



# Saxilby with Ingleby Parish Council

## Non-confidential

### Assets of Community Value (ACV)

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**Report to:** Planning and Development Committee 25-05

**Report by:** Clerk

**Power/duty which decision falls under:** Localism Act 2011

**Which council objective(s) it falls under:**

- Maintain and improve community facilities and amenities
- Preserve and enhance heritage assets, environmental assets and wildlife
- Improve the well-being of residents
- To foster public participation and engagement

#### **Public Sector Equality Duty**

*Consider how policies/decisions affect those protected under the Equality Act)*

The nomination of Assets of Community Value can positively impact equality by helping to retain inclusive and accessible community facilities. Public halls or open spaces often provide services or activities catering to older people, young families, or those with disabilities. Ensuring these assets remain in community use can support equal access and social inclusion.

#### **Duty to conserve and enhance biodiversity**

*Consider how the policy/decision will contribute to conserving or enhancing biodiversity*

Where a proposed ACV includes land with ecological value, listing the asset can contribute to biodiversity preservation by discouraging development or land use changes that would harm habitats. Further evaluation of the environmental importance of any green assets would need to take place if any areas are identified for listing.

#### **Consideration on carbon reduction:**

Protecting local, walkable services and community hubs can reduce the need for travel by car and support more sustainable lifestyles. Safeguarding green spaces helps to maintain local carbon sinks and enhances climate resilience.

Any ACV nominations should include a brief impact assessment to evaluate their contribution to reducing the parish's carbon footprint.

## Consideration of risk management in relation to the proposal<sup>1</sup>

*It is impossible to list every risk faced by a local council. Risk, in the general sense, means the likelihood of an event happening, and the severity of the negative consequences. The insurance industry regards risk as representing loss or damage. Risk always involves uncertainty. When protecting a local council effectively, it is important to consider if risk is present in the following areas (SLCC AN241):*

Area	Risk Present?	Notes
Decision Making	Yes	Council to ensure decisions around nominations follow a transparent and documented process.
Finances	Yes	Costs may be incurred if the Council decides to support or lead a community bid.
Property	Yes	ACV listing may impact relationships with property owners.
Staff	No	No direct staffing implications currently.
Events	No	Not applicable.
Legal	Yes	ACV nominations must meet statutory criteria and could be subject to legal challenge by asset owners.

Does the report consider any new activity?

Yes

If 'Yes', has a risk assessment, including risk management proposals, been included for consideration and adoption by the council? (*Financial Regulation 17b*)

Yes

### Risk Management Proposals

- Ensure all nominations are supported by clear evidence and community input to reduce risk of rejection or challenge.
- Liaise closely with WLDC to understand and follow nomination procedures.
- Maintain audit trail of decisions, including reasons for nominations, consultation outcomes, and any legal advice taken.
- Include risk assessments for each individual ACV nomination brought forward, especially where financial or reputational risk may arise.

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<sup>1</sup>Risk areas to consider - strategic/operational, likelihood/impact, add to risk register? Any contingency planning needed?

# REPORT

## 1. Purpose of the Report

This report provides an overview of Assets of Community Value (ACVs) and assesses the potential pros and cons of pursuing ACV listings within the parish. This follows a request from the Committee to bring back a paper with detailed information for consideration.

## 2. Background and ACV Process

1. The Localism Act 2011 requires district and unitary councils to maintain a list of assets of community value, which can be either land or certain buildings (Localism Act, 2011 s88), nominated by local community groups or parish councils.
2. If successfully listed, this designation can help protect important community spaces — such as pubs, shops, village halls, and playing fields — from being sold or redeveloped without the community being given an opportunity to bid for them.
3. Once listed, the owner must inform the local authority if they intend to sell the asset.
4. This triggers a six-week moratorium, giving community groups time to express an interest in bidding.
5. If interest is shown, a six-month moratorium follows, allowing time to prepare a proposal.
6. During this period, the asset cannot be sold unless to a community group.

## 3. What Can Be Listed

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.

Examples include:

- Public houses
- Community centres
- Sports facilities
- Libraries
- Village shops

Potential ACV in the parish

- St Andrews Community Centre
- Saxilby Village Hall
- Saxilby Waterfront Public Facilities
- Rooks Close Community Centre
- The Sun Inn Public House
- The Anglers Public House
- Health centres
- Greenspaces

The regulations list a number of situations where land or buildings are exempted from inclusion on the list or operation of the moratorium. These include<sup>2</sup>:

- Homes
- Hotels
- Assets being transferred between kindred businesses
- Church of England land holdings.
- The listing of assets which might have a community value in the future (assets are deemed to be of community value only if they have community value presently or in the recent past)
- The listing of assets which are occasionally used for the social benefit of a local community, but which are not primarily used for this purpose (e.g. a space used for an annual village fete).<sup>3</sup>

To be considered for listing, the asset must:

- Be located within the parish or adjoining area.
- Further the social wellbeing or social interests of the local community (either currently or in the recent past).
- Have a realistic prospect of doing so in the future.

#### **4. Pros of Listing ACV**

- Protects Key Community Assets: Prevents sudden and potentially irreversible sales or redevelopment of valued facilities.
- Empowers Local People: Gives communities a legal opportunity to intervene and potentially purchase the asset.
- Raises Awareness: Highlights the importance of specific places to the life of the parish.
- Planning Influence: ACV status can be a material consideration in planning applications.

#### **5. Cons of Listing ACV**

- No Guaranteed Purchase Right: Listing does not guarantee that the community can buy the asset — only that they can delay a sale to bid.
- Potential for Owner Objection: Asset owners may challenge listings, leading to disputes or strained relationships.
- Resource Intensive: The nomination process requires evidence gathering, community engagement, and administrative work.
- Temporary Listing: ACV status lasts for five years and then must be reapplied for.

#### **6. RECOMMENDATION(S):**

That committee notes the report and agrees to:

1. Evaluate potential community assets within the parish to identify those which meet the legal definition of an asset of community value to ascertain if they are suitable for nomination.
2. Define which land and buildings the community might wish to acquire in the future using the Right to Bid.
3. Bring back to committee to consider.

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<sup>2</sup> Source: [The Assets of Community Value \(England\) Regulations 2012](#)

<sup>3</sup> Source: <https://mycommunity.org.uk/community-right-to-bid-step-2-identifying-assets-of-community-value>

## **7. NEXT STEPS IF RECOMMENDATIONS AGREED**

- a. Engage with asset owners and assess potential for community benefit.
- b. Recommend to full council to proceed with ACV nominations
- c. Submit formal nominations to the local authority, if approved by the Council.
- d. Monitor on four year cycle if successful