

Nomination of a Community Asset – Community Centre, Hawley Drive, Leybourne Chase, ME19 5FL

1. Background

1.1 On 14 January 2025, Tonbridge and Malling Borough Council (“the Council”) received a nomination for a community asset from Leybourne Parish Council, in respect of the Community Centre, Hawley Drive (“the Property”).

1.2 The nomination describes the Property as follows:

“Community Centre ground floor space and community garden area. Hire space which includes a sports hall used for parties, playgroups, dance school hire and sports/fitness activities and a studio room for smaller gatherings including extra curriculum tuition, yoga and pilates classes, dementia support and pop up NHS walk in clinics. The building also contains a kitchen and the office of LGM CIC. There is a community garden area at the back of the community centre”

1.3 The Parish Council (the nominator) describes the use of the property as follows:

“Community hall for hire and office of Leybourne Grange Management Community Interest Company.” The nomination lists the owner as Orbit Homes and the occupier as Leybourne Grange Community Interest Company.

The Parish Council also state:

“The community centre plays a vital role in:-

- promoting social interaction.*
- running events and activities.*
- it can offer education facilities supporting personal development.*
- enhance physical and mental health by providing sports and fitness activities.*
- It can facilitate local community engagement including providing volunteer opportunities.*
- It can provide essential services such support with health matters.*
- It can help to strengthen community identity in uniting people providing a more connected community.*
- Provide a centre to host cultural events and celebrations, preserving local traditions.”*

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 community centre.

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

The property is currently in use as a community centre with community garden area. The space is used for hire by a variety of groups that support activities in the community, this is used 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.