

Fact Sheet 21– Community Right to Bid

The Community Right to Bid actions the Government’s commitment for local communities to take over assets (including land and buildings) that are important to their neighbourhoods, and to “give new powers to help communities save local facilities and services threatened with closure”.

The Right will give local communities a fairer chance to identify assets that are of importance to them and provide more time for them to develop a bid and raise the necessary capital.

The Right is one of three new rights within the Localism Act 2011, with the other two being Community Right to Challenge and Community Right to Build.

Assets of Community Value

The Government recognises that local communities can transform land and buildings into sustainable community assets delivering long term social, economic and environmental benefits. This may include assets such as community centres, libraries, parks or facilities for children, and privately owned facilities such as pubs and shops that are vital to particular communities or neighbourhoods.

The Right requires local authorities to maintain a list of private and public land and buildings in its area that are of community value. This will be known as 'list of assets of community value' and will be made available for inspection. The local authority may only include an asset on the list following a response to a community nomination or where permitted by regulations made by the appropriate authority. Once included within the list, an asset will remain on the list for five years.

Community Nominations

The community nomination must come from a local voluntary or community group, a parish council or a community council. If a local authority receives a community nomination it must consider the nomination and accept it if the asset nominated is in

the authority’s area, and is of community value. If the authority accepts the nomination then it must include the asset in the authority’s ‘list of assets of community value’. If the nomination is unsuccessful then the authority does not have to accept the nomination and the asset will be placed on a ‘list of land nominated by unsuccessful community nominations’ and will be made available for inspection.

Inclusion or Removal

A local authority must give written notice of the inclusion or removal of an asset from the list including to the owner of the asset, the occupier of the asset if not the owner, the person/ group who made the community nomination, and any person specified in regulations made by the appropriate authority.

Any notice must draw particular attention to the consequences for the asset and its owner of the asset’s inclusion in the list as well as their right to ask for a review.

Expression of Interest

Nominees will have six weeks to lodge an expression of interest when an owner wants to sell a listed asset (interim moratorium period). This can include either the freehold or leasehold over 25 years. If an expression of interest is received a window of opportunity of six months will come into effect to give the nominee additional time to develop a bid and raise the necessary capital to buy the asset (full moratorium period).

This will put the nominee in a better position to bid to buy the asset when it comes on the open market at the end of the window of opportunity. The owner is free to sell to whomever they wish at the price they wish at end of the window.

For further details about how Pulse Regeneration can help, please contact us.

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