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Council

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## DECISION NOTICE – COMMUNITY RIGHT TO BID

**Reference: 2013/005**

20 November 2014

**Proposed Asset of Community Value – Car park, storage and display area on the corner of John Clark Way and Rectory Road, Rushden**

**Nominated By:** Rushden Historical Transport Society – received 15 December 2013

**Deadline for listing decision:** 10 February 2014

**Current Owner –** Northamptonshire County Council

### **Action Taken Prior to Decision**

- First nomination received covered the whole NCC site – advice given to the Society that we would be unable to list the whole site due to current or recent community use being restricted to the car park, storage and display area only
- This nomination covers that area only
- Notification to current owner of nomination
- Consultation with Chair of Policy & Resources Committee (Cllr R Lewis) and Ward Members (Cllrs B Jenney and M Holloman in addition to Cllr R Lewis) as required under Council's Community Right to Bid Policy – also with the Vice Chair of Policy & Resources Committee (Cllr G Greenwood-Smith) due to Cllr Lewis declaring an interest as a member of the Society
- Legal advice on implications of 'part-listing' an asset when the whole site is for sale – advice received from LGSS (Cambridgeshire office due to conflict of interest) was that the moratorium period would still apply

## Considerations

- Does the proposed asset meet the definition of an asset of community value specified in Section 88 (1) paragraphs (a) and (b) of the Localism Act 2011 i.e. the main (i.e. non-ancillary) use furthers the social wellbeing or social interests of the local community, or has recently done so, and is likely to do so in the future (during the next five years)?

As outlined above the original nomination covered the whole site, and the Society could not demonstrate community use of anything other than the car park, storage and display area. Resubmission of the nomination just for that area meant that officers considered that this part of the site met the criteria outlined in the Act, because its current use (until the Society was served notice by the owners) was as a car park for disabled visitors to the museum across the road and for storage of larger display items of transport.

- Does the proposed asset meet any of the criteria for exemption specified in Section 88 (3) and associated regulations?

There is no evidence that the land meets any of the exemption criteria. Legal advice received is that part listing does not affect the moratorium period.

- The views of the Chair and Vice Chair of Policy & Resources Committee and Ward Members:

The Chair of Policy & Resources Committee (and also in his capacity as a Ward Member) was supportive of the nomination, and the Vice Chair also agreed with this view. In this instance, the Vice Chair was consulted because the Chair of Policy & Resources Committee is a Member of the nominating organisation.

The other two Ward Members were also supportive of the nomination, based on the previous use of the land and the potential it has to enhance the Station site and museum as a tourist attraction for the town.

## Decision

**Having considered all the factors above, it is my view that the nominated asset falls within the category of an asset of community value as defined by the Localism Act and associated regulations and that it should be listed as such by this council.**



**Sharn Matthews**  
**Executive Director**

**10/01/14**

