

RECORDED DELIVERY

Mr & Mrs Griffiths
The Parlour
Stonehouse Lane
Bringsty
Worcester
WR6 5TG

Your Ref:
Our Ref: CRTB/ACV/The Wheelwrights
Please ask for: Jane Norton
Direct Line / Extension: 01432 383362
E-mail: communityrighttobid@herefordshire.gov.uk

17 January 2023

Dear Mr & Mrs Griffiths,

LOCALISM ACT (2011) – COMMUNITY RIGHT TO BID**ASSET OF COMMUNITY VALUE – NOMINATION****PROPERTY:- THE WHEELWRIGHTS, PENCOMBE**

We have received a nomination from Pencombe Group Parish Council seeking to re-list the above property as an Asset of Community Value under the Localism Act 2011. We understand the property is in your ownership and we would be grateful if you could confirm or deny this by writing to us at the address below or emailing communityrighttobid@herefordshire.gov.uk. At the same time would you please notify us of the name and address of anyone else who may have a financial or legal interest in the property, such as a shared owner or tenant.

The Localism Act 2011 was introduced in November 2011. Part 5 Chapter 3 of the Act provides the statutory framework for the 'Community Right to Bid'.

The Right came into force on 21st September 2012 and aims to give communities a right to identify a building or land that they believe to be of importance to their community's social interest or social wellbeing. The aim is then to enable eligible community groups, parish councils or neighbourhood forums to have a fair chance to make a bid to buy the property on the open market, if it comes up for sale.

Once a property is nominated by an eligible group, the Council has to consider whether the nominated property meets the definition of 'community value'.

The definition of community value –

A building or land is deemed to be of community value if, in the opinion of the Council:

- A current main use of the building or land furthers the social interests or social wellbeing of the local community **and** it is realistic to think that there can continue to be a main use of the building or land which will further the social interests or social wellbeing of the local community, although not necessarily in the same way, or:

- A main use of the building or land in the recent past furthered the social interests or social wellbeing of the local community **and** it is realistic to think that within 5 years the building or land can be brought back into use that furthers the social interest or wellbeing of the local community, whether or not in the same way as before.

What are the implications if our property is included in the List of Assets of Community Value?

The Act only comes into force if you want to dispose of the property. In this instance you must first contact us to advise of your intention to dispose of the property. It is important that you do not dispose of the freehold or grant a lease of 25 years or more without giving interested local community groups six months to put a bid together. However, any interested community group must inform us within 6 weeks of their intention to submit a bid. If no expression of interest is submitted within that 6 week period, you are free to dispose of the property however you see fit. We will let you know whether or not such an expression of interest has been received. You must not dispose of the property until you receive confirmation from us.

If an eligible community group does express interest, we will inform you and you must give them 6 months to put a bid together. This 6 months period starts from the day you informed us of your intention to dispose of the property. You may only dispose of the freehold or grant a lease of 25 years or more within this 6 month period if the disposal is to be to an eligible local community organisation.

At the end of the 6 month period you are free to dispose of the property however you see fit. There is no obligation on you to dispose to a local community group.

However, if you do not dispose of the freehold or grant a lease of 25 years or more within 18 months of the date you informed us of your intention to dispose, and the asset is still listed, then the process must start again. As such, you may not dispose of the property without first informing us of your intention to dispose and the protected periods of time will apply again.

Regardless whether the property is sold or not, it will remain on the list for 5 years.

The nomination will be considered by Herefordshire Council and you will be notified of the outcome in due course. If the nomination is successful a land charge will be registered and you will be notified accordingly.

How can we object?

If you have an objection to the nomination for the property being added to the list of assets of community value, then please write or email your reasons for objecting to the nomination **within 14 days of the date of receipt of this letter**. If we have not heard from you within this period we will assume you have no objection.

For further information, please refer to the Council's website under 'Community Rights / Community Right to Bid' in the first instance: <https://www.herefordshire.gov.uk/communityrighttobid>.

Yours faithfully

Jane Norton

Jane Norton
Community Assets Coordinator
ASSET MANAGEMENT AND PROPERTY SERVICES

signed electronically