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Our reference:
Your reference:
Date: 23 January 2014

To all Members of the Community Development Group

Dear Councillor

A meeting of the COMMUNITY DEVELOPMENT GROUP will be held on Tuesday 21 January 2014 at 7.00 pm in the Council Chamber, Civic Centre, Pavilion Road, West Bridgford to consider the following items of business.

Yours sincerely

Executive Manager Operations and Corporate Governance

AGENDA

1. Apologies for absence
2. Declarations of Interest
3. Notes of the Meeting held on Tuesday 29 October 2013 (pages 1 - 7)
4. YouNG Network Group

The report of the Executive Manager - Communities is attached (pages 8 - 10).

5. Assets of Community Value – Year One Review

The report of the Executive Manager - Operations and Corporate Governance is attached (pages 11 - 20).

6. Community Right to Challenge – Year One Review

The report of the Executive Manager - Operations and Corporate Governance is attached (pages 21 - 22).

7. Work Programme

The report of the Executive Manager - Operations and Corporate Governance is attached (pages 23 - 24).

Membership

Chairman: Councillor R L Butler

Vice-Chairman: Councillor T Combellack

Councillors S J Boote, N K Boughton-Smith, L B Cooper, J E Greenwood,
M G Hemsley, Mrs M M Males, G R Mallender

Meeting Room Guidance

Fire Alarm Evacuation: in the event of an alarm sounding please evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble in the Nottingham Forest car park adjacent to the main gates.

Toilets are located opposite Committee Room 2.

Mobile Phones: For the benefit of others please ensure that your mobile phone is switched off whilst you are in the meeting.

Microphones: When you are invited to speak please press the button on your microphone, a red light will appear on the stem. Please ensure that you switch this off after you have spoken.



NOTES
OF THE MEETING OF THE
COMMUNITY DEVELOPMENT GROUP
TUESDAY 29 OCTOBER 2013

Held at 7.00 pm in the Council Chamber, Civic Centre, Pavilion Road, West Bridgford

PRESENT:

Councillors R L Butler (Chairman), S J Boote, N K Boughton-Smith, T Combellack, L B Cooper, J E Greenwood, M G Hemsley, Mrs M M Males, G R Mallender

ALSO IN ATTENDANCE:

Mr P Bimson Regional Partnership Director, British Telecom
Mr M Lockley Team Manager, Economic Development, Nottinghamshire County Council
Ms N McCoy-Brown Programme Manager, Nottinghamshire County Council

OFFICERS PRESENT:

D Banks Executive Manager - Neighbourhoods
K Marriott Executive Manager - Transformation
D Mitchell Executive Manager - Communities
V Nightingale Senior Member Support Officer

APOLOGIES FOR ABSENCE:

There were no apologies for absence

7. Declarations of Interest

There were none declared.

8. Notes of the Previous Meeting

The notes of the joint meeting with the Partnership Delivery Group held on Tuesday 2 July 2013 were accepted as a true record.

Following questions regarding funding the Group was informed that Rushcliffe Community & Voluntary Service had raised £220,000 towards project work; and that there would be no funding for any wards in the Borough from the South Nottinghamshire Community Safety Partnership as funding was only available for the ten wards in Nottinghamshire with the highest crime statistics. The Executive Manager - Communities explained that Cotgrave had previously received funding but due to the successes of the Partnership none of the Borough's wards fell into this criteria.

9. Update on Delivery of Rural Broadband in Rushcliffe

The Executive Manager - Transformation presented a report which updated the Group on the work being carried out by Nottinghamshire County Council to deliver rural broadband across Nottinghamshire. She explained that as part of the £15.2 million programme British Telecom had been awarded the contract

to provide the required infrastructure. Currently there were an estimated 13,000 properties in the Borough that were unable to receive superfast broadband so the Borough Council had committed £245,000 towards this project.

The Group received a presentation regarding the project from officers from Nottinghamshire County Council and British Telecom. Mr Bimson stated that in the present environment people and businesses wanted faster broadband with increased capacity. He explained that there was the technology being tested for speeds upto 300 mbps (mega bits per second). British Telecom was working on changes to the access network frequency plan which has allowed them to deliver up to 80 mbps through fibre to the cabinet technology. He also stated that British Telecom were working on developing speeds of over 100 mbps. However, there were areas of the country where it was considered that it was not commercially viable to install this technology. The Group was informed that British Telecom had invested £2.5 billion to bring superfast broadband to 2/3 of premises by the Spring of 2014 and it was envisaged that through the Rural Broadband UK project 95% of Nottinghamshire properties would have access to fibre technology.

Mr Bimson explained that the County Council's contract, which was to have 94.8% fibre coverage by Autumn 2016 had been awarded to British Telecom in August 2013. At present survey and planning work was being undertaken as well as putting equipment in the exchanges. Work was being carried out with Highways and Planning to enable a successful roll out. One of the principles of the Government scheme was that the network would be open access thus leading to competition from most internet providers which would give people choice and low prices.

Mr Lockley and Ms McCoy Brown informed the Group that for this project the County Council had received £2.7 million from the European Union, contributions from all the Nottinghamshire district councils and the Department for Culture, Media and Sport. It had also invested £2.15 million itself. It was anticipated that 6,349 properties would be included in phase one of the project, however some areas do overlap with other counties, eg some parts of Rushcliffe are served by exchanges in Leicestershire. They stated that one of the criteria for European funding was to enable businesses in the area and this had been one of the drivers for the direction of the project. Members were informed that businesses were being front loaded into phases one and two, it was noted that 18% of the identified small to medium enterprises were in the Rushcliffe area. It was also explained that the project only funded technology to the cabinets and not to premises. People would be able to access the technology through their chosen internet provider. Following a question Members were informed that getting fibre technology to the cabinets would be very quick and represented value for money, however getting the fibre technology to premises could be an engineering challenge. Mr Bimson explained that Open Reach offer 'fibre to the premise' to businesses, however, they would have to meet the costs. He also stated that new estates were planned with fibre technology. After a question regarding the costs of fibre to the premises for residential properties, Members were informed that some providers would include it within the package however, other providers might charge an up front fee for installation.

The Group were informed that there were exclusions to the project, these included:

- wireless and emerging technologies, such as 4G, as the Government stated that the technology had to be tried and tested
- areas of known investment in the next three years
- 3.6% of the Nottinghamshire properties

In respect of 4G Members asked if this technology would overtake cabling. Mr Bimson stated that mobile providers used the fibre infrastructure from the base station. It was recognised that the improvements to the fibre infrastructure would also benefit mobile operators, however this could be expensive if the network did not have the capacity. Ms McCoy-Brown agreed that the project would assist mobile providers which in turn would help the properties that were not covered by the project due to the commercial viability.

With regard to the properties that were prohibitively expensive to connect, Members were informed that there were two funds available, both of which required match funding. The £250 million Superfast Extension Programme and the Rural Community Fund from DEFRA (Department for Environment, Food and Rural Affairs). In respect of this latter funding there had been one application from a community in Bassetlaw. Members queried if this funding could help those communities that were in the most commercially unviable areas. Mr Bimson said that it would be difficult for these small communities to raise the amount of match funding that would be required even with this funding.

Following a question the Group was informed that by placing a cabinet in a village this reduced the number of joints along the cabling route which gave a better service. Mr Bimson stated that properties in the Rutland area had received very low speeds but were now reaching up to 40 mbps.

During the discussion Members were made aware that even though the new cabinets were live in an area, customers would still have to ask their providers to update their home equipment, as residents would not automatically receive superfast broadband,

In respect of 'fibre to the cabinet' capacity the Group was informed that trials were being carried out in Cornwall to ascertain what speeds can be obtained by keeping the copper technology to the premise, including speeds of up to 10 gbps (giga bits per second).

With regard to maintenance to the infrastructure the Group were informed that, through innovation, these costs were reducing and that with ongoing upgrades this would be carried out as part of British Telecom's commercial model. This maintenance would benefit customers as there would be less jointing in the cables.

The Group queried how the project had identified the businesses to be prioritised. Mr Lockley explained that for the European Union funding this had to be evidenced based and data collated by Businesslink in 2011 had been used. It was recognised that this data did not include all businesses but was

as robust as possible. The project team was always looking how to capture more businesses, including new businesses, but the data sets needed to be auditable. It was agreed that home businesses would have the same status as other businesses in principle, however these were extremely difficult to identify.

In respect of speeds Mr Bimson stated that upload speeds were slower than download speeds. He explained that fibre capacity was growing all the time and the speeds would be determined by the end electronics. Ms McCoy-Brown confirmed that not everyone would receive superfast broadband, which was 24 mbps or more, as there would be a degradation of speed depending on the distance from the home to the Cabinet.

The Chairman, on behalf of the Group, thanked Mr Bimson, Mr Lockley and Ms McCoy-Brown, for attending the meeting, their presentation and answering Members' questions.

It was also agreed that a further update on this issue should be included in the Group's work programme.

10. **HS2 – Consultation on the Route to Manchester, Leeds and Beyond**

The Executive Manager - Communities gave a presentation on the proposed route for the HS2 line. He stated that the Department of Transport were consulting the public with regard to phase 2 of the proposed route from Birmingham to Manchester and Leeds. The consultation would close on 31 January 2014. The Group was asked to consider the comments made in the consultation document and to formulate a response for Cabinet's consideration on 3 December. Members were reminded that Council had passed a motion in June 2011 which called for investment in the HS2 project to be deferred and transferred to other transport projects. In March 2013 the Council had passed a further motion stating that as the Government had decided to continue promoting HS2 then the Council wished to ensure that a case for a station near East Midlands Parkway should be fully made and considered. The motion also asked for the Leader to represent those advantages to the relevant minister should HS2 go ahead.

There was only a very small proportion of the proposed route that crossed the Borough's boundaries near Ratcliffe on Soar. This part of the line would go across the Soar and Trent valleys and would be on a viaduct 10 – 13 metres in height. The proposal included a station at Toton, which was accessible from Derby and Nottingham and was close to current rail lines and the Nottingham Express Transit. In the consultation document the main issues against a station at the East Midlands Parkway were the alignment of the station and the angle of track, and the fact that there were perceived to be restrictive planning issues as the Parkway station was in the greenbelt

There were nine questions proposed in the document, of which two were relevant to Rushcliffe. Members were asked to consider whether they:

- Agreed with the Government's proposed route
- Agreed or disagreed with the Government's proposal for an East Midlands station to be located at Toton

The Group considered the merits for a station at Toton including:

- The isolation of the Parkway station
- That it covered both the Derby and Nottingham areas
- It already had some infrastructure
- Changes to the Parkway station could be expensive

Also the merits for a station at East Midlands Parkway including:

- Its close location to the motorway and East Midlands Airport, therefore was more accessible
- It had a wider footprint
- It was equi-distant between Loughborough, Leicestershire, Nottingham and Derby
- It was easy to take spurs off the current track
- There was the possibility of further development South of Clifton
- There was no economic advantages for the East Midlands by having a station at Toton
- The A453 would be dualled

Members also had further comments, including:

- There might not be a need for such high speeds by the time the HS2 is developed, especially those in Europe, therefore it should be classified as high capacity
- Consideration should be given to the carbon footprint of the route
- There was a need to consider the development of the infrastructure for either station

The Group agreed that it had considered the Government's proposals for the HS2 route including the proposed station locations having regard to the Council resolution of 7 March 2013 as follows:

'As the Government has decided to continue promoting HS2, this Council wishes to ensure that the case for a station near East Midlands Parkway is fully made and considered, should HS2 go ahead, and asks the Leader to represent those advantages to the relevant Minister'

The Group agreed with the proposed route and endorsed the Council's motion for a station near East Midlands Parkway in preference to the proposed option at Toton which, they considered should be the second preference for an East Midlands Hub. The following comments were presented to support the case for a HS2 station at Parkway:

- There has been significant investment in dualling the A453 which would provide a high speed link to both Nottingham City Centre, M1 and other East Midlands cities for car and bus travellers
- There were already rail links from the existing Parkway Station to Nottingham, Derby and Leicester City centres and surrounding smaller towns

- Parkway was between all three main East Midlands Cities (Nottingham, Derby and Leicester)
- Parkway was close to the expanding East Midlands Airport which also supported the three main East Midlands cities (Nottingham, Derby and Leicester) and would provide a good link for airport passengers
- It was acknowledged that the HS2 route would conflict with the current East Midlands services at the existing Parkway Station but it was felt that the benefits of having a HS2 Station directly connected to the existing wider rail network would outweigh these initial construction issues
- The green belt within Rushcliffe was currently under review and the opportunity could be taken to enable development of a HS2 station at Parkway
- Under the Rushcliffe draft Core Strategy housing numbers South of the River Trent could increase by 13,500 by 2028. A significant proportion of these houses would be at Clifton and around Nottingham's principal urban area. There would be a quick link from the Nottingham ringroad along the newly dualled A453 to a HS2 station
- The Ratcliffe on Soar coal powered power station which, was immediately adjacent to the Parkway station, is reaching the end of its life and could potentially present a brown field site opportunity for development supporting a high speed station
- As with any major development the associated infrastructure issues to support the new development would need further consideration but could include for example an extension to the Nottingham Express Transit from its current proposed terminus in Clifton to link to a HS2 Parkway Station

11. Work Programme

The Group considered its work programme and agreed it following the inclusion of a further update on the rural broadband project in July 2014.

The meeting closed at 9.00 pm.

COMMUNITY DEVELOPMENT GROUP - TUESDAY 29 OCTOBER 2013

Minute Number	Actions	Officer Responsible
9. Update on Delivery of Rural Broadband in Rushcliffe	A further report on this issue be added to the Group's work programme.	Member Services
10. HS2 Consultation on the Route to Manchester, Leeds and Beyond	The Group's comments be forwarded to Cabinet.	Executive Manager - Communities

Action Sheet**COMMUNITY DEVELOPMENT GROUP - TUESDAY 29 OCTOBER 2013**

Minute Number	Action	Officer Responsible	Response
9. Update on Delivery of Rural Broadband in Rushcliffe	A further report on this issue be added to the Group's work programme.	The Executive Manager - Transformation The Executive Manager - Transformation	This topic has been added to the Group's work programme
10. HS2 Consultation on the Route to Manchester, Leeds and Beyond	Members to consider the list of topics provided and email the Chairman with suggestions of topics for future meetings.	All Members	Cabinet considered a report on 3 December 2013 which contained the Group's comments



Community Development Group

21 January 2014

YouNG Network Group

4

Report of the Executive Manager - Communities

Summary

The Community Development Group has requested an overview of the Council's ground-breaking YouNG social media project.

The project commenced in September 2012 and has become an important young person focussed component of the Council's digital media communications. As well as creating a network of young people and connecting the Council with its young residents the project has developed the skills and future career opportunities of the young people involved.

A presentation will be delivered to Members to explain the vision for the project, how it has developed, achievements to date and future plans.

Recommendation

It is RECOMMENDED that Members note the achievements and future priorities of the YouNG project.

Details

1. YouNG is a social media initiative run by Rushcliffe Borough Council, driven by young people to promote local events, businesses, activities and services of relevance to young people in Rushcliffe.
2. YouNG strengthens links with (and between) secondary schools and communities. As well as establishing a relevant communications network the project aims to develop the social media and creative writing skills of participants.
3. The project started in September 2012 with seven students employed by the Council, one from each of the Borough's secondary schools. A second group of seven students was recruited in September 2013.
4. Achievements to date:-
 - Development of the YouNG brand and promotion through website, facebook, twitter, wristbands, t-shirts, posters, banners and school assemblies
 - Established a social media network of young people throughout the Borough
 - Created an 'app' (mobile application) to keep in touch with what's-on

- Rushcliffe Community Awards and Rushcliffe Sports Awards – promotion of nominations, live reporting and interviewed Olympians, award winners and VIP's
- 'Tweeting' and 'Blogging' from community events including the opening of West Bridgford Young People's Centre, Bridgfest music festival and West Bridgford Christmas Lights Switch-on
- YouNG Market – more than 30 stallholders and performers all aged 13 to 21 from Rushcliffe created a vibrant and successful first market in Central Avenue, West Bridgford
- A showcase celebration event for parents, teachers and partner organisations was organised and led by the young people
- Newsletters are produced 3-4 times a year and disseminated widely across the Borough
- Video production – the group have written scripts, filmed, edited and uploaded video content onto the internet promoting the local area
- Health leaflet – the young people are working with NHS Rushcliffe Clinical Commissioning Group to create a new information leaflet targeted at teenagers explaining where to seek advice and treatment
- The group have been supported with their personal development and self-confidence. They have delivered presentations to large audiences, worked in a busy office environment, received feedback on their communications, mentored younger colleagues and undertaken a curriculum vitae writing master-class

5. After the first year a survey was undertaken with a selection of comments as follows:-

Young person - *"I have really enjoyed my time at young and i think it has helped me a lot with my confidence"*

Parent - *"..has learnt a lot about the real world of work and is proud to have earned money to be able to buy things of his choice. At times he has been pushed out of his comfort zone and is learning to manage the stress/nerves associated with that."*

Teacher - *"..is much more confident and prepared to stand and present in front of peers"*

Rushcliffe Locality Youth Manager - *"Our experience of working with youNG was very professional, they enabled the voice of young people to be heard prior, during and after the opening of the 'West Bridgford Young People's Centre' which helped direct the delivery of our work. We would happily be involved with youNG in the future."*

6. Two students from the first year of the project have been accepted to study a BTEC level 3 in television and media at College from September 2014

7. Future plans include:-

- Deliver the Young Market in Bingham (1 March) and a summer market
- Launch and promote the 'Choose Well' health promotion campaign
- Raise awareness of Cyber Bullying
- Develop and promote the 'YouNG app'

- Promote local business
- Organise an annual showcase event
- Raise awareness of environmental issues affecting young people

Financial Comments

Expenditure commitments will be contained within the Council's existing budgets.


Section 17 Crime and Disorder Act

The project provides a mechanism to communicate relevant Community Safety messages directly to young people.

Diversity

There are no known diversity issues arising from this report

Background Papers Available for Inspection: Nil

 <p>Rushcliffe Borough Council</p>	<p>Community Development Group</p> <p>21 January 2014</p> <p>Assets Of Community Value - Year One Review</p>	<p>5</p>
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Report of the Executive Manager - Operations and Corporate Governance

Summary

The Assets of Community Value procedure was accepted by the Cabinet in December 2012, a copy of the Cabinet report and the Council's Procedure for Administering Assets of Community Value is attached at **Appendix A**. It is one of four new Community Rights brought in by the Localism Act 2011 (the others being the Community Right to Build, the Community Right to Challenge, and Neighbourhood Planning). Cabinet expressed a desire to see the procedure reviewed after its first year of operation to ensure it is working smoothly. This report presents the findings of that review.

Recommendation

It is RECOMMENDED that the Community Development Group endorse the current process, and agree that it will continue.

Background

1. In October 2012, the Community Development Group discussed a draft procedure for administering the Assets of Community Value process. The Group recommended this process to the December meeting of the Cabinet and the Council's Assets of Community Value process was launched on 1 January 2013.
2. Assets of Community Value is one of four new Community Rights introduced as part of the Localism Act 2011. It allows local residents and representative groups to nominate land or buildings that are of community interest. The local authority has a responsibility to check the nomination meets the requirements set out in the Localism Act and to decide whether or not to accept the nomination. If the nominated Asset is accepted, when the owner of the Asset wishes to sell, the nominating residents or representative group have 6 months to bid for the Asset.
3. So far, Rushcliffe has received three nominations under the Assets of Community Value process.
 - Manor House, Bingham - nomination turned down due to the nominated assets not meeting the criteria set out in the Localism Act with regard to 'community use', 'current or recent past' or furthering the 'social wellbeing or interests of the local community'.

- Bull's Head, East Leake – the application has been accepted, and the property has been added to the list
 - Bingham Road Playing Fields, Radcliffe on Trent - the application has been accepted, and the property has been added to the list
4. Administration of the Assets of Community Value procedure sits within the Council's Communities Team. Nominations are received by the Chief Executive and forwarded to the Executive Manager - Communities to action. The procedure is outlined on the Council's website, where there is also a Register of Assets successfully and unsuccessfully nominated.
 5. With only three applications being received during the first year of operation the process appears to be running smoothly.
 6. A small desk-top survey of neighbouring councils has shown a similar picture. Information about the process is published on the Council's website. This page also includes where to send a nomination and holds the published register of successful and unsuccessful nominations. All of this is required under the legislation. The number of nominations received by other councils is similar to those received at Rushcliffe (Ashfield – 1; Bassetlaw – 7; Broxtowe ; Gedling – 0; Mansfield – 1; Newark & Sherwood – 1).

Financial Comments

None directly arising from this report

Section 17 Crime and Disorder Act

None directly arising from this report

Diversity

None directly arising from this report

Background Papers Available for Inspection:


Assets of Community Value - Draft Procedure - Community Development Group - October 2012

Assets of Community Value - Draft Procedure - Cabinet - December 2012

Assets of Community Value – Draft Statutory Guidance – June 2012

Report to Cabinet – October 2012 - 'Assets of Community Value – Scrutiny Arrangements'

Localism Act 2011

 <p>CABINET 4 DECEMBER 2012 ASSETS OF COMMUNITY VALUE – PROCEDURE</p>	12
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REPORT OF THE HEAD OF CORPORATE SERVICES

CABINET PORTFOLIO HOLDER – COUNCILLOR MRS J A SMITH

Summary

In October 2012 Cabinet asked the Community Development Group to consider the development of a procedure for administering the Assets of Community Value process. At its meeting on 30 October 2012 the Community Development Group considered a draft procedure which they subsequently recommended to Cabinet for approval. A copy of the procedure is attached as **Appendix One**.

Recommendation

It is RECOMMENDED that Cabinet considers and agrees the procedure for dealing with Assets of Community Value (**Appendix One**) as recommended by the Community Development Group.

Background

1. The Localism Act 2011 contains within it provisions for the community to register Assets of Community Value (ACV) with a view to bidding for ownership of those assets should they become available for purchase. Cabinet considered the need for a clear ACV procedure in October 2012. At that time Cabinet requested the Community Development Group to consider the development of a procedure in order to then recommend it to Cabinet for approval.
2. **Appendix One** outlines a procedure for dealing with ACV including two flow charts to simplify the process. This has been recommended to Cabinet by the Community Development Group which considered it at its meeting on 30 October. The procedure has been based on information contained within the Localism Act 2011 and the Department for Communities and Local Government (DCLG) Draft Statutory Instrument – Assets of Community Value (June 2012).
3. At its meeting on 30 October the Community Development Group made a number of observations on the procedure. Consequently minor amendments have been made to it to reflect these comments with the main change being to provide more detailed information in the section which sets out the bodies eligible to nominate an ACV.

Financial Comments

The Department for Communities and Local Government (DCLG) have confirmed a payment of £4,873 from 15 October to all relevant local authorities to cover costs associated with the new duties under the Assets of Community Value process. This payment is not ring-fenced and DCLG indicate that, subject to Parliamentary approval further payments will be paid in 2013 and 2014.

DCLG also indicate that the Government will reimburse local authorities for any compensation claims over £20,000 paid out in any year, ie regardless of whether it arises from one big claim or a number of smaller ones which aggregate to this amount.

Section 17 Crime and Disorder Act

None directly arising from this report

Diversity

None directly arising from this report

Background Papers Available for Inspection:

Assets of Community Value – Draft Statutory Guidance – June 2012

Report to Cabinet – October 2012 - 'Assets of Community Value – Scrutiny Arrangements'

Community Development Scrutiny Group – Assets of Community Value Draft Procedure – 30 October 2012

Procedure for Administering Assets of Community Value

Rushcliffe Borough Council

December 2012

Assets of Community Value

The Localism Act 2011 introduced Assets of Community Value enabling certain groups to express an interest in and potentially buy an asset that enhances the social wellbeing and interests of the local community. This procedure has been developed to help Rushcliffe Borough Council administer this new Community Right.

Nomination

Who can nominate an ACV?

1. Bodies eligible to nominate an ACV are as follows:
 - **Parish Councils.** This may be for an asset in its own area, or in the neighbouring parish council.
 - **Neighbouring Parish Councils.** If the parish council borders an unparished area, then they may nominate an asset within that neighbouring local authority.
 - **Unincorporated groups.** Nominations can be accepted from any unincorporated group with membership of at least 21 local people who appear on the electoral roll within the local authority, or a neighbouring local authority. This will for instance enable nomination by a local group formed to try to save an asset, but which has not yet reached the stage of acquiring a formal charitable or corporate structure.
 - **Neighbourhood forums.** The procedure for becoming a neighbourhood forum is set out in section 61F of the Town and Country Planning Act 1990, added by the Localism Act 2011. There can only be one neighbourhood forum for an area. Existing community groups, civic societies and others can put themselves forward to be a 'neighbourhood forum'. Prospective neighbourhood forums need to ensure they meet the conditions for designation set out in the legislation, for example a forum should have an open membership policy and seek to draw its membership from across the neighbourhood area and from different sections of the local community.
 - **Community interest groups with a local connection.** These must have one or more of the following structures:
 - a) A charity
 - b) A community interest company
 - c) A company limited by guarantee that is non-profit distributing
 - d) An industrial and provident society that is non-profit distributing (these groups will be renamed as community benefit societies by the Co-operative and Community Benefit Societies and Credit Unions Act 2010 when it comes into force)

In this context, non-profit distributing means that any surplus is not distributed to its members but is wholly or partly applied to the local authority area where the asset is based or to a neighbouring authority area.

What needs to be contained in the nomination?

2. A community nomination must include a description of the nominated land or building including its boundaries, the name of current occupant / owner, reasons why the land or building is felt to be of community value, and evidence that the nominator is eligible to make a nomination.

When can nominations be submitted?

3. Nominations must be written, submitted by one of the bodies above and contain the information specified. Nominations can be submitted at any time to the Council's Chief Executive.

Assessment

What criteria are used in assessing a nomination?

4. An initial assessment will check that all required information has been submitted in order to establish that the land or building is eligible for nomination (eg not a residential property or operational land), that the body submitting the nomination is eligible to do so and that the land or building does, or could, enhance the social wellbeing and interests of the local community.

What role does the owner of the land or building have?

5. Part of the assessment process will be to consult with the current owner of the land or building nominated. The owner can object to the land or building being included on the registered list and the Council must consider the grounds for objection but the owner of the land or building does not decide whether the asset is included on the list or not.

Who makes the decision and how long does it take?

6. A decision to include an asset on the register of Assets of Community Value rests with the Head of Community Shaping (or equivalent) following consultation the relevant Cabinet portfolio holder, the ward member and the current owner of the land or building. This decision must be made within 8 weeks of receiving the initial nomination.

What happens next?

7. A decision is then made as to whether the land or building is considered to be an Asset of Community Value or not. If the decision is that it does, or could, benefit the social wellbeing or interests of the community then it is listed on a register of Assets of Community Value and published on the Council's website. Unsuccessful nominations are also published on the Council's website with an explanation of why they were unsuccessful. Both the nominating group and current owner of the land or buildings should be notified of the decision. The relevant parish or town council will also be notified.
8. If an asset is included on the list, an owner has the right to request the Council to review its decision. This request must be submitted 8 weeks from the date written notice of the listing was given. The asset will remain listed while the review is carried out. The internal review will be conducted by an officer of appropriate seniority of the Council not previously involved in the decision to list the asset. This officer will be nominated by the Chief Executive.

The Council will aim to complete the review within 8 weeks, if a longer period is necessary this will be agreed in writing. If the owner is not satisfied with the outcome of the internal review they have the right to appeal to the First-Tier Tribunal against the Council's decision. This appeal must be made within 28 days of the notice of the decision of the Council's internal review.

Does the list ever get reviewed?

9. The published list of Assets of Community Value should be reviewed every two years to ensure it remains current.

Intention to Sell

What happens when the owner of a registered asset wishes to sell?

10. The owner of a registered asset must notify the Council if he wishes to sell. The Council will then inform the group who originally nominated the asset of the owner's intention to sell.

What happens next?

11. The nominating group has a six week window of opportunity to decide whether or not it is in a position to put forward a proposal to buy the land or building if the owner of the nominated asset wishes to sell. It does not have to put forward the proposal within this six week window, just express an interest. This expression of interest triggers a six month moratorium period during which the owner can not sell the asset and the community group has time to put together a bid for the asset.

Does the owner of the registered asset have to sell to the community group?

12. No, the owner of the asset may still choose to sell the asset on the open market following due consideration of the community bid and the end of the six month moratorium. This process gives the community the opportunity to bid for an asset, it is not a requirement for the owner to sell to the community.

What happens if the community group does not express an interest in bidding for the land or building at that particular point in time?

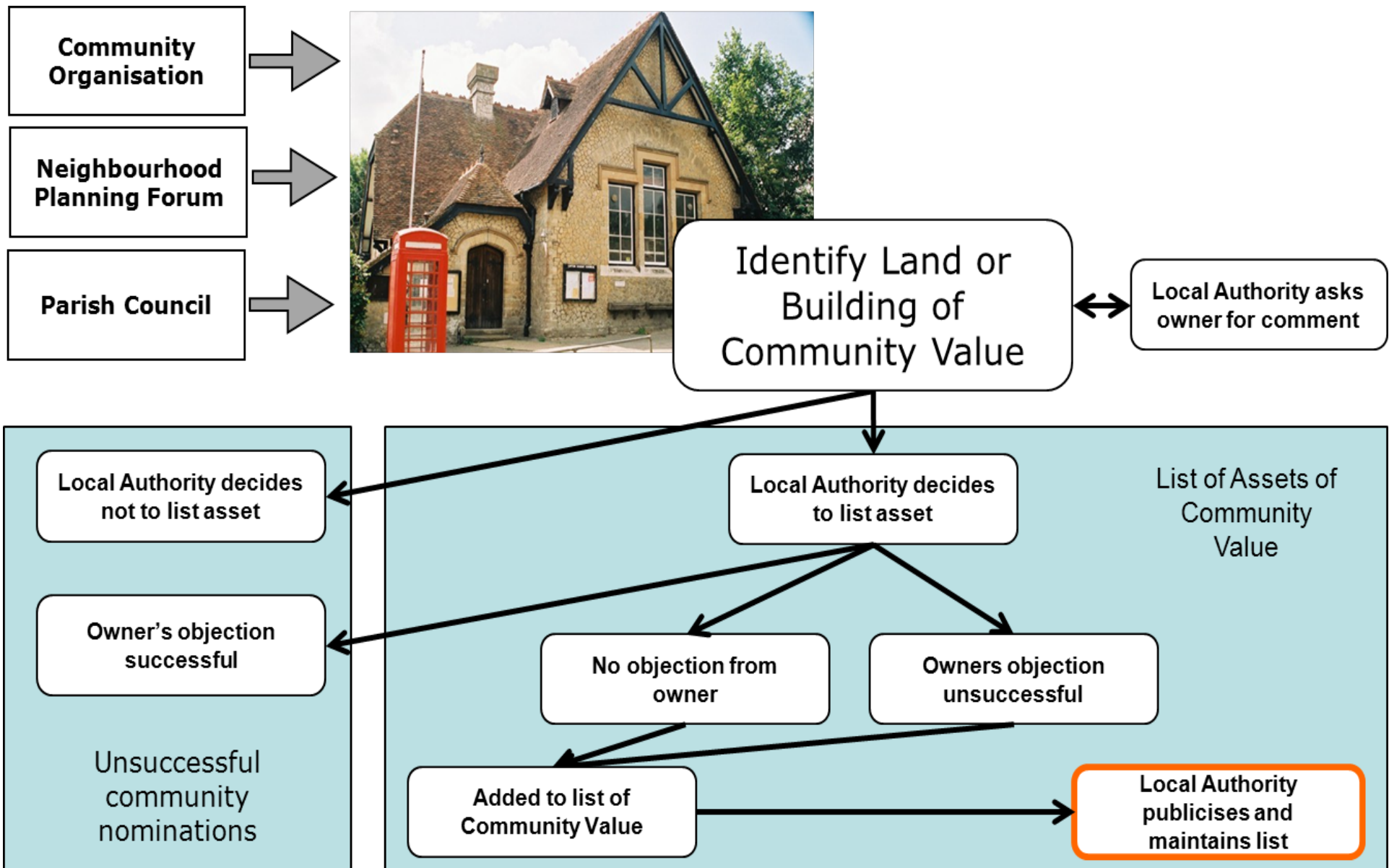
13. Under these circumstances, the owner of the land or building is free to sell it on the open market.

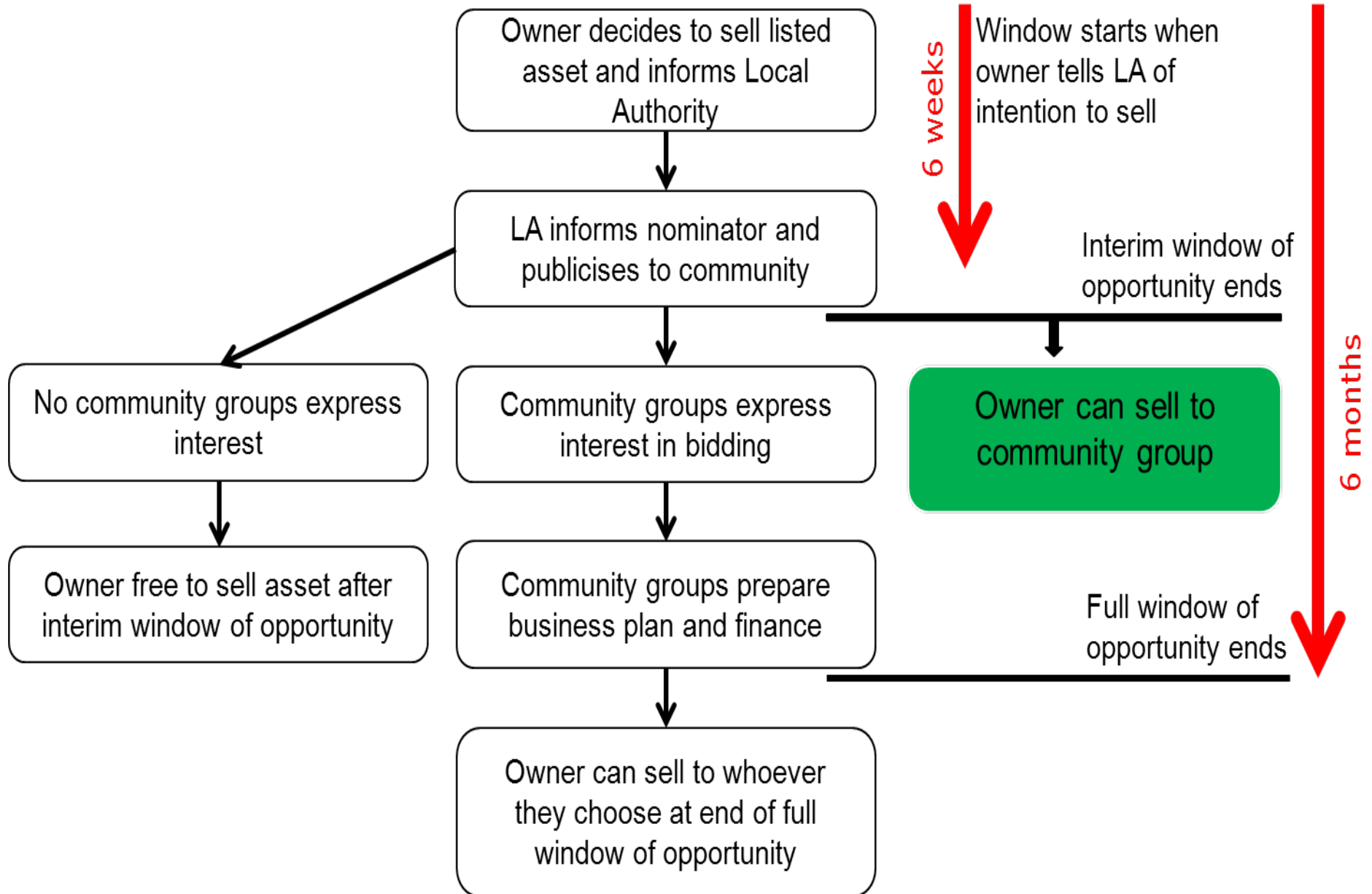
Further Council Involvement

Does the Council have any further involvement?

14. The Council could decide to offer help to communities in preparing bids, finding funding or in an advisory capacity.
15. Where necessary the Council will consider claims for compensation from owners of registered assets that find themselves barred from selling whilst the community prepare a bid for ownership. The process for considering payment of compensation will be consistent with that set out in the Assets of Community Value (England) Regulations 2012.

Two flow charts are included to illustrate this process.







Community Development Group

21 January 2014

Community Right to Challenge - Year One Review

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Report of the Executive Manager - Operations and Corporate Governance

Summary

The Community Right to Challenge procedure was accepted by the Cabinet in December 2012. It is one of four new Community Rights brought in by the Localism Act 2011 (the others being the Community Right to Bid (Assets of Community Value), the Community Right to Build, and Neighbourhood Planning). Cabinet expressed a desire to see the procedure reviewed after its first year of operation to ensure it is working smoothly. This report presents the findings of that review.

Recommendation

It is RECOMMENDED that the Community Development Group agree to proceed with the current process, and to review this process once an application has been received.

Background

1. In October 2012, the Community Development Group discussed a draft procedure for administering the Community Right to Challenge process. The Group recommended this process to the December meeting of the Cabinet. The Community Right to Challenge differs from the Assets of Community Value procedure in that there is no requirement to publish information online or hold a register of applications. As a result there was no official launch of the process.
2. Community Right to Challenge is one of four new Community Rights introduced as part of the Localism Act 2011. It allows for alternative service providers to submit an expression of interest to run a service, or part of a service, currently provided by the Council. The expression of interest triggers a procurement exercise open to all interested parties including the Council and the alternative service provider who initially expressed an interest.
3. So far, Rushcliffe has not received an application under the Community Right to Challenge and, as a consequence, the procedure introduced in December 2012 following Cabinet approval remains untested.
4. This reflects the position of all other Nottinghamshire district councils. If another district council receives an application, this will give us an opportunity to learn from any lessons that have been discovered during the process.

Financial Comments

None directly arising from this report

Section 17 Crime and Disorder Act

None directly arising from this report

Diversity

None directly arising from this report

Background Papers Available for Inspection:

Community Right to Challenge - Draft Procedure - Community Development Group - October 2012

Community Right to Challenge - Draft Procedure - Cabinet - December 2012

Community Right to Challenge –Statutory Guidance – May 2012

Report to Cabinet – May 2012 - ‘Community Right to Challenge – Scrutiny Arrangements’

Localism Act 2011

DCLG Policy Statement Community Right to Challenge - September 2011



Community Development Group

21 January 2014

Work Programme

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Report of the Executive Manager - Operations and Corporate Governance

The work programme for the Community Development Group is developed around the corporate priorities that fall within its remit and takes into account the timing of the Group's business in the previous municipal year and any emerging issues and key policy developments that may arise throughout the year. It is anticipated that the work programme for the year will be developed in line with the priorities identified in the 4 year plan for budget savings.

Members are asked to propose future topics to be considered by the Group, in line with the Council's priorities which are:

- *Supporting economic growth to ensure a prosperous and thriving local economy - Our economy;*
- *Maintaining and enhancing our residents' quality of life -Our residents*
- *Transforming the Council to enable the delivery of efficient high quality services - Our Council*

Recommendation

It is RECOMMENDED that the Group notes the report and considers any future topics.

Date of Meeting	Item
21 January 2014	<ul style="list-style-type: none"> • Review of Assets of Community Value • Review of Community Right to Challenge • YouNG - officer presentation • Work Programme
18 March 2014	<ul style="list-style-type: none"> • Update on Work with the parishes • Work Programme
6 May 2014	<ul style="list-style-type: none"> • Update on Economic Development • Work Programme
July 2014	<ul style="list-style-type: none"> • Work Programme

Date of Meeting	Item
October 2014	<ul style="list-style-type: none"> • Update on Delivery of Rural Broadband in Rushcliffe • Work Programme
January 2015	<ul style="list-style-type: none"> • Work Programme

Financial Comments

No direct financial implications arise from the proposed work programme

Section 17 Crime and Disorder Act

In the delivery of its work programme the Group supports delivery of the Council's Section 17 responsibilities.

Diversity

The policy development role of the Group ensures that its proposed work programme supports delivery of Council's Corporate priority 6 'Meeting the Diverse needs of the Community'.

Background Papers Available for Inspection: Nil