

Community Right to Bid – Procedure for Expressions of Interest

Background

This note outlines the process for making an expression of interest in bidding to buy an Asset of Community Value that has been put up for sale or to let, in some cases. Once the Owner of an Asset of Community Value informs the council of their intention to sell or let, the interim moratorium period is triggered.

The interim moratorium period lasts for six weeks from the date the council received notification of intention to sell from the owner.

The council will write to the nominating group to inform them that they have received intention to sell and outlining when the interim moratorium ends, when the full moratorium would end should it be triggered, and when the protected period will expire. The council will also add this information to its web page, advertise this information through social media, and put up a site notice in the vicinity to the asset.

Eligible Community Interest Groups

To be eligible to express interest in the property within the interim moratorium period a community group must be one of the following:

- a charity
- a company limited by guarantee which does not distribute any surplus it makes to its members
- a co-operative or community benefit society which does not distribute any surplus it makes to its members
- a community interest company or
- the local town or parish council, where there is one.

AND it must have a 'local connection'.

A local connection means that the body's activities are wholly or partly concerned with the local authority's area or with a neighbouring authority's area. If the body is a company limited by guarantee or a co-operative or community benefit society then any surplus made must be wholly or partly applied for the benefit of the local authority's area or a neighbouring authority's area.

Evidence must be provided to support the community interest group's eligibility. Table 1 lists the sorts of evidence that are acceptable.

Table 1 – evidence to support eligibility as community interest group with a local connection

Community Interest Group Category	Evidence to demonstrate the community group is eligible	Evidence to support local connection
A charity	Registered charity number or (in the case of exempt charities) confirmation from the Charities Commission that it is a recognised charity.	Evidence is required to support lists of activities and could include minutes of meetings, accounts, newsletters, adverts, newspaper or other published reports, brochures, constitution/terms of reference/memorandum or articles of association, links to web pages or social media.
A company limited by guarantee	Copy of Constitution, memorandum and articles and most recent accounts. If non-profit distributing is not specified in Constitution then at least the past three years of accounts or other reasonable evidence. Limited company number.	Evidence is required to support lists of activities and could include minutes of meetings, accounts, newsletters, adverts, newspaper or other published reports, brochures, constitution/terms of reference/memorandum or articles of association, links to web pages or social media. At least three years of accounts or other reasonable evidence to show what surplus is spent on. If it is not clear from the accounts whether the surplus was applied wholly or partly for the benefit of the local area, this needs to be described in the application. Information regarding any standing orders that are applied for the benefit of the local area will also act as evidence.
Co-operative or community benefit societies	Copy of Constitution, memorandum and articles and most recent accounts. If non-profit distributing is not specified in the Constitution/Articles of Association/Memorandum then at least the past three years of accounts or other reasonable evidence. Society registration number.	Evidence is required to support lists of activities and could include minutes of meetings, accounts, newsletters, adverts, newspaper or other published reports, brochures, constitution/terms of reference/memorandum or articles of association, links to web pages or social media. At least three years of accounts or other reasonable evidence to show what surplus is spent on. If it is not

		clear from the accounts whether the surplus was applied wholly or partly for the benefit of the local area, this needs to be described in the application. Information regarding any standing orders that are applied for the benefit of the local area will also act as evidence.
A community interest company	Limited company number.	Evidence is required to support lists of activities and could include minutes of meetings, accounts, newsletters, adverts, newspaper or other published reports, brochures, constitution/terms of reference/memorandum or articles of association, interest statement, links to web pages or social media.

Making an expression of interest

To express interest in being treated as a potential bidder, you must email community.rights@barnet.gov.uk before the deadline for the interim moratorium.

We will then need to check your eligibility. Please note that all supporting evidence must be supplied ahead of the deadline, otherwise we cannot assess your eligibility and therefore cannot trigger the full moratorium. Please ensure that you send all supporting evidence with your expression of interest.

If you are eligible we will write to confirm this and we will pass your contact details to the owner. This then triggers the full six month moratorium – starting from the date the owner notified the council of their intention to sell.

During this time the owner can only sell to valid community interest groups – although they are not obliged to do so and can sell the asset on the open market between the end of the six month moratorium (full moratorium) and the end of the protected period (18 months from the date when the owner advised the council of its intention to sell or let). By expressing interest you are requesting to be treated as a potential bidder.

Once we have passed your details to the owner it is down to the owner to make contact with you if they are interested in negotiating with you – the council does not play any further role in this process. Please also note that once the full moratorium has been triggered, the council is not obliged to pass details of community interest groups to the owner.