

**CHESTERFIELD BOROUGH COUNCIL**

**INTENTION TO SELL AN ASSET OF COMMUNITY VALUE**  
**HUNLOKE COMMUNITY GARDEN**  
**NOTIFICATION OF FULL MORATORIUM PERIOD**

Notification was given on 22<sup>nd</sup> July 2025 to the Council of an intention to sell Hunloke Community Garden by its owner.

Hunloke Community Garden is registered as an asset of community value. A statutory full moratorium period was triggered on 8<sup>th</sup> August 2025 when the Council received a written request from a local community interest group to be treated as a potential bidder. The full moratorium period ends on 22<sup>nd</sup> January 2026.

Procedures are set out in the Localism Act 2011 and regulations under the Act. The initial and full moratorium periods restrict the ability of the owner to sell the land.

The owner may not dispose of their asset during the full 6 month moratorium (except as permitted). There is one type of disposal that may be made during a moratorium. An owner may sell during the interim or full moratorium period to a local community interest group (regulation 13(1)). There are a number of types of disposals which are exempt from the moratorium requirements, as set out in section 95(5) of the Act and in Schedule 3 to the Regulations.

A community interest group is defined in the legislation and must be either a charity or one of a list of incorporated bodies (that is, bodies which have a legal identity of their own separate from their members).

Further information about the process and legislation is available on the Council's [website](#).

The relevant part of the Localism Act 2011 is here:

<https://www.legislation.gov.uk/ukpga/2011/20/part/5/chapter/3/enacted> (see particularly Section 95 and following sections). The relevant regulations are here:

<http://www.legislation.gov.uk/uksi/2012/2421/contents/made>

If no sale is made to a Community Interest Group during the full moratorium, the owner is free to sell on the open market once the six month period has ended. A Protected Period of 18 months from the date that notice to sell was given then takes place, where the owner is free to sell the asset without further moratorium. In this case the protected period would end on 22<sup>nd</sup> January 2027.

Chesterfield Borough Council  
8<sup>th</sup> August 2025