



Community Rights and Heritage

Find out how you can join the thousands of communities who are using Community Rights to celebrate and safeguard their heritage assets

July 2016





What do we mean by heritage and why is it important?

Heritage is about what we value from our past – what we decide to keep, to conserve, to re-use, to share and to celebrate. It's about memories, cultures and ways of life as well as places, buildings and objects. Everybody has their own idea about what they value from the past and what people value reflects the different identities that people have.

The heritage assets of a place – its buildings, historic parks, museums and libraries, as well as its long-established business, shops and pubs – are all valued community assets that people want to protect, keep and use. Community Rights make it easier to make sure that valued local heritage is protected, continues to exist, and benefits communities.

What are Community Rights?

Community Rights were introduced through the Localism Act 2011. The purpose of this Act is to devolve power from central Government to local people.

The Government introduced powers which enable communities to take over the running of local services (Community Right to Challenge), control development in their community (Neighbourhood Planning) and take over buildings and land which are of community benefit, if they are going to be sold (Community Right to Bid).

Any and all of these Rights may be useful tools for you to use in your community. This leaflet focuses on Community Right to Bid and how you can use it to secure the future of heritage assets which you value.

Community Right to Bid

Community Right to Bid allows people to nominate buildings or land for listing by their Local Authority as an Asset of Community Value (ACV). Any successfully nominated asset remains listed as an Asset of Community Value for 5 years.

If the asset comes up for sale, the community can delay the sale by up to six months, providing a chance to raise the funding to bid to buy the asset, bringing it into community ownership.



What is an Asset of Community Value?

Any building or piece of land can be listed as an Asset of Community Value if its main use currently (or in the recent past) furthers local social wellbeing, and could continue to do so in the future. It does not matter whether the building or piece of land is in private or public ownership.

Why nominate a heritage building or piece of land as an ACV?

Getting your heritage asset listed as an Asset of Community Value is a way for you to demonstrate its value to the community, potentially encouraging more public awareness and use.

You might already have a particular building or green space in mind that you want to list to recognise its value to the community; or you could use the Community Right to Bid as an opportunity to get people together to think about and identify the heritage and other assets that matter to the community locally.

Community Right to Bid means that no ACV - whether in private or public hands - is sold without you knowing, and having the opportunity to bid to take it on. In planning law, the local authority can take an ACV listing into account as a material consideration in a planning application. In the case of ACV listed pubs, it provides further protection with the suspension of permitted development and demolition rights for the 5 year period of the listing.

Who can nominate an Asset of Community Value?

A number of different sorts of community organisations can nominate land and buildings as an ACV: civic or amenity societies, parish councils, neighbourhood forums (as defined in Neighbourhood Planning regulations), an un-constituted group of at least 21 people brought together for this purpose, and not-for-profit organisations (e.g. charities). Community organisations have to have a local connection, or with a neighbouring authority's area.



What happens next?

If a group successfully nominates an asset, the asset will go on the local authority's list of ACVs and the local authority will inform the owner. If the asset is put on the market, the local authority will let the nominating group know and offer them the opportunity to pause the sale for up to 6 months – the moratorium period.

If a community group can agree a price with the owner and raise the required money, they can buy the asset at any time within the moratorium. No-one else can purchase the asset in this period. If a community group cannot raise the money or do not want to, there is no obligation to make a bid. After 6 months, the owner can sell the asset on the open market.

Local Listing and Assets of Community Value

Local heritage listing is a way for a community and a local authority to identify heritage assets that are valued as distinctive elements of the local historic environment (see the advice produced by Historic England below). Frequently, they also have an amenity value to local people and it is important that this value is given the protection provided by being listed as an ACV.

Local Listing can already afford a modest measure of protection against their removal or adaptation, but having these buildings of importance as an amenity placed on the local register of Assets of Community Value provides an additional statutory safeguard and potentially time for community groups to put together a bid to preserve their use for the benefit of the community, potentially on a permanent basis.

Listing a property in both ways demonstrates to local planners, developers and residents the value the local community places on them and the importance of their retention and use.



Community rights and heritage in action

Across England, thousands of people have nominated their local assets of community value, many which have heritage value, from Grade II* town halls to theatres, historic parks to museums. Here are some examples:

Ilkley Town Hall



In February 2015, Ilkley Civic Society was successful in getting 4 assets which make up Ilkley Town Hall (the Library, Kings Hall and Winter Garden) listed as an Asset of Community Value by the City of Bradford Metropolitan District Council. Ilkley Town Hall which is also a Grade II listed heritage building was successfully nominated on the basis that it was a community space of historical interest.

Green Spaces, Dulwich Park



A significant number of green and open spaces have been listed as Assets of Community Value as a way of communities recognising the past, present and future heritage of their neighbourhood. In London, in April 2014, Dulwich Park Friends successfully nominated Dulwich Park as an Asset of Community Value. This park which started out as farmland and a group of meadows was in created in 1890 and retains a significant number of historical features.

Pavilion Theatre Weymouth



In September 2013, Friends of Weymouth Pavilion Theatre had this building listed by their council as an Asset of Community Value to secure its use. The theatre on this site has been hosting performances since 1908, though the present building dates from 1958. It is now run by a trust as a successful venue for concerts, theatre and pantomime.



Ivy House Public House, Nunhead



The Ivy House was the social focal point for its South London community until it was sold to a developer with ambitions to convert it to residential units for sale at a profit.

A neighbourhood group secured both its listing as a Grade II building of architectural and historic interest and as an ACV. They made a successful Community Right to Bid, supported by a loan of £550,000 from the Architectural Heritage Fund and funding that was available at that time from the Social Investment Business.

The loan meant they could assemble the funding needed quickly, in time for the deadline. They also set up as a Community Benefit Society, which meant they could raise additional capital of over £140,000 through a Community Share Offer. This has enabled local people to have a long-term stake in the ownership of the pub, which is managed both by and for the community.

Greenham Common Watchtower



Greenham Common Parish Council successfully applied to West Berkshire Council to list the Grade II-listed air traffic control tower at the former United State Air Force base as an Asset of Community Value in 2013. Built in 1951, the control tower is an internationally significant Cold War icon. After the site had been decommissioned in 1992 it fell into disrepair.

The Assets of Community Value scheme enabled Greenham Common Parish Council to tender for the building provided it is used as a community facility. The sale was completed in April 2014, transferring ownership of the redundant control tower to the Parish Council. The control tower now is being turned into a visitor centre with exhibition space, café and toilets facilities for schools and other groups.

You can find out more about how communities are using different community rights across England through DCLG's interactive map:

<http://communities.maps.arcgis.com/apps/webappviewer/index.html?id=d195c3134caa46b5a638ad0c4f0cce77>



Expert support and help

The Heritage Lottery Fund

The HLF grant programmes *Sharing Heritage* and *Our Heritage* could be used to help your community start thinking about the local heritage people value. If you are taking a heritage asset into ownership, a start-up grant through our *Resilient Heritage* programme can be used to establish a new organisation or to carry out further research, for example into a possible new use, whilst bigger sums are available for capital works through the *Heritage Grants* and *Heritage Enterprise* programmes.

<https://www.hlf.org.uk/looking-funding/our-grant-programmes>

MyCommunity.org.uk

My Community is the first port of call for anyone interested in Community Rights, with information, resources and case studies. For example, you can access:

My Community Network, an online network for people involved in their local area:

<http://mycommunity.org.uk/>

Step-by-step guidance on Assets of Community Value:

<http://mycommunity.org.uk/resources/the-community-right-to-bid-step-by-step/>

Information on raising funds:

<http://mycommunity.org.uk/programme/raising-finance/>

Locality

Locality is the country's leading expert on community ownership of assets. They support communities to take on and manage local assets that can generate a profit that can be reinvested back into communities:

<http://locality.org.uk/our-work/assets/>

The Architectural Heritage Fund

The AHF provides advice and financial assistance for projects that re-use heritage assets for community benefit:

<http://www.ahfund.org.uk/>

For example, the AHF offers small grants to test the viability of different uses for historical buildings, where a transfer to community ownership is proposed:

<http://www.ahfund.org.uk/grants.html>

Historic England

Provides advice on how communities and local authorities might approach local listing:

<https://historicengland.org.uk/listing/what-is-designation/local/local-designations/>

Historic England's *Pillars of the Community* publication explains the process of transferring local authority heritage assets to communities:

<https://historicengland.org.uk/images-books/publications/pillars-of-the-community>

Groundwork

Groundwork is an environmental charity that provides guidance and grants to local communities to help champion and preserve local heritage green spaces.

Further information can be found via the Heritage Community Project page on their Project Toolkit website:

<http://www.groundwork.org.uk/Sites/project-toolkit/pages/heritage-community-projects>

Civic Voice

A national charity for civic movement in England:

<http://www.civicvoice.org.uk/>