

## **Assets of Community Value – Criteria & Guidance Notes**

### **Criteria:**

A building or piece of land must meet the following criteria (as outlined in the Localism Act 2011) to become a community asset:

**1. The building and/or land does not fall within one of the exemptions set out in the Localism Act and regulations.** If there is evidence that a nomination falls within one of the exemptions it is automatically excluded from listing, and the remaining criteria does not have to be considered.

**Exemptions** include:

- Land and buildings which are primarily residential in purpose, including associated gardens, etc.
- Licensed (and some unlicensed) caravan sites
- ‘Operational land’ owned by ‘statutory undertakers’ as defined in s263 Town & Country Planning Act 1990 – which is organisations like the Post Office, Civil Aviation Authority, Transport providers, utilities, etc.

**2. The use of the land or building currently, or in the recent past, furthers the social wellbeing, or the cultural, recreational or sporting interests of the local community.** Local authorities are left to interpret and define ‘recent past’ themselves and Ipswich Borough Council will consider each nomination on a case by case basis. Those nominating a building or piece of land are advised to include examples of how the community uses the asset. For instance, ‘...the youth centre is used by many community groups including; a weekly Scouts group, morning crèche sessions; fitness classes...’ etc.

**3. The social use of the building or land is not deemed ‘ancillary’, i.e. of secondary purpose.** This means that the use of the land or building to further social wellbeing or interests of the community must be its principal use.

**4. The use of the land/building will continue to further the social wellbeing or interests of the local community in the future.**

- a). Where an asset is *presently* in social use there should be a presumption of continued viability, unless clear evidence suggests otherwise.
- b). For a social use which has *lapsed* and needs to be re-established, the Council will need to take a view on the realism of re-establishing this within the next five years.

NB: The *type* of social use of the building/land is allowed to change at any time.

### **Guidance:**

**Which uses might be considered to ‘further the social wellbeing or social interests of the local community’?**

<p>The provision of public services directly to the public for the purposes of education, health and wellbeing, or community safety.</p>	<p>Including:</p> <ul style="list-style-type: none"> <li>• Nurseries and schools</li> <li>• Children’s centres</li> <li>• Health centre, surgeries and hospitals</li> <li>• Day care centres, residential care homes</li> </ul>
<p>Sport, recreation and culture</p>	<p>Including:</p> <ul style="list-style-type: none"> <li>• Parks and open green spaces</li> <li>• Sports and leisure centres</li> <li>• Libraries</li> <li>• Theatres</li> <li>• Museums or heritage sites</li> </ul>
<p>Community services</p>	<p>Including</p> <ul style="list-style-type: none"> <li>• Community centres</li> <li>• Youth centres</li> </ul>
<p>Local Democracy</p>	<p>Including:</p> <ul style="list-style-type: none"> <li>• Town halls</li> <li>• Civic halls</li> </ul>
<p>Any economic use, which also provides an important local social benefit. In these cases, it is the social value of the business that counts, not just the nature of the business. However, with these facilities the Council also considers whether the social benefit would be easily available elsewhere if the business service ceased.</p>	<p>Including:</p> <ul style="list-style-type: none"> <li>• Pub</li> <li>• Shop including Post Officer</li> </ul>

**Other Considerations:**

- Where the owner of a listed asset, such as pub, applies for change of use, then the fact that the asset is listed as an asset of community value may be a material consideration in making a decision on whether to grant change of use.
- Ipswich’s Local Plan (**Policy DM32** ) seeks to promote the retention and development of important local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship. Ipswich Borough Council will take into account the importance of these facilities to the local community when considering planning applications, whether the facility is or is not listed as an asset of community value.

- In addition, Neighbourhood Plans can formally allocate assets for community use in a site allocation proposals map. If there is good evidence to support the case (including for sites which may not meet the definition of an Asset of Community Value), this would give it additional weight in decision making and could inform, and be informed by, the lists of nominated assets.
- Where an asset is council owned, community groups may like to consider a Community Asset Transfer, rather than waiting for the asset to be put up for sale.