

Nomination of a Community Asset –Trottiscliffe Village Hall and Car Park

1. Background

1.1 On 2 October 2023, Tonbridge and Malling Borough Council (“the Council”) received a nomination for a community asset from Trottiscliffe Parish Council, in respect of Trottiscliffe Village Hall (“the Property”).

1.2 The nomination describes the Property as follows:

“The hall is situated in an attractive setting with a large car park and access to the children’s play area. The Hall seats up to 187 or 105 at tables and dancing. There is a stage at one end with access from an anteroom” The Parish Council would also like to include the car park within this nomination.

1.3 The nomination indicates that it is currently in use, stating *“The hall is used by a nursery school every week day term time and is used by clubs and societies in the evening. The hall is regularly hired for events”*. The Parish Council own the property and it is looked after by a village hall committee.

1.4 The Parish Council (the nominator) describes the property as follows:

“The Parish Council would like the village hall to remain as a hub for the community. The hall provides space for the community to come together whether it be for a coffee or a sports activity. It also provides a wonderful venue for parties and village events as well as an annual village panto.”

The Parish Council also state:

“The hall is used for all community events. Celebrations for the Jubilee were held in the hall and there is an annual panto which is organised and played out by local people and watched by locals. It provides a place for people to meet and undertake a wide range of social activities” and *“The bookings and hiring of the village hall is virtually at full capacity and the current finances are healthy. Hopefully this will continue as the Parish Council is committed to keeping this vital community asset”*

2. Legal Framework

2.1 Section 90 of the Localism Act 2011 (“the Act”) states:

“90 Procedure on community nominations

(1) This section applies if a local authority receives a community nomination.

(2) The authority must consider the nomination.

- (3) *The authority must accept the nomination if the land nominated—*
- (a) *is in the authority's area, and*
 - (b) *is of community value.*
- (4) *If the authority is required by subsection (3) to accept the nomination, the authority must cause the land to be included in the authority's list of assets of community value.*
- (5) *The nomination is unsuccessful if subsection (3) does not require the authority to accept the nomination.*
- (6) *If the nomination is unsuccessful, the authority must give, to the person who made the nomination, the authority's written reasons for its decision that the land could not be included in its list of assets of community value.”*

2.2 By s.88 of the Act, land is of “community value” if:

“in the opinion of the [Council]—

(a) an actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests of the local community, and

(b) it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community.

...
[or]

in the opinion of the [Council]—

(a) there is a time in the recent past when an actual use of the building or other land that was not an ancillary use furthered the social wellbeing or interests of the local community, and

(b) it is realistic to think that there is a time in the next five years when there could be non-ancillary use of the building or other land that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.”

2.3 Land may only be listed in response to a community nomination (or in other prescribed circumstances which are not applicable here). A “community nomination” includes a nomination by a Parish Council.

3. Assessment of Nomination

Is it a “community nomination”?

The nomination has been made by a Parish Council in respect of land within its area, which meets the requirements of s.89(2) of the Act for a community nomination.

Is there an “actual current use” or “time in the recent past” where the land was in community use

The Property is currently in use as a village hall with car park.

Is there a realistic prospect in the next 5 years of a community use?

The property is currently in use as a village hall with car park, this is *capable* of use in a manner which furthers social interests and/or social wellbeing and there is a realistic prospect in the next 5 years of a community use.

4. Conclusion and Decision

- 4.1 The Council has received a valid community nomination for the Property.
- 4.2 The Property was, in the recent past, in a use or uses which furthered the social wellbeing of the local community.
- 4.3 It is realistic to think that the property could be put to such uses within the next 5 years.
- 4.4 The Property is in the Council's area and is of community value. The Property should therefore be included in the Council's list of assets of community value.