



Aylesbury Vale District Council

Community nomination in respect of

The Hundred of Ashendon Public House (formerly known as the Red Lion and more recently The Gatehangers Inn) Lower End, Ashendon, Aylesbury, Buckinghamshire

Notice under section 91 of the Localism Act 2011

1. The Nomination

On 12 August 2013 Aylesbury Vale District Council received a nomination under section 89 of the Localism Act 2011 ('the Act') to list The Hundred of Ashendon Public House formerly known as the Red Lion and more recently The Gatehangers' Inn) Lower End, Ashendon, Aylesbury, Buckinghamshire as an asset of community value. The nomination was made by Ashendon Parish Council following a resolution of the Council dated 5 August 2013. A copy of the nomination is attached at Appendix 1 and plan showing the boundaries of the nominated land is attached at Appendix 2.

A summary of the nomination is set out below:

- (a) The land is located on the Main Road known as Lower End, Ashendon and shown edged red on the Plan attached and shown at appendix 2.
- (b) The land comprises a public house on the ground floor with 5 (five) ensuite bedrooms on the first floor, used as a B&B, and no private accommodation, with car parking and gardens.
- (c) The registered title shows the current owners as Michael John Rand and Susan Betty Rand.
- (d) The current lessees of the public house are Matthew Gill and Pia Knight who live off-site.
- (e) Since the closure of the village shop and Post-Office in or around 1996 the Public House has been pre-eminent venue for the local community to meet and socialise. It is a social hub for the local community.
- (f) A number of Ashendon village communities use the public house regularly for a number of their meetings, such as the Red Lion Social Club, Ashendon Playing Fields Association, Ashendon Book Group.
- (g) Ashendon Parish Council began to formulate its community led plan in 2010 to determine its community priorities and aspirations. Following detailed consultation & surveys The Hundred at Ashendon Public House was viewed as the epicentre of the community.

2. The Law and Statutory Guidance

Under section 87 of the Act the Council must maintain a list land of community value in its area. A building or other land is of community value if in the Council's opinion an actual current use of the building or other land that is not ancillary use, furthers the social wellbeing or social interests of the local community, and it is realistic to think that

there can continue to be non-ancillary use of the building or other land, which will further (whether or not in the same way) the social wellbeing or social interests of the local community.

Under section 89 the Council can only include land in its list of assets of community value in response to a community nomination or where permitted by regulations. A community nomination in England can only be made by either a parish council in respect of land within its area or by a person that is a voluntary or community body with a local connection. Where a valid community nomination is made the Council must consider it and must accept the nomination if the land is within its area and is of community value

3. Decision and Reasons

The Council accepts the nomination by Ashendon Parish Council and includes The Hundred of Ashendon Public House in Lower End, Ashendon in its list of assets of community value.

The reasons for this decision are as follows:

- (a) The land and building comprising The Hundred of Ashendon lies with the administrative area of Aylesbury Vale District and within the parish of Ashendon.
- (b) Ashendon Parish Council are eligible under section 89(2) b) (i) to make a community nomination in respect of The Hundred of Ashendon Public House
- (c) The community nomination made by Ashendon Public House includes the matters required under regulation 6 of the Assets of Community Value (England) Regulations 2012
- (d) The land and building does not fall within a description of land which may not be listed as specified in Schedule 1 of the Assets of Community Value (England) Regulations 2012 (the Regulations)
- (e) The Council considers that the current use of the land and building as a public house is not an ancillary use, that this use furthers the social wellbeing and social interests of the local community and that the land and building is of community value
- (f) Noting that the property is being used as a public house & other activities, the Council also considers it is realistic to think that there can continue to be non-ancillary use of the building which will further (whether or not in the same way) the social wellbeing and social interests of the local community

4. Next Steps

The Hundred of Ashendon Public House in Lower End, Ashendon will be included in the list of assets of community value maintained by the Council under section 87 of the Act.

In accordance with section 91 of the Act the Council will send this notice to:-

- (a) the owner of the land
- (b) the occupier of the land if the occupier is not the owner
- (c) Ashendon Parish Council as the nominee body

5. Consequences of Listing

The land will remain on the list of assets of community value for a period of 5 years from the date of this notice unless removed with effect from some earlier time in accordance with the provision of the Regulations.

Inclusion of the land in the list of community assets is a local land charge under the Local Land Charges Act 1975.

The Council is required under Schedule 4 of the Regulations to apply to the Land Registry for a restriction to be added to the registered title of the land that "No transfer or lease is to be registered without a certificate signed by a conveyancer that the transfer or lease did not contravene section 95(1) of the Localism Act 2011".

Under section 95 of the Act an owner must notify the Council by writing to the Head of Legal and Estates Services at Aylesbury Vale District Council, The Gateway, Gatehouse Road, Aylesbury, Bucks HP19 8FF if they wish to enter into a relevant disposal of the land. Relevant disposal is defined in section 96 and (subject to exemptions in section 95(5) and Schedule 3 of the Regulations) means, a freehold disposal or the grant or assignment of a qualifying leasehold interest, with vacant possession.

A moratorium period is triggered by notification under section 95 to allow any community interest group to submit a written request to be treated as a potential bidder for the land. Owners are advised to refer to the Part 5 Chapter 3 of the Act and the Regulations in full and to seek legal advice if they wish to dispose of the land. **A disposal of listed land which contravenes the requirements of Act and Regulations will be ineffective.**

6. Right of Review

In accordance with section 92 of the Act the owner of the land is entitled to request a review of this decision. The review will be carried out by a senior officer of the Council nominated by the Chief Executive. A request must be made in writing and received by the Council within 56 days of the date of this notice or such longer period as the Council may agree in writing. Please ensure that the request explains on what grounds the decision should be reviewed.

If a request is made the Council will complete the review within 56 days of receiving the request or such longer period as is agreed with the owner in writing. A request must be addressed to The Chief Executive, Aylesbury Vale District Council, The Gateway, Gatehouse Road, Aylesbury, Bucks HP19 8FF

7. Right to Compensation

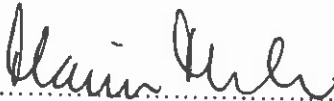
In accordance with paragraph 14 of the Regulations an owner or former owner of the land is entitled to claim compensation from the Council of such amount as the Council may determine, where they have incurred loss or expense in relation to the land which would be likely not to have been incurred if the land had not been listed.

A claim for compensation must be made in writing within 91 days of the loss or expense being incurred (or as the case may be) finish being incurred; must state the amount of compensation sought for each part of the claim and be accompanied by supporting evidence for each part of the claim.

If a claim is made the Council will consider the claim as expeditiously as possible. A request must be addressed to the Director of Finance at Aylesbury Vale District Council, The Gateway, Gatehouse Road, Aylesbury, Bucks HP19 8FF

8. Additional Help

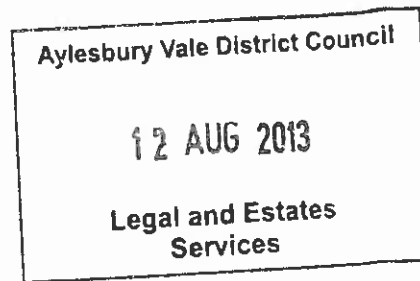
Further information about assets of community value is available from the website <http://mycommunityrights.org.uk/community-right-to-bid/> If you need any additional support in relation disposal of the land, the right of review or right to compensation you are advised to seek independent legal advice.

Signed 

Dated 6 September 2013

Maria Memoli, Head of Legal Services and Estates Services
& Monitoring Officer

Community Right to Bid
NOMINATION FORM



Please use this form to nominate an asset of community value.

The form is split into three sections to enable you to give details about: (a) who you are; (b) the asset you wish to nominate and (c) what community value you believe the asset has. We ask for this specific information to help assess whether your nomination meets the requirements of the legislation relating to this community right.

Guidance notes are provided at the end of the form to explain in more detail what is required and we encourage you to read these either before or as you work through this submission.

Your nomination will be considered and responded to 8 weeks from the date that it is received and acknowledged.

Please submit your completed nomination form to the following address:

**Community Right to Bid
Legal and Estates Services
Aylesbury Vale District Council
The Gateway
Gatehouse Road
Aylesbury, Bucks
HP19 8FF**

or alternatively email it to:

righttobid@aylesburyvaledc.gov.uk

Section 1 ABOUT YOUR COMMUNITY ORGANISATION

Q1 Name and address of your organisation

Organisation name: ASHENDON PARISH COUNCIL

Address and postcode: Kevin Nash, Chairman

Registration number

(if you are a charity, company, CIC or social enterprise)

Q2 Please specify what type of organisation you are

Category	Tick ✓
Parish/Town Council	✓
Unconstituted / unincorporated Community Group whose members include at least 21 individuals who appear on the electoral roll	
Neighbourhood Forum designated as pursuant to section 61F of the Town & Country Planning Act 1990	
Industrial & Provident Society which does not distribute any surplus it makes to its members	
Company Limited by Guarantee which does not distribute any surplus it makes to its members	
Community Interest Company which satisfies the requirements of Part 2 of the Companies (Audit, Investigations and Community Enterprise) Act 2004	
Charity	

Q3 Who should we contact to discuss this nomination?

Name: Kevin Nash

Address and postcode:

Telephone number

Email address

Section 2 ABOUT THE PROPERTY TO BE NOMINATED

Q4 Which asset do you wish to nominate?

Name of property:	The Hundred of Ashendon formerly The Gatehangers' Inn
Address and postcode:	Lower End Ashendon Bucks HP18 0HE
Name of property owner	Michael John Rand and Susan Betty Rand
Address and postcode:	
Telephone number	
Email address (if known)	
Current occupier's name (if different from property owner)	Matthew Gill and Pia Knight
Details of occupier's interest in property	Lessees; Matthew Gill is the licensee

Section 3 DEMONSTRATING THE COMMUNITY VALUE OF THE ASSET

Q5 Why do you feel the property is an asset of community value?

Please give as much information as possible about the current use of the asset i.e. what activities take place, what groups use the facility currently or in the recent past etc. Continue on a separate sheet if necessary. Definition of an asset of community value can be found in the guidance document.

Note: Any information entered into this section only may be copied and passed onto the owner of the property you are nominating.

Please see the attached submission:

"The Value of The Hundred of Ashendon (formerly The Gatehangers' Inn)
to the Local Community"

Q6 What do you consider to be the boundary of the property?

Please give as much detail as you can and include a plan if possible.

The Hundred of Ashendon formerly The Gatehangers' Inn main building together with outbuildings, garden and car park as shown on the attached Land Registry plan; the freehold land registered with HM Land Registry under title no. BM146213 shown edged with red on the plan excluding the land edged in green which has been removed.

Attachment checklist

- Copy of group constitution (if applicable)
- Names and home addresses of 21 members registered to vote in nomination area (if group is not constituted)
- ✓ Site boundary plan (if possible)
- ✓ Evidence of current community use e.g. activity programmes, website links etc

Declaration

I can confirm that to the best of my knowledge the information contained in this nomination form is complete and accurate

Signed:

Print Name: Kevin Nash.

Position in Organisation: Chairman

Date: 5 August 2013

FOR OFFICE USE ONLY

Date received:

Decision deadline:

Furthermore, it is also used on a regular basis by the following social-based groups:

- Inter-pub dominoes league matches
- Inter-pub quiz league evenings
- Football Club
- Tuesday Night Club
- Pensioners lunch group

The pub is also used for larger-scale regular and ad hoc social events such as the recent:

- Pollicott Belles social evenings
- Gatehangers' Association dinners
- Women's Institute dinners
- Dinners for Senior Citizens
- Children's Halloween party
- Pancake days
- Village breakfasts
- Conker Championship
- Christmas Carol and auction evening
- Village Quiz Nights
- Birthdays, funerals and other such events

A good cross-section of these activities can be seen at the photo gallery on the Village Website at: <http://www.ashendon.org.uk/>

The diversity of the above groups clearly demonstrates that The Hundred of Ashendon is important to all sections of the local community right across the age range. It plays a vital role in maintaining the social cohesion of the village and the survival of this pub is vital if this valued community spirit is going to be maintained.

Conclusion

Within the Localism Act 2011 the Government understood the need to protect land and buildings that have significant community value and to encourage community groups to be able to purchase these assets. Local Community groups have been empowered to nominate land and buildings that they believe are eligible to be included on their council's Register of Assets of Community Value. If a property is placed upon this Register the community group(s)

- must be notified if the owner wishes to sell the asset
- have a period of 6 months to make an offer for the asset

Through the Community Led Plan it has been conclusively demonstrated that the people of Ashendon consider The Hundred of Ashendon to be an asset of Community Value and therefore the Parish Council formally nominates this public house for inclusion in AVDC's Register of Assets of Community Value.

**The Value of The Hundred of Ashendon (formerly The Gatehangers Inn)
to the Local Community**

The Hundred of Ashendon pub (formerly known as The Red Lion and more recently The Gatehangers' Inn) has been at the centre of this small rural community for several centuries.

Since the closure of the village shop and Post Office in about 1996 the pub has been the pre-eminent venue for villagers to meet and socialise. Its value to the local community is not just historical.

In 2010 Ashendon began to formulate its Community Led Plan (CLP) to determine the inhabitants' priorities and aspirations regarding the village. The process commenced with the distribution of a questionnaire and a general village meeting which was attended by 65% of the population; from this several focus groups were formed to refine specific areas of the plan.

Subsequently a detailed, written survey was undertaken of all households in the village; this was very successful with a response being obtained from 70% of the 105 properties. It provided detailed feedback from the community on what they really liked about living in Ashendon, and what they perceived as threats to the continued enjoyment of living within the village. By far the highest, positive aspect described by respondents was the friendliness of the community and its sense of cohesion. It was very clear that the epicentre of this unity was the village pub which hosts the myriad of activities shown below. The survey showed that:

- 36% of residents said they use the pub "often"
- 56% of residents say they use it sometimes
- Only 11 of the 126 respondents said they did not use the pub at all

This is conclusive evidence that the pub is the social hub for the village

However

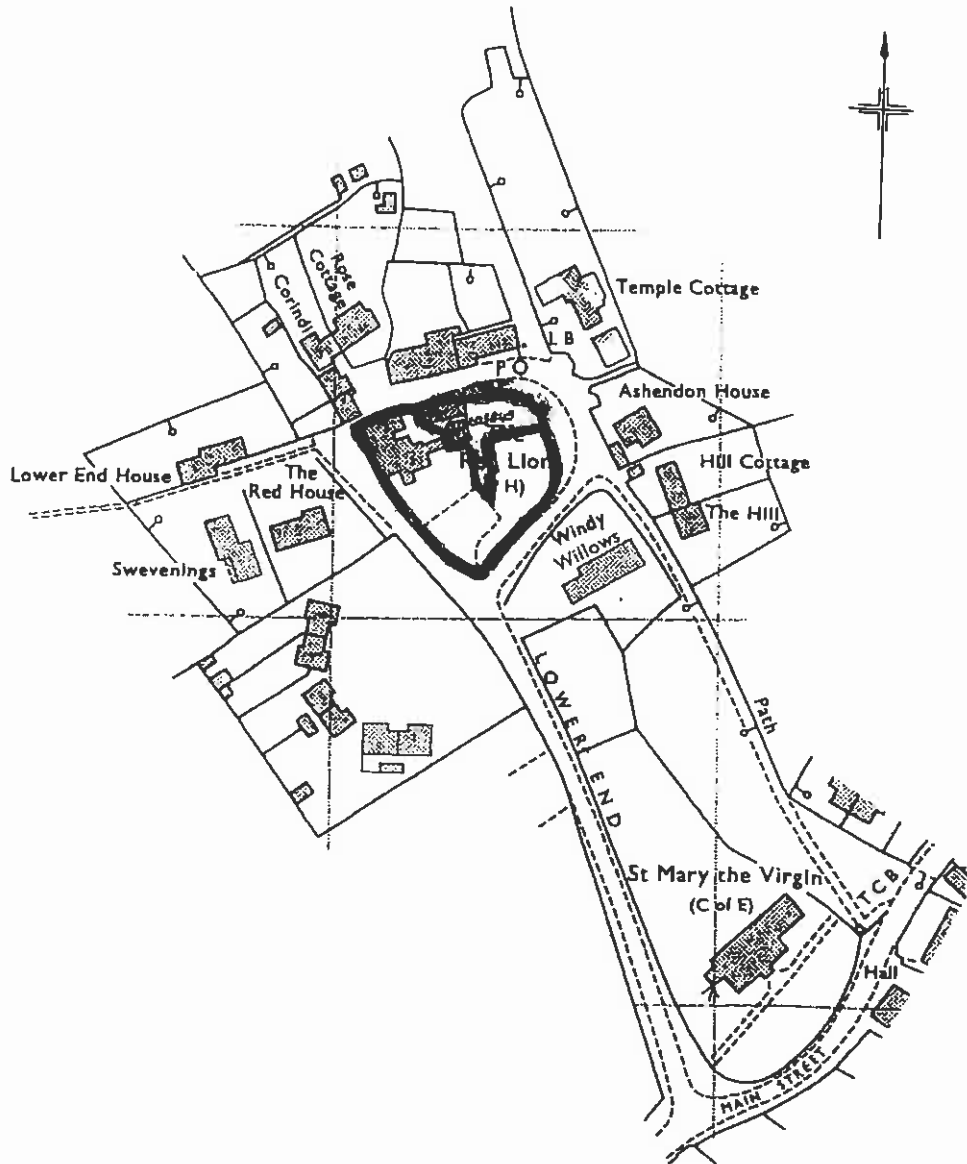
- 63% of respondents saw the potential closure of The Hundred of Ashendon as a major threat to their enjoyment of village life in Ashendon.

Within a difficult economic climate, a large number of public houses closing each year both locally and nationally, and with frequent changes in lessees at our own village pub over recent years, the residents' concerns are understandable and genuine.

Rural isolation and segregation within communities are increasing threats within society but in Ashendon this is countered by the fact that The Hundred of Ashendon is more than just a pub to the residents. This is underscored by the fact that the following village committees use it regularly for all their meetings:

- Red Lion Social Club
- Ashendon Playing Fields Association
- Ashendon Book Group

H.M. LAND REGISTRY		TITLE NUMBER	
		BM 146213	
ORDNANCE SURVEY PLAN REFERENCE	SP 7014	SECTION B	Scale 1/1250 Enlarged from 1/2500.
COUNTY	BUCKINGHAMSHIRE	DISTRICT	AYLESBURY VALE
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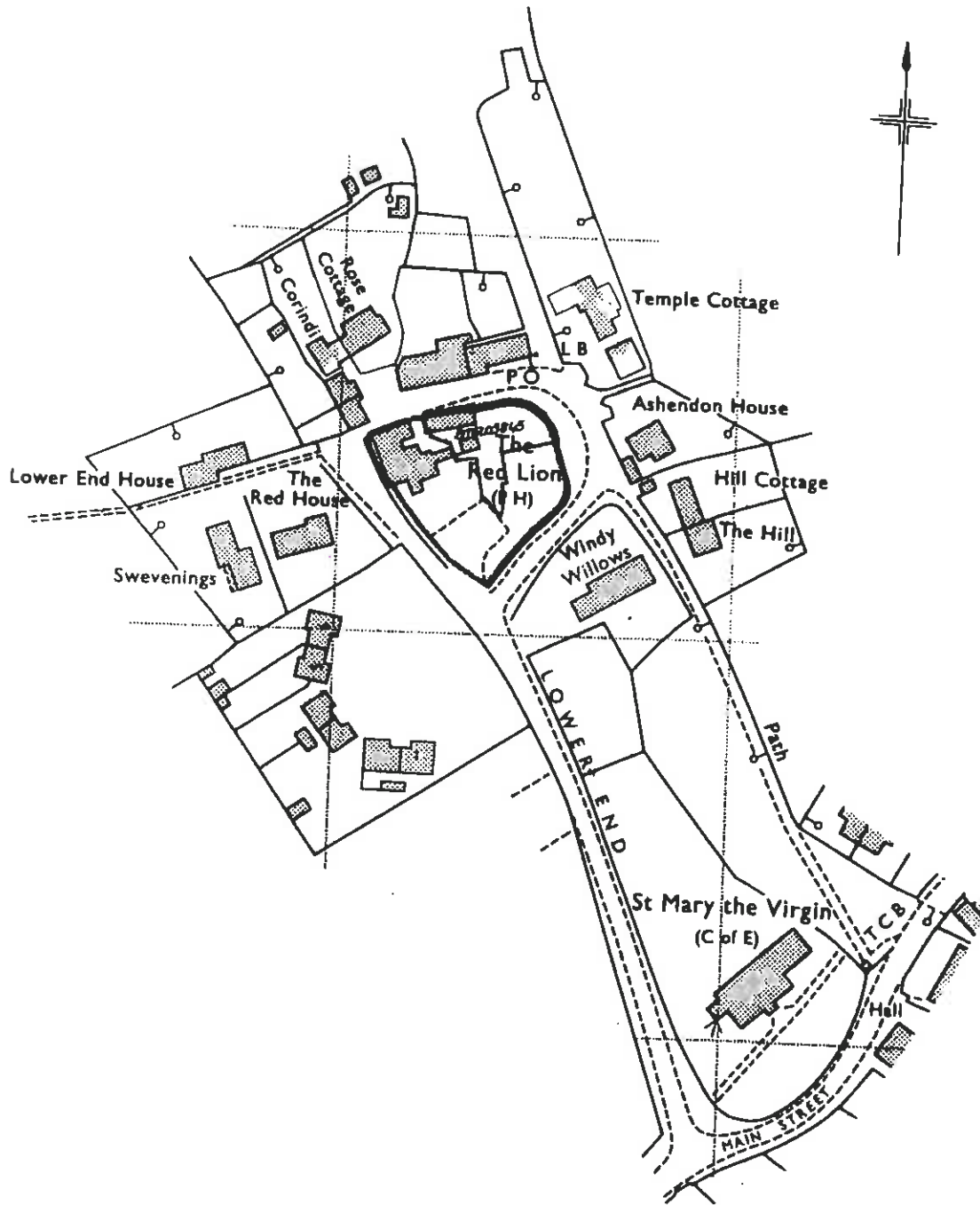
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COUNTY BUCKINGHAMSHIRE	DISTRICT AYLESBURY VALE	© Crown copyright 1888	



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