

Title of Report:	West Berkshire Council - Asset Disposal Guidance and Community Right to BID
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	2 September 2013
Forward Plan Ref:	N/a

Purpose of Report: To establish guidance for the disposal of Council assets which have Community Right to Bid implications.

Recommended Action: To agree the attached guidance for the disposal of Council assets which have Community Right to Bid implications.

Reason for decision to be taken: To ensure that the Council has a formal process in place for the effective management of disposal of Council assets which have Community Right to Bid implications.

Other options considered: N/A

Key background documentation: Community Right to Bid Guidance

The proposals contained in this report will help to achieve the following Council Strategy priority:

CSP2 – Promoting a vibrant district

The proposals will also help achieve the following Council Strategy principle:

CSP7 - Empowering people and communities

The proposals contained in this report will help to achieve the above Council Strategy priorities and principles by:
ensuring that Communities within West Berkshire have a

Portfolio Member Details	
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Date Portfolio Member agreed report:	

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Implications

Policy:	This guidance supports the Council's Asset Management Plan and is in accordance with the Community Right to Bid provisions.
Financial:	There are no financial implications associated with this report or guidance.
Personnel:	N/A
Legal/Procurement:	This guidance is in accordance with the Localism Act 2011 and, in particular, the Community Right to Bid provisions.
Property:	N/A
Risk Management:	N/A
Corporate Board's Recommendation:	Corporate Board supported the Asset Disposal guidance attached to this report.

Is this item relevant to equality?	Please tick relevant boxes		Yes	No
Does the policy affect service users, employees or the wider community and:				
• Is it likely to affect people with particular protected characteristics differently?			<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Is it a major policy, significantly affecting how functions are delivered?			<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Will the policy have a significant impact on how other organisations operate in terms of equality?			<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?			<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to an area with known inequalities?			<input type="checkbox"/>	<input checked="" type="checkbox"/>
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)				
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia			<input type="checkbox"/>	<input checked="" type="checkbox"/>
Not relevant to equality			<input checked="" type="checkbox"/>	<input type="checkbox"/>

Executive Summary and Report

1. Introduction

- 1.1 The Localism Act 2011 introduced the Community Right to Bid provisions on 21 September 2012. The Community Right to Bid provisions enable “relevant bodies” to list assets which are deemed to be of community value. This process then introduces a number of moratoriums to enable “relevant bodies” to decide whether they first wish to bid for the asset when it is put on the open market, and if so, a second moratorium which provides them time to put their detailed business case together.
- 1.2 The Community Right to Bid provisions have added a degree of complexity to the Council’s asset disposal policy in that the Council will, in the future, have to ensure that the closing date for the receipt of bids from any “open market” process is the same as the end date of the second moratorium under the Community Right to Bid process.

2. Proposals

- 2.1 In order to manage this “dual process” it is proposed that the attached guidance is adopted and forms part of the Council’s Asset Management Plan. The guidance provides details of the three moratoriums contained in the Community Right to Bid process, a section on advice and support and the governance to support this area of activity.
- 2.2 It is not proposed to establish a list of criteria for the sale of this asset. However, in assessing any bids received it will be important to consider the following:
- (i) Viability and credibility of overall offer
 - (a) Does the organisation have the necessary resources, funding and competence to deliver against the proposal?
 - (b) What are the timescales for the delivery of the project?
 - (ii) Community use and benefit
 - (a) How wide will the community benefit be?
 - (iii) Cash benefit to the Council

3. Equalities Impact Assessment Outcomes

- 3.1 This item is not relevant to equality.

Appendices

Appendix A - Asset Disposal Guidance which has Community Right to Bid implications

Consultees

Local Stakeholders: N/A

Officers Consulted: John Ashworth, David Holling, Andy Walker

Trade Union: N/A