

<b>Board/Committee:</b>	Policy and Organisation Board
<b>Date of meeting:</b>	25-04-2023
<b>Title:</b>	
<b>Author:</b>	Borough Solicitor
<b>Status:</b>	Application to register an asset of community value: Bridgemyr Manor Brewers Lane PO13 0JY

### **Purpose**

To consider the application to register the above stated property as an asset of community value.

### **Recommendation**

**That the Board determines the application to register the Bidgemyr Manor as an asset of community value, or**

**Makes a determination upon the application not to register the Bridgemyr Manor as an asset of community value.**

<b>1.0</b>	<b>Background</b>
<b>1.1</b>	The Localism Act 2011 introduced the concept, whereby a local community grouping can apply to the Council for land or a premises to be listed as an asset of community value. If an application is made with respect to land or a premises, then upon a valid application being made out the land or premises may be registered. The effect of such registration is to enable a local community grouping to position themselves to bid and potentially raise funds as a purchaser.
<b>1.2</b>	If a piece of land or premises is registered it remains registered with the Council for a 5-year period. Registration does not mean that the legal owners cannot sell or attempt to sell, merely that a community grouping with the benefit of registration may attempt to purchase if any such purchase is commenced. The legal owner cannot affect a legal sale within a 6-month period " the moratorium period", the seller is not obliged to sell to the community group.
<b>2.0</b>	<b>Report</b>
<b>2.1</b>	An application has been received from Annie Manly as the chair of "Save our Manor (the community grouping). The application meets the criteria for consideration- an unincorporated association with at least 21 members.
<b>2.2</b>	Part 2 of the application states "...Until 21 March 2023, the Bridgemyr Manor has been a pub serving the local area for many years. It has just

	been sold."
<b>2.3</b>	Whilst the premise has been sold the application can be considered. Registration at this point has no effect in law or process in that a sale has completed, the effect is that any registration will mean that the seller will be required to inform the Council of a sale and the status of registration is registrable as a local land charge. Registration as an asset of community value is a material planning consideration.
<b>2.4</b>	In order to decide whether to list this property as an asset of community value the Board will need to consider: <ul style="list-style-type: none"> <li>• Was there a time in the recent past when the use of the land or premises furthered the social well being of the community and its social interests. <b>AND</b></li> <li>• Is it realistic to expect a use that would further the (but need not be in the same way as before) social well-being and social interest of the local community in the next five years? (Social interest can include cultural, recreational or sporting interests.)</li> </ul> If the premises meets the above tests, it may be registered as an asset of community value.
<b>2.5</b>	The Council is obliged to notify the owners of any decision to list and manage an appeals process if the owner wants to appeal against the decision.
<b>2.6</b>	The Council must compile and publish a register of unsuccessful nominations including reasons why the application did not succeed.
<b>3.0</b>	<b>Risk Assessment</b>
<b>3.1</b>	It is to be noted that registration is not without risk given the potential effect upon the sellers' ability to deal with a sale at arm's length- speculative applications should be avoided as a right of appeal does exist to the Council and the First Tier Tribunal. The Localism Act 2011 does make provision for compensatory events to arise.
<b>3.2</b>	The Board is required to record that the application was submitted and the application was either determined upon the merits as one that could be granted or that the application was refused.
<b>4.0</b>	<b>Conclusion</b>
	See above.

<b>Financial Services comments:</b>	N/A
<b>Legal Services comments:</b>	Contained within the report.

<b>Equality and Diversity:</b>	N/A
<b>Climate Change implications:</b>	N/A
<b>Crime and Disorder:</b>	N/A
<b>Service Improvement Plan implications:</b>	N/A
<b>Corporate Plan:</b>	N/A
<b>Risk Assessment:</b>	None required as the application is not engaged, and no decision made
<b>Background Papers:</b>	Application submitted by the community group- " Save our Manor" ( Annie Manly- 5 <sup>th</sup> April 2023)
<b>Appendices:</b>	None.