

Understanding legal tools for local communities

Decentralising control of services and assets

1. Community Right to Bid

Also called Assets of Community Value, this 'pauses' the sale of a building or land you care about, giving a community time to develop a bid to buy it.

2. Community Right to Build

Allows communities to build new shops, housing or community facilities without going through the normal planning process

3. Community Right to Challenge

Lets local groups express interest in taking over a local service where they think they can do it differently and better.

4. Community Right to Reclaim Land

Allows communities to challenge local councils and some other public bodies to release their unused and underused land.

1. Community Right to Bid

The right to bid allows a community to nominate a building or piece of land as an 'Asset of Community Value'.

It applies to anything which is mainly used for the social interests of the local community - whether cultural, recreational, or sports.

If status is granted, the community has a chance to protect the asset by putting a pause on public sale for 6 months, giving them time to raise funds to bid for the asset themselves.

The right to bid can keep key buildings in public use and ensure there is an opportunity to have a say over their future.

1. How does it work?

1

Nomination can be done anytime by a community organisations with local connection. This includes Parish Council Neighbourhood Forums, most community groups, and not-for-profit organisations.

2

Once successfully designated as an Asset of Community Value, if the owner tries to sell the asset and the community expresses interest, the owner has to wait for a 6 month period. This gives time for the community to try raise funds to bid for the asset before the sale opens to a wider market.

3

Some examples of previously protected assets include schools, pubs, open spaces, civic halls, football grounds, and markets.

You can find more info on applying on your local council website. here's the page for oxford city council <https://www.oxford.gov.uk/assets-community-value>

2. Community Right To Build

The right to build can grant planning permission for specific developments which benefit the community.

The community gives permission for the building to go ahead – not the local authority as happens with a traditional planning application.

- This could be for homes, shops, affordable housing, community facilities or playgrounds. community energy schemes..

The right to build can help a town centre to thrive and offer better opportunities for local people.

2. How does it work?

1

The first step is to create a planning proposal.

2

This is then opened up to the community for consultation and revised accordingly

3

The revised plan is submitted to the Local Authority with an independent examiner to check the plan meets all legal requirements.

4

Once approved, the plan is submitted to a referendum in the community. If more than 50% agree, planning permission is granted!

If a community organisation also undertakes the development, any profit generated must stay in the community and the buildings can only be disposed of, improved or developed in a way that benefits the community.

You can find more info here:

<https://mycommunity.org.uk/understanding-community-right-to-build-orders>

3. Community Right to Challenge

This right allows community organisations to submit an expression of interest in running public services on behalf of the local authority or fire services..

It gives communities an opportunity to improve local public services, reducing cost, making them more responsive to local needs, or offering additional social value

- The services may be at any scale of activity from very local and small to authority wide.

The right to challenge allows communities to take responsibility for improving the local services in their area..

3. How does it work?

1

A community group, charity, parish council or group of staff of the authority identify a service they would like to run.

2

They then will submit an expression of interest to the relevant district, county, or borough councils, or fire services.

3

If the authority accepts the expression of interest, they must run a procurement exercise for the service.

4

The interested group will need to compete with others who may wish to run the service.

You can find more info here:

<https://mycommunity.org.uk/understanding-the-community-right-to-challenge>

4. Community Right to Reclaim Land

This allows communities to challenge local councils and other public bodies to release their unused or underused land.

As land is held on the behalf of the taxpayer, councils have a duty to use it effectively. The Right gives communities the power to ensure that they do so.

Submitting requests is a simple and easy process, with request forms and detailed guidance available on the government website - see below.

Take a look at the government website here for more info:
<https://mycommunity.org.uk/understanding-the-community-right-to-reclaim-land>

The four Community Rights explained in this infographic were introduced with the Localism Act 2011.

They were enacted to fulfil the Government's stated commitment to decentralising control. Moving responsibility for public services, assets, and planning from central government to local government and from local government to local communities

Thanks to
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