
FAQ: Hillingdon Council
Office Managing Partner, Legal Services
Civic Centre
High St
Uxbridge
UB8 1UW.

TELEPHONE: 020 7650 1200

YOUR REF:

OUR REF: RGA/RKB/01480455/1

DATED: 7 November 2025

Pre-Action Protocol Letter – Proposed Judicial Review

Dear Hillingdon Council

Failure to discharge the statutory duty to determine the nomination of the Rural Activities Garden Centre and land associated with it as assets of community value

1. We write in accordance with the Pre-Action Protocol for Judicial Review under the Civil Procedure Rules. This letter concerns a proposed claim for judicial review of the continued delay of Hillingdon Council (**'The Council'**) in determining the nominations by Friends of Rural Activities Garden Centre (**'FRAGC'**) to add the Rural Activities Garden Centre (**'the First Nomination'**) and a parcel of land next door (**'the Second Nomination'**) to the Council's list of assets of community value.

Party details

2. **The Claimant:** Friends of Rural Activities Garden Centre.
3. **The Defendant:** Hillingdon Council, Hillingdon Council Civic Centre, High Street Uxbridge, UB8 1UW.

The details of the Claimant's legal advisers dealing with this claim

4. **Claimant's solicitors:** Leigh Day, Panagram, 27 Goswell Road, London, EC1M 7AJ. We confirm that this firm is instructed by the Claimant to accept service on its behalf, including by email at the email addresses specified in the header to this letter.

Details of the Decision being challenged

5. The continuing failures to determine the Claimant's nominations outlined above.

Factual background

6. Rural Activities Garden Centre has provided horticultural therapy for those with

- learning disabilities and autism for over 40 years.
7. On 13 June 2025, the Claimant submitted to the Council the First Nomination to list the Rural Activities Garden Centre as an asset of community value.
 8. On 20 June 2025, additional information needed for the First Nomination, namely a list of the FRAGC members, was provided.
 9. On 23 June 2025, the Claimant submitted the Second Nomination, covering the adjacent land used by Rural Activities Garden Centre.
 10. On 26 June 2025, ██████████ made a statement about the Nominations at a Cabinet meeting attended by the public, including members of FRAGC.
 11. The Council contacted FRAGC and informed them that it aimed to determine the Nominations by 18 August 2025. Nothing was received by 18 August 2025.
 12. On 5 September 2025, FRAGC emailed their concerns regarding the delay to a ██████████. FRAGC did not receive a reply.
 13. On 10 September, FRAGC emailed ██████████ ██████████ regarding the same, but did not receive a reply.
 14. At a further meeting on 11 September 2025, John Scrivens, on behalf of FRAGC, formally asked a question to the Council regarding the delay of the First and Second Nomination decisions. In reply, he was told by ██████████ ██████████ that the decision should be made within 14 days (i.e. 25 September 2025). FRAGC were not offered any explanation for the delay, apart from the impact of the summer holidays. This was already over 4 weeks after the statutory deadline.

Ground of challenge: The authority has failed to discharge a statutory duty

15. The proposed claim will be brought on a single and straightforward ground: the Council has failed to discharge its statutory duty.
16. Regulation 7 of the Assets of Community Value (England) Regulations 2012 requires, under the heading, '*Procedure when considering whether to list land*':

"7. The responsible authority must decide whether land nominated by a community nomination should be included in the list within eight weeks of receiving the nomination." (underlining added)
17. In failing to determine the applications in time, the Council has unlawfully failed, and continues to fail, to discharge its statutory duty.

Action the Defendant is expected to take

18. The Claimant seeks the Council's decision in relation to the First and Second Nominations within 14 calendar days of receipt of this letter i.e. **21 November 2025**.

Disclosure

19. Please confirm which delegated officer will determine the Nominations and confirm whether that officer has any responsibility in advising the council on disposal of assets.

Response

20. Please respond to this letter in 7 days, i.e. **by 14 November 2025**.
21. If no satisfactory response is received, we reserve the right to issue proceedings without further notice.

Yours faithfully



Leigh Day