



LEIGHTON-LINSLADE TOWN COUNCIL

Council

Date: 27 July 2020

Title: Community Right to Bid

Purpose of the Report: To support residents in their request that the Town Council submits an application to Central Bedfordshire Council that the land adjacent to no. 41 the Paddocks remain an asset of community value.

Contact Officer: Mark Saccoccio – Town Clerk

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| Corporate Objective/s | | |
| Implications: | | |
| Financial | √ | Minimal with £6 having been spent on a Land Registry Search in order to identify present ownership |
| Human Resources | | |
| Operational/Service delivery | √ | Presently there is no on-going town council commitment to the said land parcel beyond safeguarding it by way of the mechanism as set out within the Community Right to Bid |
| Procedural/Legal | √ | In accordance with the legislation, a fresh submission is required in order for Central Bedfordshire Council to consider the appropriateness or otherwise in its listing |
| Risk/Health & Safety | | |

1. RECOMMENDATION

Should Council be minded:-

- 1.1 In accordance with the Localism Act 2011, that on behalf of the residents of the Paddocks, an application be submitted to Central Bedfordshire Council to have the land adjacent to no.41 The Paddocks listed as an asset of community value.

2 BACKGROUND

- 2.1 Introduced in November 2011, the aim of the Localism Act is to empower local communities by devolving certain decision-making powers down to a local level. The Act allows the local community the right to nominate a building or land parcel as an asset of local community value. By doing this, it allows the community an element of control over the fate of a building or land parcel. For example, should

the owner of an asset wish to sell, the community would because of its listed status be given the first opportunity to purchase the said asset at market value.

- 2.2 In 2015, the land parcel known as land adjacent to no. 41 The Paddocks was listed by Central Bedfordshire Council with whom decision making rests. Based on the submission made by local residents, Central Bedfordshire Council agreed that the land is deemed to be of community value. In its opinion, the community had satisfactorily demonstrated that for over 50 years its community use for events and activities furthered the social well being of residents thereabouts.
- 2.3 On 18th June 2020, the Town Council received notification from Central Bedfordshire Council that:

In accordance with the Community Right to Bid provisions of the Localism Act 2011, I am writing to formally notify you, that the 5-year period of listing Land adj to No.41 The Paddocks, Linslade, Leighton Buzzard LU7 2SX as an Asset of Community Value (ACV) expires on 15th July 2020.

The List of Assets of Community Value on the Council website will be updated at that time to show that Land adj to No.41 The Paddocks, Linslade, Leighton Buzzard LU7 2SX is no longer listed as an ACV.

Please note that as Land adj to No.41 The Paddocks, Linslade, Leighton Buzzard LU7 2SX will no longer be listed as an ACV, the moratorium on disposing of listed land will no longer apply in the event that the owner elects to sell the property/land.

You can of course make a further nomination to list the asset as an ACV. New submissions will only be accepted for Assets that have previously been removed from either the Listed Assets of Community Value or the List of Non-Listed Assets if it can be shown that new, additional evidence has come to light since the first submission. Guidance and the online nomination form is available on our website at the following link https://www.centralbedfordshire.gov.uk/info/27/about_your_council/255/localism/2

A completely new submission would need to be made and the process would start again from the beginning.

The council reserves the right to reject re-submissions if, in its opinion, insufficient additional information has been provided.

What Does This Mean?

- 2.4 Contextually, the value of the site in providing amenity space was recognised when planning permission for the Paddocks was originally granted by Buckinghamshire County Council in the early 1960's. Within the decision, reference is made to the said land parcel by stating that "it should be kept free from development and shall be planted with suitable trees to form a screen between Stoke Road and the development".

- 2.5 In accordance with the regulations, any community asset listing lasts for a maximum of 5 years. After this period, its listed status falls and requires a fresh application. Without listed status as afforded by the Localism Act, any community control over potential future use is compromised meaning that the site is vulnerable. The listed status would at least allow the residents the first opportunity to buy the land parcel should it come onto the open market and provide control should a planning application be submitted. At the time when the original listing application was made in 2015, the site was owned by a construction firm which it is believed remains the same.
- 2.6 As a potential speculative building plot, it is highly attractive by virtue of its location and size. It is without question that it represents a very attractive proposition for those keen to bring it forward for residential development for example. In 2014, an application was refused on appeal for the erection of 1 detached dwelling on the grounds that:
- a) Not a sustainable form of development
 - b) The proposal would be detrimental to the character and appearance of the area
 - c) The proposal would result in the loss of amenity and the development proposed would be of no community benefit.

3 CONCLUSION

- 3.1 To ensure community lists do not stagnate, the Localism Act allows for review on a 5-year cycle. The Town Council is requested to support residents by submitting an application on their behalf which the regulations allow. As the residents make clear, the land parcel is a valuable community asset having been used in this way since the development was first built. Further, the original planning permission recognises its value and purposes thereof. Its amenity value was also recognised at Appeal relating to the 2014 planning application.
- 3.2 The tension between community use and lucrative residential development remains. Without listing, the site is afforded lesser protection other than the planning system itself.