

SALISBURY CITY COUNCIL

Report

Subject : Assets of Community Value
Committee : Community Services Committee
Date : 5 October 2022
Author : Annie Child, City Clerk

1. Report Summary:

1.1. This report gives details of the latest listing of Assets of Community Value (ACV).

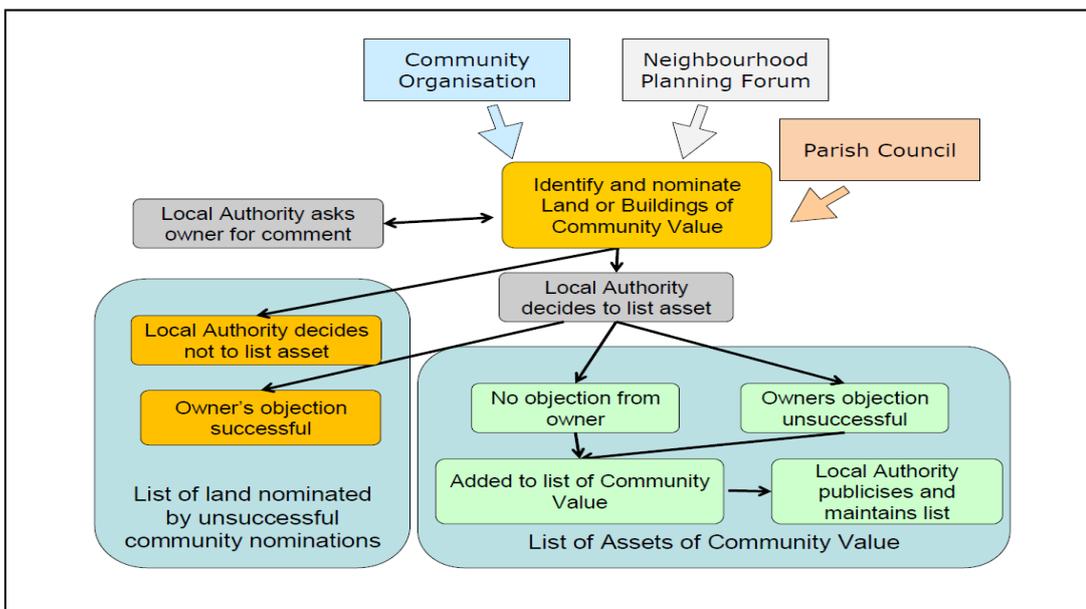
2. Background:

2.1. “An Asset of Community Value is defined as: A building or other land is an asset of community value if its main use has recently been or is presently used to further the social wellbeing or social interests of the local community and could do so in the future. The Localism Act states that ‘social interests’ include cultural, recreational and sporting interests.”¹

2.2. The Right to Bid for assets of community value was introduced in 2011 as part of the Localism Act.

2.3. This new right means communities can ask the Wiltshire Council to list certain assets as being of value to the community. If an asset is listed and then comes up for sale, the new right will give communities that want it six months to put together a bid to buy it. This gives communities an increased chance to save much loved shops, pubs or other local facilities.

3. Overview of ACV Process:



This image is taken from Community Right to Bid: Non-statutory advice note for local authorities

Part 5 Chapter 3 of the Localism Act 2011 and the Assets of Community Regulations 2012 – DCLG publication

¹ <https://mycommunity.org.uk/what-are-assets-of-community-value-acv>

4. Guidelines on Listing and Criteria for Information:

Who can do what? [*Taken from WC website*](#)

Parish councils or local community groups can nominate both privately and publicly owned assets which meet the definition of community value.

A building or land in Wiltshire Council's area must be listed as an asset of community value if:

- Current primary use of the building/land or use of the building/land in the recent past furthers the social well-being or social interests (cultural, recreational, or sporting interests) of the local community
- It is realistic to think that now or in the next five years there could continue to be primary use of the building/land which will further the social well-being or social interests of the local community (whether or not in the same way as before)

Owners of listed assets cannot dispose of them without:

- Letting the local authority know that they intend to sell the asset or grant a lease of more than 25 years
- Waiting until the end of a six-week 'interim moratorium' period if the local authority does not receive a request from a community interest group to be treated as a potential bidder
- Waiting until the end of a six-month 'full moratorium' period if the local authority does receive a request from a community interest group to be treated as a potential bidder

The owner does not have to sell the asset to the community group. There is also a 'protected period' (18 months from the time that the owner notified the local authority of their intention to dispose of the asset) - during this time there can be no further moratoriums.

What sort of things can be listed as an Asset of Community Value?

Certain types of property are excluded from being listed, such as purely residential property, land licensed for use as a residential caravan site and the operational property of statutory undertakers (such as key road, canal and rail networks). Although the act notes that "social interests" includes "cultural, recreational and sporting interests" the phrase "social well-being" can apply to a much broader set of activities. Assets of community value might include any land or building where the main purpose is as below - although this is not meant as an exhaustive or definitive list.

Sport, recreation and culture - This could include:

- Parks and open green spaces
- Sports grounds
- Theatres and cinemas
- Swimming pools and lidos

Community services - This could include:

- Community centres

- Youth centres

Economic use

Any economic use (e.g. a business such as a shop) which also provides an important social benefit to the local settlement. This social benefit is best demonstrated by the fact that if the asset was lost the service would not otherwise be readily available in the settlement. Alternatively, if an area is developing a neighbourhood plan and has designated an asset as 'for community use' then that might also demonstrate its value to the local community. In both cases it is the social value of the business to the local community that counts, not just the nature of the business. This could include:

- Village shops
- Village pubs

5. Applications:

5.1. The following recent applications have been made and the outcome shown in the table below:

Halfway House
<p>Not Listed as ACV – Extract from WC letter:</p> <p><i>This decision has been taken for the following reasons:- Under the terms of the Localism Act 2011, if a local authority receives a valid nomination, it must determine whether the land or building nominated meets the definition of an asset of community value as set out in section 88(1) of the Act. A building or other land in a local authority's area is land of community value if in the opinion of the authority —</i></p> <p><i>(a) an actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests of the local community, and;</i></p> <p><i>(b) it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community.</i></p> <p><i>Section 88(2) of the Act extends this definition to land which has furthered the social wellbeing or social interests of the local community in the recent past, and the time which it is realistic to consider it might do so again to within the next five years.</i></p> <p><i>Halfway House offers similar facilities as the nearby pubs, such as The Horse and Groom, The Devizes Inn and The Royal Oak. It is therefore considered that the current use of the building or other land (or use of the building or other land in the recent past), that is not an ancillary use, does not further the social wellbeing or social interests of the local community and it is not realistic to think that now or in the next 5 years there could be non-ancillary use of the building or other land which will further the social wellbeing or social interests of the local community.</i></p>
Royal Oak
<p>Listed as ACV – Extract from WC letter:</p> <p><i>The Royal Oak is the only pub situated within Bemerton Ward of the City of Salisbury and serves two large housing estates; Bemerton Heath and Fugglestone Red.</i></p> <p><i>The pub is family run for families and the local community. It has an outside balcony for relaxing and watching over the children's garden which contains swings and a bouncy castle in the summer. Regular functions include children's events, fireworks and barbecues. The pub hosts a monthly meeting of Mencap and supports a darts competition for the disabled and their carers. The pub is a sponsor of Salisbury Hospice and runs regular events in their support. The pub hosts regular music events with particular focus on local, upcoming bands. The pubs hosts several sporting teams including Darts, Pool, Crib and Football.</i></p> <p><i>It is therefore considered that the current use of the building or other land (or use of the building or</i></p>

other land in the recent past), that is not an ancillary use, furthers the social wellbeing or social interests of the local community and it is realistic to think that now or in the next 5 years there could continue to be non-ancillary use of the building or other land which will further (whether or not in the same way as before) the social wellbeing or social interests of the local community.

The Queens Arms

Listed as ACV – Extract from WC letter:

The Queens Arms is the only remaining traditional pub in the Antelope, Trinity, Marsh and White Hart chequers.

The pub is run for the local community and particularly welcomes the disabled and the elderly during the day. It is used as a meeting place for various societies including the Salisbury and South Wilts CAMRA. The pub plays hosts to a number of sporting teams including Football, Darts and Crib. The pub hosts regular music events of all varieties and at weekends live bands.

It is therefore considered that the current use of the building or other land (or use of the building or other land in the recent past), that is not an ancillary use, furthers the social wellbeing or social interests of the local community and it is realistic to think that now or in the next 5 years there could continue to be non-ancillary use of the building or other land which will further (whether or not in the same way as before) the social wellbeing or social interests of the local community.

Haunch of Venison

Listed as ACV – Extract from WC letter:

The premises form a meeting place for friends from disparate communities attending the twice weekly charter market in Salisbury. It provides a safe environment for students learning English at one of the local language schools to come and practice conversational English in a relaxed community setting. The pub is also an active participant in a number of local initiatives and events including the Salisbury pub run and the Stars appeal in aid of the local hospital. Its value to the community of Salisbury is as an established meeting place in the middle of town and in being a specific tourist attraction.

It is therefore considered that the current use of the building or other land (or use of the building or other land in the recent past), that is not an ancillary use, furthers the social wellbeing or social interests of the local community and it is realistic to think that now or in the next 5 years there could continue to be non-ancillary use of the building or other land which will further (whether or not in the same way as before) the social wellbeing or social interests of the local community.

6. Additional ACV:

- 6.1. If councillors wish to nominate a property as an assets of community value, this should be raised at this committee for consideration.
- 6.2. A list of properties which have been previously considered and discussed by the former ACV Working Group is shown at Annex C.

7. Recommendation:

- 7.1. It is recommended that the Committee note the report.

8. Wards Affected: St Edmunds, Harnham East, Fisherton and Bemerton Village,

9. Background papers:

- 9.1. Annex A – Decision Letters from WC (Doc XXXXx, XXXXX, XXXXX, XXXXX).
- 9.2. Annex B – List of ACVs in Salisbury at 2 Sep 2022 (Doc 87771)

10. Implications:

- 10.1. **Financial:** None in relation to this report
- 10.2. **Legal:** The Localism Act 2011 and the Assets of Community Regulations 2012
- 10.3. **Personnel:** None in relation to this report.
- 10.4. **Environmental Impact:** None in relation to this report.
- 10.5. **Equalities Impact Statement:** None in relation to this report