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| Appendix 4 | |
| HDC (the 'Authority') Statutory Obligations as set out in the Localism Act 2011 | Regulation/policy required as part of the Assets of Community Value (England) Regulations 2012 |
| | 1) Regulation to determine the meaning of a 'voluntary or community body' (a 'relevant body') |
| | 2) Regulation to establish criteria which demonstrates a local connection of the 'relevant body'. |
| Duty to consider expressions of interest for assets of community value from a relevant body to be included on the list of assets of community value (the 'list') | 3) Regulation to determine specific periods during which expressions of interest, or expressions of interest in respect of a particular relevant service, may be submitted to the authority. The Authority must publish details of each specification in such manner as it thinks fit (which must include publication on the authority's website). |
| Duty to accept or reject the expression of interest. | |
| Duty to carry out a procurement exercise relating to the provision on behalf of the authority of the relevant service to which the expression of interest relates. | 4) The Authority must specify— (a) the minimum period that will elapse between— (i) the date of the relevant authority's decision to accept an expression of interest, and (ii) the date on which it will begin the procurement exercise required as a result of that acceptance, and (b) the maximum period that will elapse between those dates. The Authority may specify different periods for different cases |
| Duty, when an expression of interest from a relevant body is received, to notify the relevant body in writing of the period within which it expects to notify the relevant body of its decision in respect of the expression of interest. | |
| Duty to publish the notification in such manner as the Authority thinks fit (which must include publication on the authority's website). | 5) Policy to determine how the notification should be published |
| On the withdrawal of an expression of interest, or the refusal of a relevant body to agree to modification of an expression of interest, duty of the Authority to proceed to a procurement process if the Authority thinks that it is appropriate to do so. | |
| Duty to maintain List of Assets of Community Value | 6) Determination of the form of entries on the list |
| Duty to maintain a list of unsuccessful nominations | |
| Duty to publish the list and make it available for free inspection | |
| Inclusion in the list be set as a Local Land Charge (prospective policy) | |
| Duty to Determine whether the asset has a non | 7) Criteria to determine when a use is non |

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| ancillary use that 'furthers the social wellbeing or social interests of the local community (social interests includes cultural, recreational and sporting interests)' and it is realistic to think that this relevant non ancillary use will continue | ancillary |
| | 8) Evidence that needs to be submitted to the Authority to make the determination of non ancillary use. |
| Duty to determine whether in the 'recent past' the asset had a 'non ancillary use' that 'furthers the social wellbeing or social interests of the local community (social interests includes cultural, recreational and sporting interests)' or it is realistic to assume that in the next five years it will have such a use. | 9) Determination by the Authority of the 'recent past' |
| | 10) Policy for determining criteria as to whether an asset should be included in the list. |
| Duty to provide written reasons for exclusion from the list of assets of community value | |
| Duty to provide written notice to the owner, occupier and relevant body making the nomination of any changes to the list of assets of community value | 11) Regulation to determine the procedure for a review of the decision to include or exclude an asset from the list |
| Duty to review the decision if requested and notify the relevant body if the asset was wrongly included in the list | |
| Duty to remove assets from the list after five years unless already removed in accordance with regulations | |
| Duty to keep unsuccessful nominations on the list for at least five years | |
| Duty to adopt reasons for exclusions from the list | |
| | 12) Policy to determine whether compensation for loss will be made by the Authority for inclusion of an asset on the list |
| | 13) Policy to determine enforcement protocol to prevent contravention of the regulations |