



THE EXECUTIVE - INDIVIDUAL EXECUTIVE DECISIONS

Date: Friday, 22 September 2023

PART 1

1. Community Right to Bid – Nomination of a Community Asset (Glenbrook Activity Centre, Hope Rd, Bamford, Hope Valley S33 0AL) **(Pages 3 - 14)**

**MARK TRILLO
EXECUTIVE DIRECTOR & MONITORING OFFICER**

This page is intentionally left blank

HIGH PEAK BOROUGH COUNCIL

Individual Executive Decision

22 September 2023

TITLE:	Community Right to Bid – Nomination of a Community Asset (Glenbrook Activity Centre, Hope Rd, Bamford, Hope Valley S33 0AL)
EXECUTIVE COUNCILLOR:	Councillor A McKeown (Leader)
CONTACT OFFICER:	David Smith, Head of Communities, Culture and Climate Change
WARDS INVOLVED:	HOPE VALLEY

Appendices Attached:

Appendix 1 - Assets of Community Value Assessment Form

Appendix 2 –Location Plan

1. **Reason for the Report:** The Borough Council has received a nomination for the Glenbrook Activity Centre, Hope Road, Bamford, S33 0AL to be registered as an asset of community value and in accordance with the Council's policy must decide whether to approve or refuse the nomination.
2. **Recommendation**
 - 2.1 That the nomination for the listing of the Glenbrook Activity Centre, Hope Road, Bamford, S33 0AL be approved for the reasons as set out in the report.
3. **Executive Summary**
 - 3.1 A nomination has been made by Friends of Glenbrook under the Localism Act 2011 (provisions relating to the community right to bid) for the Glenbrook Activity Centre on Hope Road to be listed by the Council as an asset of community value.

3.2 Officers, following the Council's policy, have assessed the application using the agreed criteria (as attached at Appendix 1).

4. **How this report links to Corporate Priorities**

4.1 The community rights measures in the Localism Act 2011 have the potential to support the delivery of the Council's corporate aims and priorities.

5. **Options and Analysis**

5.1 That the nomination is approved (recommended).

5.2 That the nomination is not approved (not recommended).

6. **Implications**

6.1 Community Safety - (Crime and Disorder Act 1998)

No implications.

6.2 Workforce

No implications.

6.3 Equality and Diversity/Equality Impact Assessment

No implications.

6.4 Financial Considerations

No implications.

6.5 Legal

The Council is required under the Localism Act 2011 to consider nominations from eligible organisations to register land/property as an asset of community value. The Council has a Community Right to Bid Policy (approved in June 2018) which sets out the process the Council will follow.

6.6 Sustainability

No implications.

6.7 Internal and External Consultation

Ward Councillors have been informed about the nomination and

are supportive of the nomination.

The Parish Council has been informed about the nomination and has no objections or further comments

6.8 Risk Assessment

Owners of properties listed by the Council can appeal against the decision of the Council to list their property as an asset of community value and, if successful, recover their costs.

7. **Background**

7.1 The Community Right to Bid provides a mechanism for parish councils and voluntary bodies to request that buildings and/or land in their community is registered with the Council as an 'Asset of Community Value'. The owner of any land and buildings registered with the Council is then required to inform the Council of their intention to dispose of these assets. Should eligible organisations express an interest in acquiring the land or buildings a moratorium on the sale is triggered during which time community groups or parish councils can seek to raise funds to make a bid to purchase the asset. Once listed, land remains on the register of assets of community value for 5 years from the date of entry unless it is appropriately disposed of.

7.2 The moratorium operates to prevent certain proposed disposals of land being made until specified conditions are met.

- *Notification.* The owner must firstly notify the local authority that it wishes to enter into a relevant disposal.
- *Interim moratorium period.* The community interest group then has six weeks to notify the local authority that it wishes to be treated as a potential bidder. If no such request is made, then the owner can proceed with disposal of the land and no further moratorium period will apply for a protected period lasting 18 months.
- *Full moratorium period.* If the community interest group requests to be treated as a potential bidder within 6 weeks, then the moratorium on disposal runs for 6 months. As before, no further moratorium period will apply for a protected period lasting 18 months.

7.3 The right does not restrict in any way decisions by the owner of a listed asset about whom they can sell their property to, or at what price, and they do not confer on parish councils or voluntary bodies a right to buy. It is important to recognise that:

- The right granted on registration is NOT a right to buy. It does not create a right of first refusal or any preferential pricing or a right to buy of any kind.

- The price for land remains its open market value even if a moratorium is triggered.
- The owner may continue to market the property and negotiate potential sales during the moratorium period.
- The prohibition during the moratorium period is only on entering into a binding contract to dispose of the land (unless the disposal is to a community interest group)
- Registration does not compel the owner to enter into any negotiations with a community interest group or to engage with them in any other way.
- At the end of the moratorium period, the owner can sell to anyone it chooses at whatever price it is able to obtain.

7.4 In 2015 the Government provided additional protection for property registered as an Asset of Community Value by removing permitted development rights such that planning permission is required if an owner wishes to demolish or change the use of a registered property.

8 The Application

8.1 The Council received a nomination on 14 July 2023 from Friends of Glenbrook requesting that the Glenbrook Activity Centre, Hope Road, Bamford should be listed as an Asset of Community Value under the community right to bid measure of the Localism Act 2011 (Part 5 Chapter 3: Assets of Community Value).

8.2 The land is identified on the attached map (Appendix 2). At the time of nomination the asset continues to be used.

8.3 Officers have assessed the nomination (Appendix 1) and confirmed that:

1. The Friends of Glenbrook group is eligible to make the nomination.
2. The land and buildings are not exempt from listing.
3. The building has been used in the recent past by the local community to further the social well-being and social interests of the local community (as defined by the Localism Act 2011) and this use is not ancillary.
4. The application suggests that the Friends of Glenbrook Group would incorporate to a CIC or CIO (if appropriate) and would look to continue to provide outdoor education and community use on a 'not-for-profit' basis as well as enabling the continued use by the very close 'local community' as well as the 'wider local community'

8.4 Accordingly, the Council's officers have assessed that the criteria for listing have been met and recommend that the nomination for listing as an Asset of Community Value be approved.

8.5 This assessment is based on the following:

- a. The Glenbrook Centre has continued to be used up to maximum capacity on the majority of weekends (13/17) between March and July 2023 and have accrued forward bookings of the centre for the next 12mths. The house and facilities are used by Girlguiding members, wider local

community which use it for school residentials, Duke of Edinburgh Award expeditions and other outdoor activities.

- b. The Friends of Glenbrook suggest that they are in a position to modify their current terms of governance and would incorporate as a CIC or CIO to allow them to purchase the building/land. that has the interest, capacity and capability, financial and professional, to purchase and/or manage the facility should it become available for purchase.

Neil Rodgers
Executive Director (Place)

**Web Links and
Background Papers**
None

Location

Contact details

This page is intentionally left blank

HIGH PEAK BOROUGH COUNCIL

<h3 style="margin: 0;">ASSETS OF COMMUNITY VALUE ASSESSMENT FORM</h3>

Application reference number	Received date	Has all the relevant detail been provided by the applicant?	Listing recommended?
DS/Glenbrook	14 July 2023	Yes	Yes

Details	
Nominating organisation:	Friends of Glenbrook
Nominated Land/buildings: Brief description and location of land/buildings nominated	Glenbrook Centre
Is the applicant authorised to act? (Evidence)	Yes

Organisational eligibility assessment	
<p>Type of Organisation:</p> <p>Eligible organisations are:</p> <ul style="list-style-type: none"> • Neighbourhood Forums (section 61F of the Town & Country Planning Act 1990 – added by the Localism Act 2011) • Parish Councils in respect of land in the parish council’s area • Unincorporated bodies (that has at least 21 individual members of 21 who are on the local electoral register) • A Charity • Company Limited by Guarantee (where profits are not distributed to members) • Industrial or Provident Society • Community Interest Company 	<p style="text-align: center;">Unincorporated Group –</p> <p style="text-align: center;">25/26 out of list of nominated people confirmed to be registered and active on High Peak electoral register</p> <p style="text-align: right;">Eligible: YES</p>
<p>Local Connection: (Description/evidence)</p> <p>Friends of Glenbrook is an organisation solely dedicated to supporting Glenbrook Activity Centre in the Hope Valley. The group is made up of individuals who live within</p>	

<p>High Peak Borough Council’s boundaries, other neighbouring local authorities which have common boundaries, and hence may be termed part of Glenbrook’s ‘local community’, and others from across the UK who have all made use of the facilities at Glenbrook.</p> <p>Glenbrook was purchased by voluntary donations from what became Friends of Glenbrook, and gifted to Girlguiding UK’s ancestor in 1968. The house and facilities are used by Girlguiding members, wider local community which use it for school residentials, Duke of Edinburgh Award expeditions and other outdoor activities.</p>	
Eligible: YES	
Is the organisation eligible to nominate?	Eligible: YES

Exemption	
Is the land or building exempt from listing?	
(Description/evidence)	Exempt: NO

Community Value Assessment	
Is there an actual current use of the building or land?	YES
<p>Does the current use of the building or land, or its use in the recent past, further the social well-being or social interests of the local community?</p> <p>The Localism Act 2011 ‘social interest’ includes (in particular) each of the following: cultural interests, recreational interests, sporting interests.</p>	<p>The application provides evidence that the building is currently in use: ‘ The maximum capacity of the site is 300. Since March 24th 2023 (start of the main season for outdoor activities) until 16th July 2023 the site has been at full capacity for 13 of the 17 weekends. There has also been overnight camping by groups on every night except 10. These 10 vacant nights were planned to give staff time off.</p> <p>Events/Outdoor Activities include: Duke of Edinburgh Gold expeditions (22) Magic and Mayhem Days (280) Brownies under Canvas (20) Spring Camp (68). Glenbrook also provides facilities which are available for other local community led organisations to use such as meeting rooms for groups, team building, activity days, etc, e.g providing a base for International Women’s Day in March each year”</p>
The use above is the main one and	

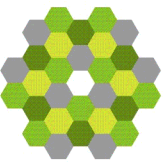
not ancillary?	Yes
Is it realistic to think that the building or land will continue to be used, or could be used, in a way which will further the social well-being and social interests of the community within the next 5 years?	Yes – from the application and current evidence of use it is realistic to think that the land/building will continue to be used for the foreseeable future
Should the land /buildings be listed? (Summary)	The application fulfils the criteria and should be listed as an ACV YES

Assessment undertaken by:	Signed	Date
Kim Gilmore	<i>K Gilmore</i>	15/08/2023

This page is intentionally left blank

HM Land Registry Current title plan

Title number **DY553684**
Ordnance Survey map reference **SK1982NW**
Scale **1:2500**
Administrative area **Derbyshire : High Peak**



© Crown copyright and database rights 2022 Ordnance Survey 100026316. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.



Page 13

This is a copy of the title plan on 23 JUN 2023 at 10:47:02. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

This copy is not an 'Official Copy' of the title plan. An official copy of the title plan is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy. If you want to obtain an official copy, the HM Land Registry web site explains how to do this.

HM Land Registry endeavours to maintain high quality and scale accuracy of title plan images. The quality and accuracy of any print will depend on your printer, your computer and its print settings. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by HM Land Registry, Nottingham Office.

This page is intentionally left blank