

Community Right to Bid

Guidelines to the Moratorium

1. The first moratorium is a six week interim period. During this time community interest groups who are eligible* can submit an expression of interest to become potential bidders for the community asset. If there are no eligible community interest groups that come forward, the owner is free to dispose of their asset at the end of the 6 weeks.
2. When a community interest group becomes a potential bidder, by submitting a written expression of interest to the Council, the second moratorium comes into effect, which extends the first six weeks into six months. This is the time within which the community can raise the capital for their bid.

NB: Submitting an expression of interest does not commit the group to making a bid. Furthermore the community interest group does not have to provide any evidence of intention or financial resources to make such a bid.

3. During the moratorium (both the first and second stages) the owner of the asset is allowed to market and negotiate sales on their property, but they cannot exchange contracts (or enter into a binding contract to do so later). However, there are certain conditions where a disposal of the property would exempt the owners from this moratorium. For the full list of exemptions please visit our website: <http://www.winchester.gov.uk/community/community-right-to-bid/>
4. At the end of the six months the owner will consider any community bids in competition with any other offer (community interest groups can submit their bid before the six month moratorium ends if they wish). The owner is free to sell to whomever they choose and at whatever price.
5. A new moratorium cannot be enforced for a protected time of 18 months (running from the same start date of when the owner notified the Local Authority of their intention to sell).

* Eligible community interest groups include:

- a Parish Council
- a charity
- a community interest company
- a company limited by guarantee which does not distribute any surplus it makes to its members;
- an industrial and provident society which does not distribute any surplus it makes to its members

Submitting an Expression of Interest (EOI)

If you are thinking about submitting an EOI you will need to provide the following information:

- A written request to Winchester City Council that you would like to become a potential bidder for the community asset up for sale. This needs to be received by the Council before the interim moratorium period ends, either by post or email.
- Provide evidence that you qualify to make this EOI as one of the eligible community bodies. For example, charities would be asked to provide their registered charity number as evidence of their charitable status. Therefore you need to provide the equivalent of this where possible.
- Provide evidence that you have a local connection to the area in which the community asset is located. A community body has a local connection with land in a Local Authority's area if:
 - (a) the community body's activities are wholly or partly concerned with either the local authority's area, or a neighbouring authority's area, and;
 - (b) where the community body makes a surplus, this surplus must be wholly or partly applied for the benefit of the Local Authority's area, or for the benefit of a neighbouring authority's area.