Wiltshire Council

**Our Ref: ACV/2023/00019**
**Enquiries to: Simon Day**

**Date: 09 August 2023**

**Economic Development & Planning**
Tel: 01249 706634 or 0300 456 0114
email: simon.day@wiltshire.gov.uk
www.wiltshire.gov.uk

Dear Sir/Madam,

**Nomination of Poor's Gorse (also known as The Common), Land lying to the south of Aldbourne, Aldbourne, Marlborough, SN8 2LA to be listed as an Asset of Community Value**

The Localism Act 2011 allows Parish Councils and other local community groups to nominate land and properties to be registered as an 'Asset of Community Value'.

Wiltshire Council has received a nomination from Aldbourne Parish Council for Poor's Gorse (also known as The Common), Land lying to the south of Aldbourne, Aldbourne, Marlborough, SN8 2LA to be listed as an Asset of Community Value. Please see the attached nomination. A building or land in a local authority's area will be listed as an asset of community value if in the opinion of the authority:

- current non-ancillary 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 non-ancillary use of the building/ land which will further the social well-being or social interests of the local community.

Owners of assets which are listed 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 Wiltshire Council 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 Wiltshire Council **does** receive a request from a community interest group to be treated as a potential bidder (in the first six weeks).

The owner of the property does not have to sell the asset to the community interest 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 on sale and the owner is free to dispose of the property as they see fit. Assets which are listed will be removed from the list after 5 years.

The **Community Right to Bid: Non-statutory advice note for local authorities** published by government provides detailed information on:

- The bodies that can make nominations (such as local parish councils);
- Land that is exempt from being listed (such as premises which are wholly residential);
- The steps that Wiltshire Council has to take when considering to list land as an asset of community value and upon listing that land (including notifying relevant parties);
- Arrangements for owners to make appeals on a decision to list or award compensation on any losses incurred as a result of being listed (including internal reviews and external tribunals);
- Exemptions to the moratorium being applied when land is put up for sale (including a business being sold as a going concern, certain family transfers, sale to a community interest group and as a result of insolvency).

Wiltshire Council has to make a decision on whether to list the asset on the register of Assets of Community Value within 8 weeks. It will therefore be helpful to have any information you would like to submit on whether you believe the asset meets the definition of community value, or other relevant information, by **06 September 2023.** Please send your comments via the online facility. Details can be viewed by following this link **https://development.wiltshire.gov.uk/pr/s/planning-application/a0i3z00001BLUMw.**

Wiltshire Council will decide whether to list the asset as an Asset of Community Value by **04 October 2023** and at that point you will be notified and provided with further information on the appeals procedure which may apply, if relevant.

Yours faithfully

*Simon Day*

Performance & Service Development Manager
Economic Development & Planning