

Assets of community value - Nomination form

Part A: ABOUT YOU – NOMINATOR

Name of Nominee	Kingswood Parish Council
Address correspondence to be sent to:	New Rose Cottage, Chapel Lane, Hillesley Gloucestershire GL12 7RQ
Telephone number	01453 844659
E-mail address	clerk@kingswoodparishcouncil.gov.uk
Your role/relationship to the organisation	Clerk to Kingswood Parish Council

Part B: ABOUT YOUR ORGANISATION

Organisation name	Kingswood Parish Council	
Organisation address	New Rose Cottage, Chapel Lane, Hillesley Gloucestershire GL12 7RQ	
Organisation type	If not a registered charity, please attach evidence of your organisation's status such as Articles of Association.	Please tick
A parish council		<input checked="" type="checkbox"/>
An unincorporated body		<input type="checkbox"/>
(1) Whose members include at least 21 members who appear on the electoral roll in Stroud or neighbouring district. (You must provide a list of names and evidence they are on the Electoral Role) and		<input type="checkbox"/>
(2) does not distribute any surplus it makes to its members (please include Articles of Association)		<input type="checkbox"/>
A charity (include Charity registration number below)		<input type="checkbox"/>
A company limited by guarantee that is non-profit distributing. (include Company registration number below)		<input type="checkbox"/>
Community Interest Company		<input type="checkbox"/>
Industrial and Provident Society that is non profit distributing		<input type="checkbox"/>
Charity/Company number		

Part C: ABOUT THE ASSET

Name of asset (building or land)	The Dinneywicks Inn
Address or location of the asset	The Chipping, Kingswood Gloucestershire, GL12 8RT
Description of the asset and its boundaries	Public house and gardens

Provide an Ordnance Survey plan with the site outlined in RED

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Reasons for nomination

Please tick

Building or other land whose main use furthers the social wellbeing or social interests of the local community

Or has recently done so

And it is realistic to think it can do so in the future

Please provide reason for ticking the box(es) above and your detailed reasons why the authority should conclude this is land of community value.

Please also provide a simple business plan which shows that the asset if registered would be liable for at least 5 years.

The Dinneywicks Inn is located in the heart of the village and is a focal point for the community. Kingswood is a rural parish with very little public transport provision. This means that the pub is valued life line for those members of the community who cannot drive and cannot get to the local town or villages to socialise. the closure of the pub could result in increased isolation for some more vulnerable members of the community.

The pub has been used by the community as follows:

- As a place to meet and drink.
- As a place to meet friends.
- As a place to eat.
- As a place to play darts and boules.
- For Quiz nights.
- For charity fundraising.
- Parties for Christmas and new year.
- As a place for village organisations to hold celebrations.
- As a place where information can be distributed.
- For organisations to hold informal meetings.
- Post Cricket and Football socialising.

Also used regularly by walkers who have strayed from the Cotswold Way and the 18 miles of footpath within the parish

What area of social interests does the Asset further?

Please Tick

Cultural

Recreational

Sporting

Other (please state)

Social cohesion

Give reasons why you believe the main use of the asset furthers, or has recently furthered, the

The Dinneywicks Inn is a public venue and enables people to meet to socialise. All of the

social wellbeing or interests ticked above.	events listed above help to further community spirit and social well-being by bringing people together. It provides a valued meeting place for those who cannot get to other facilities in neighbouring town and villages.
Current owner's (or last-known) and contact details	Wadworth & Co, Northgate Brewery, Devises, Wiltshire, SN10 1JW
Current occupiers/ leaseholders name and contact details	None

NOTES

Please submit your completed form by email to planning@stroud.gov.uk or by post to Head of Planning, Stroud District Council, Ebley Mill, Ebley Wharf, Stroud GL5 4UB

Please note that **all details on this form will be made public** via the register and council website. Only the email address and telephone number will be withheld. Once on the register, the information cannot be redacted. All correspondence will be through the Nominator

You cannot register residential property, land licensed for use as a caravan site or operational land of statutory undertakers, for example highways or verges.

You are asked to attach photos, maps, plans and other documents to help identify the asset and to support your nomination.

Simple Business Plan

Part 5 Chapter 3 of the Localism Act Section 88(2)(b) requires that a nomination must show that:-

“it is realistic to think that there is a time in the next five years when there could be non-ancillary use of the building or other land that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.”

In order for the Council to assess the viability of a nomination, the nominee should provide a simple business plan which

- Values the asset, in its current use and/or that which could be achieved through permitted development rights or extant planning permissions, where appropriate, or if already on the market, the asking price.
- Identifies forms of funding which would be available (bank loans, peer-to-peer loans, fund raising, grants etc...)
- Identifies procurement and set-up costs together with revenue costs for at least 5 years.
- Estimate income or revenue streams which will support the asset.
- A management structure of the organisation that would care for the asset.

- Timetable for implementation once acquired.

Please note that the business plan will be available to view on the Council website so do not identify personal benefactors by name. If the business plan fails to reassure the Council of the ability of the nominee or other community group to successfully bid or maintain the asset, the nomination will most likely be declined.

Timescales

Once a nomination is made, the local authority has up to eight weeks to decide whether or not to list the asset.

The local authority must give notice that it intends to list an asset to:

- The owner.
- The occupier, (if the occupier is not also the owner).
- The Parish Council
- The nominating body.

If a nomination is not approved, the local authority will write to the nominator and give the reasons why. There is no right of appeal for the nominator if the local authority declines to list, but they may amend their application and try again.

There is also an eight week period during which the owner can request a review of the local authority's decision. The review must be carried out within eight weeks of the asset being listed and if the decision is still to list the asset, the owner has a right of appeal to the courts (first-tier tribunal).

If listed, the asset will remain on the list for a maximum of five years, at which point it can be re-nominated and possibly re-listed, subject to local interest and continued compliance with the definition of an asset of community value.

What Happens Next

Once a community asset has been successfully nominated as an asset of community value, the next stage of the Right to Bid process is triggered when and if the owner wishes to dispose of the freehold, or leasehold of at least 25 years.

The owner who wants to sell an asset of community value which appears on the local authority's list must notify the local authority of their intention to do so. The land is registered as a Local Land Charge. Community interest groups will then have six weeks to lodge a non-binding expression of interest, in which case a window of opportunity of six months, will come into effect to delay the sale.

The full moratorium period exists to afford community interest groups sufficient time to prepare and raise money to bid for the property, potentially in competition with other interested parties.

Unlike the wider range of bodies that can nominate an asset for listing, any bid for the asset in the initial six week moratorium period can only be submitted by a non-profit distributing community interest group – i.e. a legally constituted organisation such as a charity, a company limited by guarantee, an Industrial and Provident Society, a Community Interest Company (CIC) or a Parish Council. Other than a parish council, all the other bodies take time to be constituted and become effective. It is therefore advantageous for them to be set up prior to the moratorium, rather than wait for the sale to be announced.

During the moratorium period, the owner may market and pursue discussions about the sale with whomever they choose, but may not exchange contracts other than with a community interest

group. However, it is important to understand that there is **no right of first refusal** for a community interest group. In fact the asset could be sold to an alternative community group during the activated moratorium period. At the end of the moratorium period the owner will be free to sell to whomever they wish, at the price they wish to accept. If a bid is not made by a community interest group, the owner will not be subject to a further moratorium for a protected period of 18 months.

Exemptions

There are a number of exemptions to the moratorium, when disposals are permitted to go ahead, and these are outlined in the Act. The most relevant are as follows:

- Gifts or disposals to family members.
- Disposal of part of a business sold as a going concern.
- Disposals in fulfilment of a planning obligation, option or pre-emption right made before the asset was listed.
- Disposals under statutory compulsory purchase.
- A relevant disposal to which section 95 (1) of the Act does not apply is a disposal in pursuant to insolvency proceedings as defined by Rule 13.7 of the Insolvency Rules 1986 (b). In these circumstances the moratorium provisions on a listed asset would not apply.

Compensation

Owners may make a claim for compensation from the local authority, for loss and expense incurred through the asset being listed. This does not apply to assets in public ownership.