

Community Right to Bid Procedure

Nominations and Listing (8 week time frame)

Stage 1: Nomination - See Annex A

Nomination to list an asset received in written format.

Stage 2: Consideration

Property Services notify:

- The Nominating organisation;
- The owners of the asset (who are given an opportunity to submit any evidence which they deem to be relevant in connection with the nomination);
- Any lawful occupier;
- Local Council Members and the Parish Council;
- Any other interested party as the Council so decides.

Senior officers from Legal and Property Services will consider the nomination against the criteria set out in the Regulations and make a recommendation to the Director (Communities) who will make the decision.

Stage 3: Notification

With eight weeks of receipt of nomination:

Property Services notify decision to:

- The Nominating organisation;
- The owners of the asset;
- Any lawful occupier;
- Local Council Members and the Parish Council;
- Any other interested party as the Council so decides.

Stage 4: Post Decision

Property Services will register:

- The successful nominations on the List of Assets of Community Value and
- On the local land charges to register and
- Unsuccessful nominations placed on the List of Nominated Assets not of Community Value;
- Legal Services will in the same of registered land apply for a restriction on the Land Registry;
- Ensure the Council's website is updated at all times.

Reviews and Appeals (8 week time-frame)

Stage 1: Request for internal review

The Property Services Manager will refer the review to the Chief Executive for decision.

Within eight weeks of registering the request to review (unless a longer period has been agreed in writing) provide written notification of the Council's decision to:

- The Nominating organisation;
- The owners of the asset;
- Any lawful occupier;
- Local Council Members and the Parish Council;
- Any other interested party as the Council so decides.

Transfer the asset from the List of Assets of Community Value to the List of Nominated Assets not of Community Values if the Chief Executive agrees with the appeal; or

Provide the asset owner with a written response of its decision if the internal review does not find in favour of the asset owner inform the asset owner of their right to an independent appeal.

Moratoria on Sale – See Annex B

Initial Moratorium Period (6 weeks)

If the Owner of an asset on the List of Assets of Community Value contacts the Council to advise they wish to sell the Property Services Manager will:

- write to the asset owner and the nominator of the asset to advise that the Initial Moratorium has been triggered;
- will publish the owner's intention to dispose of the asset on its website.

Full Moratorium Period (6 months)

Property Services will:

If a relevant community interest group advises the Council in writing during the Initial Moratorium that it wants to place an offer then the Property Services Manager write to the asset owner confirming the position and advising what this means in terms of the delay in being able to dispose of the asset.

Protected Period (12 months)

Property Services will: At the end of the Full Moratorium Property Services write to the asset owner and the nominating organisation to advise that the period is complete and that the owner is now free to dispose of their asset as they wish without further delay within 12 months

Stage 1: Initial Compensation Claim

Property Services will: If they receive a claim for compensation within thirteen weeks after the loss or expense was incurred or finished being incurred liaise with the Director (Communities) and provide the claimant with written notification of their decision within eight weeks of the receipt of the claim.

Stage 2: Review of Compensation Claim

Property Services will: If they receive a request to review the decision reached in relation to the claim write to the claimant with written notification of the review outcome within eight weeks of receipt of the review request.