



Department for
Communities and
Local Government

You've got the power

A quick and simple guide to community rights

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If you have any enquiries regarding this document/publication, email contactus@communities.gov.uk or write to us at:

Department for Communities and Local Government
Eland House
Bressenden Place
London
SW1E 5DU
Telephone: 030 3444 0000

For all our latest news and updates follow us on Twitter: <https://twitter.com/CommunitiesUK>

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Your rights and opportunities

People around the country value and love the places they live in. They want great local public services, to protect the things that make their neighbourhood special and to help their community grow and develop in the right way.

To make sure that you and your neighbours have the community that you aspire to, the government has given you legal powers and new opportunities to preserve what you like and change what you don't like about the city, town or village you live in. Whether you want to stop the local shop closing, get more homes built, or improve local public services, this quick and simple guide will point you in the right direction. It also gives you just a few examples of the thousands of people, in hundreds of communities, who are already using their rights to make changes for the better in their area.

We're helping communities to take control

What do you want to do?

Have ideas about how your neighbourhood or community should develop?

Local places such as pub, shop or community centre closing?

Want to raise money for local community projects?

Have ideas about how to fix local problems?

Think you could run a local public service better?

Want to run your community with your neighbours?

Could you improve the way your housing is managed?

Could you make better use of vacant or underused land or buildings in your community?



What's the solution?

Neighbourhood Planning
Community Right to Build
Community Infrastructure Levy

Community Right to Bid
Community Asset Transfer

Community Shares

Our Place!

Community Right to Challenge

Establish a Parish Council

Right to Manage

Right to Reclaim Land
Compulsory Purchase Order

Help and support

There is plenty of advice, support and funding to help you get started. Go to www.mycommunityrights.org.uk/my-community-rights/ or phone **0845 345 4564** to find out more.

Neighbourhood Planning

Have you got ideas about how your neighbourhood should develop?

Neighbourhood planning enables local communities to shape the future of the places where they live and work. Neighbourhood plans have exactly the same legal status as those developed by councils.

Residents are directly able to:

- decide where new homes, shops and offices will go
- decide what new buildings look like
- decide what facilities, services and infrastructure is needed
- grant planning permission for new buildings through a Neighbourhood Development Order.

Communities which have neighbourhood plans can also receive part of a new levy on development in their area, which can be invested in local facilities. Funding and practical support is available to help you and your neighbours get started.

Here's how - Step 1: decide the area the plan will cover

Your plan might cover the parish boundaries, or just the centre of town, or perhaps include or exclude particular parts of the neighbourhood. The local planning authority will check the boundaries make sense and give approval.

Step 2: develop your ideas

What already exists in your neighbourhood and what's missing? Who lives in your neighbourhood – is it families, the elderly, young professionals – and what do they want? What sort of housing do they need? What sort of infrastructure and public services will be needed to support your plans? How will your plans attract businesses and create jobs?

Step 3: engage and consult with your local community

A neighbourhood plan needs 50% of local people to say 'yes' in a local vote, so it's crucial your neighbours are on-side. They will also have ideas which will help make your plan stronger. It will then be checked by an independent examiner.

In **Thame, Oxfordshire**, residents are protecting the character of their traditional market town while planning for the future, with more housing, a primary school and community centre. Their neighbourhood plan had a big 'yes' vote in the referendum as a result of the strong community involvement which shaped the plan.

Nigel Champken-Woods, Thame Mayor said "This is an excellent result and the networks and relationships formed throughout this process will go from strength to strength and the community spirit, which is a significant part of what Thame is, will continue in abundance as the plan is implemented."

Step 4: community referendum

Your council will organise a referendum so people who are eligible to vote and are affected by the plan have the final say. If it gets approved, it comes into force and will help determine planning applications and decisions in your area.

Alan Warburton, Winsford Town Council

"Neighbourhood planning offers a wonderful and exciting opportunity for local people to help shape the future of our town."

Community Right to Build

Want to build something your community can be proud of?

A Community Right to Build Order gives communities the ability to build their own housing, shops or community facilities without going through the traditional planning process. It will help communities deliver small scale projects, though it can also be used as part of the neighbourhood planning process so communities not only make the decisions but also take responsibility for building what they want.

Here's how - Step 1: get together with your neighbours

At least ten residents must be part of the scheme and you need to register as a legal body before you can proceed. Locality (our support provider) or the Charity Commission can help with this.

Step 2: come up with your ideas

Work with your neighbours to develop a proposal that the community can get behind. You need to work out which area the proposal will apply to and the local planning authority will need to approve this. Then identify suitable land, ensure you have the funding, and work with all interested parties to secure the right result. Then draft a Community Development Order which shows what you are proposing to build, where it is and how you have arrived at your decision.

Step 3: submit your plans

An independent examiner will then check your proposal to make sure it fits with national policies and other legal tests – for example on conservation or protection of listed buildings.

Step 4: vote in a referendum

Your local authority will then organise a referendum for you. If there is a majority 'yes' vote then you can start getting ready to build.

Slaugham Parish Council, in Mid Sussex, has made two Community Right to Build Orders. They will pave the way for much needed new homes (some of which will be affordable) and a community centre, with the benefits of the development being retained by the community, for the community.

The first Order is for 76 new homes, 38 of which are affordable, as well as plots for 'self-build'. The second Order is for a new multi-functional community centre and bowling green. The Orders are an integral part of the Slaugham Parish Neighbourhood Plan.

Chris Hinchey, Chair of Slaugham Parish Council's Neighbourhood Plan Committee.

“The Orders offer the Parish Council the opportunity to make clear the full details of the Plan’s flagship proposals with the local community, rather than leave this to later planning applications. These proposals are central to achieving the community’s vision for the parish.”

Community Right to Bid

Worried about local places that you love – like the pub, shop or community centre closing?

The Community Right to Bid helps to protect locally important community assets. You and your neighbours can nominate any local building or land you love and then, if it comes up for sale, you have six months to raise the funds to buy it. People have used this right to list shops, libraries, football stadiums, community centres and land like parks or riversides.

Here's how - Step 1: get together with your neighbours

Nominating a community asset needs the support of 21 people on the local electoral register. However other groups such as Parish Councils can also make nominations.

Step 2: list your asset

Many councils now have a form on their website for nominating assets. Over 90% of all nominations are accepted for listing.

Step 3: if the asset comes up for sale, the group who nominated the asset will be informed

There will be a six month period where your community has the opportunity to decide whether to bid for it and raise the money. To trigger this six month pause in the sale you'll need to become an incorporated group. You can of course involve far more people than the original group who nominated the asset. If the building or land is currently publicly owned, talk to your local authority about whether they will accept an offer beneath the market value: this is known as a community asset transfer.

Step 4: raise the money to buy your asset

There are a variety of ways to do this, for ideas see:

www.mycommunityrights.org.uk/community-right-to-bid/grants/

If your offer is accepted, the asset is now owned and run by the community.

The Ivy House Pub in Nunhead, South London, is a well loved pub in where people like Elvis Costello and Joe Strummer have played. Residents of Nunhead found out it was going to be sold for redevelopment. A group got together to list the pub and then had six months to raise the money to buy it. They received a loan from the Architectural Heritage Fund, a government grant, and almost 400 people bought shares in the pub. It has just reopened as a co-operative pub, with music and comedy nights, real ale and food.

www.ivyhousesunhead.com/

CAMRA

"CAMRA is delighted that the Government has recognised the vital importance of pubs and empowered communities to protect them. By listing their local, communities are ensuring that if the pub is under threat in the future, there is a much-needed extra layer of protection which "stops the clock" should it be put up for sale.

"CAMRA's 'List Your Local' campaign is aiming to get 300 pubs listed as community assets. We're now a third of the way there and we encourage communities to make the most of these new powers to help us achieve that goal."

Ivy House – Tessa Blunden

"If you care about an asset in your community then consider nominating it for listing through Community Right to Bid. We were very pleased with the support we received throughout the process and the listing bought us enough time to put together a bid to save our pub."

Supporters Direct – Tom Hall, Head of England

The Community Right to Bid recognises the importance of a football stadium, not only to the club itself but also to the fans and the community in general. The stadium is both symbolic and an asset used to provide social value to the communities it interacts. The listing of stadia as Assets of Community Value recognises this vital role clubs and their stadium play and that football clubs are not a normal business but have a clear social purpose that requires protection. Supporters Direct will continue to encourage its members to request their club's stadium are listed under this community right.

Community Shares

Want to raise money for local community projects?

Community shares enable residents to invest financially in community projects. By buying shares and becoming part-owners of a business, local people can become supporters, volunteers and advocates - not just customers - and projects get much needed funding to get started and become financially sustainable. They can be used to run community farms, establish community shops or purchase solar panels. Not all the funding for the project needs to be raised through shares: you may find that having this base attracts larger private investors too.

For further information go to www.communityshares.org.uk

Here's how – Step 1: develop a business plan

For your venture to succeed and attract financial support it needs to be as professional as possible. Your plan needs to demonstrate that your business will be viable, profitable and sustainable.

Step 2: engage the community

Gain support from as many people as possible: this creates customers as well as attracting investors.

Step 3: register your community organisation

To raise capital by issuing shares, you need to set up as an Industrial Provident Society and will need to abide by the rules which govern co-operative societies.

Step 4: develop a share offer prospectus

This should be a powerful document which inspires people to invest and gives them all the information they need to make that decision.

Step 5: issue share offer

Once your funding is secure, you can get your community enterprise off the ground.

In Slaithwaite, West Yorkshire, the owner of the village shop was retiring but residents wanted to see the shop continue. So they formed a community group and raised the money to keep it open by selling community shares at £10 each. More than 100 bought shares and the group raised £18,000, while other volunteers gave their time and expertise refurbishing and modernising the premises. The Green Valley Greengrocer opened six weeks after the shop closed, creating new jobs and retaining a much loved focal point for village life.

Simon Opie, Chief Executive of Hastings Pier Charity

“We are engaged in creating a unique operating model for the Pier and I can honestly say we could not be doing this work without the support of the Community Shares Unit. The success of the Community Shares offer is the key to sustaining the future of the Pier as a thriving social enterprise and to ensure that success requires access to experience and knowledge of the social investment landscape. We have been very fortunate to benefit from the expertise available to us within the Community Shares Unit team. “

Our Place!

Have you got ideas about how to fix local problems?

Our Place! helps residents work together with councillors, service providers, businesses and voluntary and community organisers to solve local problems and improve local services. Our Place! ensures that public money is being spent in the ways local people want. It enables people to take ownership and responsibility for their area, creating positive changes. It could be used to address health problems, tackle anti-social behaviour, improve the local environment, raise skill levels or whatever else matters to local people.

Here's how - Step 1: identify the problem you want to solve and bring people together

What do you want to achieve? Who has an interest in the problem? Think more widely than public services: what about businesses, voluntary groups and faith organisations. What are they already trying? Why isn't it solving your problems?

Step 2: work together to agree your vision and to develop a plan to bring it to life

Starting with a powerful and clear vision means people are more likely to get behind it. Maintain their enthusiasm by sharing information and reporting back on results regularly.

Step 3: sign up to the Our Place! programme to find out what advice and/or funding is available

For more information, email ourplace@communities.gsi.gov.uk. Advice and support is available from government and from those who are already working in the Our Place! way.

Step 4: put your plan into practice

Residents of **Haverhill, Suffolk**, were concerned about levels of youth unemployment. Through the Our Place! approach they brought local businesses, colleges and schools together with the local chamber of commerce to ensure that school leavers were equipped with the skills which local businesses needed. Government funding paid for a youth skills worker to co-ordinate an ambitious programme of work experience, apprenticeships and careers advice to help local young people get a foot on the jobs ladder and raise their aspirations.

Sarah Howard, Vice Chair, One Haverhill Suffolk Chamber of Commerce

"By bringing business, community and voluntary organisations and the public sector together we are making progress on what's needed for our town."

Cllr Ron Ley Ilfracombe Town Council

"We were fed up of thinking of ourselves as victims and holding out the begging bowl – so we decided to manage our town for ourselves."

Community Right to Challenge

Think you could run a local public service better?

The Community Right to Challenge enables communities to bid to take over local services they think they can run differently and better. This might include youth services, parks, libraries, allotments, children's centres and a whole lot more.

Here's how - Step 1: identify the service

Decide which service you want to run and where and how you would make improvements. Perhaps it would make sense to achieve economies of scale through running more than one service: for example running youth services across the district. Ensure you fully understand how it is currently run and what that costs.

Spotting a gap in the market **Brent Tenants Rights Group** submitted an Expression of Interest to their local authority to take on the Housing Tenancy Relations and Advice Service. Their proposal was accepted by Brent Council and this has given the group the opportunity to bid to deliver the service and improve local public service provision.

Step 2: make sure your organisation is ready to deliver the service

If successful, your group will have a legal and contractual obligation to deliver the service. Invest time in making sure you are ready for this: that you have the structures, skills and finance in place and ready to go. You may be eligible for government funding to develop the capacity of your organisation. Build a business case which shows how you will deliver your objectives, cover your costs and improve the service.

Step 3: submit an expression of interest to your local authority

Your expression of interest will need to be in writing and explain how your proposal will meet the needs of those who will use the service, as well showing that your organisation is suitable to run it. Check your local authority's website to see whether they take expressions of interest all year round or only during certain periods.

Step 4: bid to run the service

If the expression of interest is accepted, the authority will put the service out to tender. Your organisation may be in competition with other groups who also want to run the service.

Janet Murphy, Chief Executive of Escape Family Support said on working through the issues for taking over a service and the expert support available:

“We quickly realised that if we were going to be able to continue to grow and compete effectively we would have to evolve rapidly as an organisation. With support from Locality we were able to secure funding from the Social Investment Business which allowed us to conduct a pre-feasibility analysis which provided us with a firm platform from which to improve performance quickly and deploy our resources more effectively. If we have a word of advice for others it is to be proactive, start as early as you can and develop the right support networks.”

Town and Parish Councils

Want to run your community with your neighbours?

Town and parish councils are the most grassroots form of local government. Town or parish councils enable people to have a big involvement over a small area. They run everything from job clubs to leisure centres, parks to community cinemas, all on behalf of local people. Though parish councils have traditionally existed in the countryside, there is no reason why they cannot be established in towns and cities; recently the first parish council for fifty years was established in London.

We are making it quicker and easier to set up parish councils and there is government help available for people who want to start one. Parish councils can also use other rights featured in this document: for example, they can bid to run local services, develop a neighbourhood plan which covers the parish and list local assets.

See www.createacouncil.nalc.gov.uk for more benefits and advice.

Sevenoaks Town Council

manages open spaces, recreation areas, a gym, a community centre and a tourist information centre as well as a cemetery, parks, allotments, public toilets, lighting and grit bins. It also helps the local economy, running a job club and Business Shows. It has a Youth Council and a youth café.

The Town Council has taken over the Stag Community Arts Centre which now operates a 2-screen cinema (including a 3D screen), theatre, function and wedding venue, and a youth theatre group, and has developed a very large network of local volunteers.

Here's how – Step 1: draw up the boundaries

These should reflect a common sense 'feel' for the community – for example, perhaps it will be centred around the local high street – but also needs to take into account other electoral boundaries.

Step 2: gather support for your proposal

You need to collect signatures in support of your proposal. How many signatures depends on how many people live in the area.

Step 3: submit your petition to the principal local authority

A review of community governance is then carried out and a report will recommend either accepting or rejecting your proposal. If accepted, the principal authority will make a 'reorganisation order', so that staff or property can be transferred to the new parish council.

Step 4: arrangements are made for elections to be held for the new parish council

In the meantime, a shadow or temporary council may be set up

"Neighbourhood Manager for Queen's Park Fabian Sharp

I welcome the measures which will make it easier for other aspiring neighbourhoods to embrace grass-roots democracy. Doing so, puts the community in the driving seat, in charge of local spending and free to do what local people think is best for their area. More is needed to capitalise on the energy in our communities, but this is a welcome move in that direction. "

Cllr Ken Browse, chairman of the National Association of Local Councils

"As champions for local councils and communities, we are delighted to support the positive steps in making it easier to create new local (community, parish, neighbourhood or town) councils – in previously un-parished areas. We believe that this is right considering the overwhelming response from people, communities, and local government to make the process of creating new local councils quicker, easier to understand and initiate. We particularly note and welcome the opportunity to create new parish councils in previously un-parished urban areas. "

Right to Manage & Community Cashback

Could you improve the way your housing is managed?

The Right to Manage enables **council tenants** to take control of major housing services such as repairs, grounds maintenance and security. When people are in control of their own services, they are often more satisfied with the quality and value for money.

The Community Cashback scheme enables **council and housing association tenants** to manage smaller-scale services, such as cleaning, which cost under £170,000, through a voluntary agreement with the landlord.

Right to Manage here's how - Step 1: form a Tenant Management Organisation

Check www.nftmo.com for advice and possible sources of funding. Unless your building is very small, it's likely you will want to appoint a management company to run it for you.

Step 2: get resident support for your plans and notify the council that you wish to exercise your Right to Manage

To win support from your neighbours you need a clear plan outlining the benefits of your proposals.

Step 3: finalise your agreement with the council and hold a ballot of tenants to sign off the new arrangements

Community Cashback, here's how –

Step1: decide what services you want to run

Step 2: gain support from your neighbours and develop a proposal

Step 3: draw up an agreement with your landlord

Step 4: once the service is up and running reinvest any savings for community benefit

Leathermarket Joint Management Board is **Southwark's** largest resident-managed housing organisation, managing 1500 homes in Borough and Bermondsey. Rents and service charges are invested in a variety of services including repairs, maintenance, cleaning and gardening, as well as carrying out major improvement works.

The Bloomsbury Estate Management Board was set up by residents in **Birmingham** who believed they could run their housing services more effectively. Run by a management committee largely made up of elected tenants, they provide traditional landlord functions like repairs and maintenance, as well as helping tenants with benefits, offering debt counselling and addressing community safety. It has created a strong community spirit among residents.

Nick Reynolds (Chair National Federation of Tenant Management Organisations and Secretary Roman Way Estate CiC)

"We used the Right to Manage to set up a Tenant Management Organisation on our estate and we have been able to improve housing services and strengthen community spirit as a result. Thousands of tenants around the country have had the same positive rewards for taking control."

Right to Reclaim Land

Think that land in your community could be better used?

Across the country there are significant amounts of land, owned by public bodies, which are vacant or derelict and which could be better used for housing, business or parks. The Community Right to Reclaim Land enables individuals, community groups and other organisations, including developers, to ask that it be brought back into use and even bid to buy it.

Here's how - Step 1: check that the land you are concerned about is publicly owned

You can establish who the registered owner of the land is by contacting your local authority or the land registry.

Step 2: fill in a Public Request to Order Disposal (PROD) form

You will need to set out evidence making a case for why the land should be sold off and also make suggestions as to how it should be used. Further information and forms can be found at www.gov.uk/government/policies/giving-people-more-power-over-what-happens-in-their-neighbourhood/supporting-pages/community-right-to-reclaim-land

Step 3: Send this to

NPCU@communities.gsi.gov.uk

Or post it to:

**National Planning Casework
5 St Philip's Place
Colmore Row
Birmingham
B3 2PW**

Step 4: your request will be considered by the Secretary of State

If your evidence is solid, the Secretary of State will issue a notice requiring the landowner to sell. This will normally mean that the land is sold on the open market.

Stage 5: put a bid together

You and your community will have an opportunity to purchase the land on the open market. Discuss your proposals with the existing landowner: they may be prepared to sell at less than market value.

Compulsory Purchase Orders

Local authorities can compulsorily purchase derelict/disused land and buildings if they cannot be bought by agreement. If you have ideas to improve land and regenerate your area, but are struggling to reach agreement with the landowner, see if your council can help.

Further information

You've got the powers; the organisations below will help you to use them

Locality (www.mycommunityrights.org.uk, 0845 345 4564) can give you support, advice and funding to help you exercise the rights outlined in this document

Social Investment Business (www.sibgroup.org.uk) offers grants to help kick start your community venture

The **Community Shares Unit** (www.communityshares.org.uk) will help you develop community share offers to raise money for community enterprises.

The **Homes and Communities Agency** (www.homesandcommunities.co.uk/community-right-to-build) can offer financial support for you to exercise the community right to build

The **Greater London Authority** (www.london.gov.uk/priorities/housing-land/increasing-housing-supply/build-your-own-home-the-london-way) can do the same for those in London

The National Federation of Tenant Management Organisations (www.nftmo.com/) can help council tenants exercise their right to manage