbrook Centre has continued to be used up to maximum capacity on the majority of weekends (13/17) between March and July 2023 and have accrued forward bookings of the centre for the next 12mths. The house and facilities are used by Girlguiding members, wider local

community which use it for school residentials, Duke of Edinburgh Award expeditions and other outdoor activities.

- b. The Friends of Glenbrook suggest that they are in a position to modify their current terms of governance and would incorporate as a CIC or CIO to allow them to purchase the building/land. that has the interest, capacity and capability, financial and professional, to purchase and/or manage the facility should it become available for purchase.

Neil Rodgers  
**Executive Director (Place)**

**Web Links and  
Background Papers**  
None

**Location**

**Contact details**