

Prof. Julia Waters  
Keep Kentwood Green

By email only  
waters.j@outlook.com

Your contact is: Charan Dhillon, Regeneration & Assets

Dear Prof. Waters

**ASSET OF COMMUNITY VALUE NOMINATION: Land bounded by Armour Hill, Kentwood Hill, Tilehurst Allotments & Victoria Recreation Ground, Reading**

#### **DETERMINATION UNDER SECTION 90 OF THE LOCALISM ACT 2011**

I acknowledge receipt of your form dated 13 November 2022, nominating Land bounded by Armour Hill, Kentwood Hill, Tilehurst Allotments & Victoria Recreation Ground, Reading, for inclusion on the Council's List of Assets of Community Value under the Community Right to Bid provisions of Chapter 3 of the Localism Act 2011.

I am responding to you as the officer to whom the Council has delegated authority to consider and determine community nominations under Section 90 of the Localism Act 2011 (the Act).

In considering and determining your community nomination, the Council is required under Section 89 of the Act to consider whether the nomination has been made by a body listed under Section 89(2)(b), i.e., a local parish council or a voluntary or community body with a local connection.

I am satisfied that Keep Kentwood Green was entitled to make a community nomination because it is an unincorporated body whose members include at least 21 individuals, and which does not distribute any surplus it makes to its members.

The Council is also required under Section 90(3) of the Act to consider whether the land nominated (a) is in the authority's area; and (b) is of community value.

The site you have nominated, Land bounded by Armour Hill, Kentwood Hill, Tilehurst Allotments & Victoria Recreation Ground (the Land), is in the local authority's area.

Section 88 of the Act defines land of community value. This is land and buildings where, in the opinion of the local authority, its actual current use furthers the social wellbeing or social interests of the local community, and it is realistic to think that the same or another such use will

continue; or where there was such a use in the recent past which it was realistic to think could exist within the next five years.

The Council has considered the nomination carefully but has taken the decision not to list the Land as an Asset of Community Value (ACV). The reasons for this decision are set out below.

#### LACK OF EVIDENCE FOR CURRENT USE

The ACV legislation exists to provide a tool for communities looking to take over and run local assets. For the Council to consider ACV nominations, it needs to see strong evidence to support claims of social and community value, whether that is current use or in the recent past. Your nomination mentioned that “the land has been inaccessible to humans and their dogs for decades and so has become a rich haven for wildlife in the town”. There is insufficient information provided in the nomination to satisfy the Council that the local community has any actual current use of the Land.

It is acknowledged that the Land is visually valued by the community and currently provides a natural habitat for wildlife, but these are not grounds for nomination.

The nomination does not meet the criteria that is used to determine if a nomination can be listed as the actual current use of the land that is not an ancillary use does not further the social wellbeing or social interests of the local community. Therefore, the decision is to refuse the nomination to list the Land

Based on the above points, I cannot recommend approving the current nomination which seeks to list the Land as an ACV. Therefore, the decision of the Council on your community nomination is that it is **unsuccessful**.

I realise this decision may come as a disappointment. We have learnt a great deal from owners challenging our listing decisions in the past, which has highlighted the need for robust evidence and eligibility checks. You are welcome to submit a new ACV nomination if there is NEW additional information to support your claims of social and community value.

Under Section 93(1) of the Act the Council is required to maintain a separate list of unsuccessful community nominations, and the reasons for not including the land in the authorities list of assets of community value. This entry will appear on the Council’s website, with this letter attached to the entry for ‘Land bounded by Armour Hill, Kentwood Hill, Tilehurst Allotments & Victoria Recreation Ground’.

Yours faithfully



Charan Dhillon  
Assistant Director of Property & Asset Management