

ACV Myth busting

MYTH	REALITY
The criteria for listing an asset has changed	The criteria for Assets of Community Value has not changed. However, since the regulations were first introduced and first ACVs were listed in 2014, case law has demonstrated the need to have much more robust evidence to support a listing, and we have strengthened our guidance to reflect this.
Listing an asset protects it from being sold	No, it does not prevent the owner from selling the asset, it only gives eligible community groups the right to put in a bid to purchase the asset should the owner decides to sell during the five-year period the asset is listed for.
The owner has to sell the asset to the nominating group	<p>If the nominating group states its intention to bid within six weeks of the owner stating their intention to sell, they then have six months (from the date the owner stated their intention to sell) to raise the funds to purchase the asset.</p> <p>During that six months, the asset owner can only sell to eligible community groups (should they wish to)</p> <p>Once the six months has elapsed, the owner can then choose to sell the asset to the community group, OR on the open market. Community groups do not have a right of first refusal.</p>
If the asset was listed before, it has to/will be listed again	<p>Not necessarily. Since the regulations were first introduced, case law has demonstrated the need to have much more robust evidence to support a listing.</p> <p>Therefore, each nomination is assessed on an individual basis. It will not be listed again if there isn't enough robust evidence to demonstrate that the asset's current use furthers the social well-being or social interests of the local community, or that it did so in the recent past and it's realistic that it might have the same or another beneficial use within the next five years.</p>
Listing a piece of land will stop developers building on it.	No, if a developer owns the land it will not stop them gaining planning permission.

	<p>However, the fact that the site is listed may affect planning decisions – it is open to the Local Planning Authority to decide whether an individual ACV listing is a material consideration if an application for change of use is submitted, considering all the circumstances of the case.</p>
<p>There is an opportunity for the council to consult the public on an asset nomination.</p>	<p>This is not the case. The council makes various parties aware of the nomination, such as: the asset owner, the town or parish council and the ward councillor(s). The nominating group and the owner are asked to give their comments and submit evidence which help inform the decision making process. This evidence can come from users of the asset but would only be submitted to the council by the nominating group or asset owner.</p>
<p>The council will always support the nominating group.</p>	<p>This is not the case. The council must remain neutral during the process and considers all evidence and comments submitted by the nominating group and asset owner during the decision making.</p>