



Aylesbury Vale District Council

Community nomination in respect of

The Pilgrim Restaurant & Pub formerly known as The Bell, 25 High Street, North Marston

Notice under section 91 of the Localism Act 2011

1. The Nomination

On 28th August 2013 Aylesbury Vale District Council received a nomination under section 89 of the Localism Act 2011 ('the Act') to list The Pilgrim Restaurant & Pub formerly known as The Bell, 25 High Street, North Marston as an asset of community value. The nomination was made by North Marston Parish Council following a resolution of North Marston Parish Council dated 16th July 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 at 25 High Street, North Marston, Bucks MK18 3PD.
- (b) It comprises a Pub, Restaurant and garden shown edged red at Appendix 2.
- (c) A copy of the title registered title indicates that the land is owned by Meaujo Bell Ltd. of The Unicorn, 12 High Street, Cublington, Bucks. LU7 0LA.
- (d) The Pilgrim has been occupied from time to time to accommodate employees of The Pilgrim. It is currently occupied by the Head Chef Robert Jantovics and his wife Clara (Kitchen Porter/Cleaner) and their 2 children.
- (e) The Pilgrim is the only Public House in the Village of North Marston and is a social hub for many individual and village groups.
- (f) Due to The Pilgrim's large garden with play equipment it is also a safe and popular social venue for families with young children.
- (g) The Pilgrim has hosted numerous social events such as BBQs, food tasting events, musical evenings, themed evenings, regular quiz nights, Village History Group and is a venue of choice for a number of village groups to meet.
- (h) The Pilgrim has been in constant use as a public house at the centre of the village since the 18th Century and is an important historical building and a community asset; and is regarded by the community as a community asset .
- (i) It is the oldest of all former pubs in the village.
- (j) North Marston has a history of engagement in community projects such as community-run shop and the North Marston and Granborough sports field and sports pavilion as has The Pilgrim that is actively supported by the village residents.

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 North Marston Parish Council and includes The Pilgrim Restaurant & Pub, 25 High Street, North Marston in its list of assets of community value.

The reasons for this decision are as follows:

- (a) The land and building comprising The Pilgrim Restaurant and Pub lies within the administrative area of Aylesbury Vale District and within the parish of North Marston.
- (b) North Marston Parish Council are eligible under section 89(2) b (i) to make a community nomination in respect of The Pilgrim
- (c) The community nomination made by North Marston Parish Council 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 Pub and Restaurant is not an ancillary use, and 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 Pub and Restaurant and 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 Pilgrim Restaurant & Pub, 25 High Street, North Marston, Bucks MK18 3PD 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) North Marston 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 23rd October 2013

Head of Legal Services and Estates Services/~~Deputy Chief Executive~~

Community Right to Bid NOMINATION FORM

Aylesbury Vale District Council
28 AUG 2013
Legal and Estates
Services



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:	North Marston Parish Council
Address and postcode:	Parish Clerk,
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:	Cllr John Spargo
Address and postcode:	

Q3 Who should we contact to discuss this nomination?	
Telephone number	
Email address	

Section 2 ABOUT THE PROPERTY TO BE NOMINATED

Q4 Which asset do you wish to nominate?	
Name of property:	The Pilgrim (Formerly The Bell)
Address and postcode:	25, High Street North Marston MK18 3PD
Name of property owner	Meaujo Bell Ltd
Address and postcode:	The Unicorn, 12 High Street, Cublington, Bucks LU7 0LQ
Telephone number	
Email address (if known)	
Current occupier's name (if different from property owner)	N/A, building unoccupied
Details of occupier's interest in property	N/A

Section 3 DEMONSTRATING THE COMMUNITY VALUE OF THE ASSET

Q5 Why do you feel the property is an asset of community value?
<p>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.</p> <p>Note: Any information entered into this section only may be copied and passed onto the owner of the property you are nominating.</p>

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

The Pilgrim is the only public house in the village and is a social hub for many individuals and village groups. Because it has a large garden with play equipment it is also a safe and popular social venue for families with young children.

The pub has hosted BBQs, food-tasting events, numerous musical evenings, themed evenings, regular quiz nights and is the meeting place of choice for a number of village groups including the Village History Club. *The Pilgrim* was the site for the Beacon at the Queen's Diamond Jubilee and hosted an evening of Jubilee celebration in the garden.

The Pilgrim is the oldest of all the former pubs in the village. Known as *The Bell* (until 2009) it has been in constant use as a public house at the centre of the village since the 18th century and is an important historical building and a community asset.

Local support for the pub was evidenced in May 2010 when a large group of village residents gave their time and effort to refurbish the pub's garden prior to it being re-opened as *The Pilgrim*. Pictures of this community endeavour can be seen on the Pilgrim's website (the-pilgrim-pub.co.uk/gallery).

North Marston has a history of engagement in community projects such as the community-run village shop and the North Marston and Granborough sports-field and sports pavilion, none of which would be viable without the active, on-going support of village residents, *The Pilgrim* is no exception.

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.

(Please see attached plan)

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: John Spargo

Position in Organisation: . Parish Councillor

Date: 27th August 2013

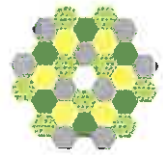
FOR OFFICE USE ONLY

Date received:

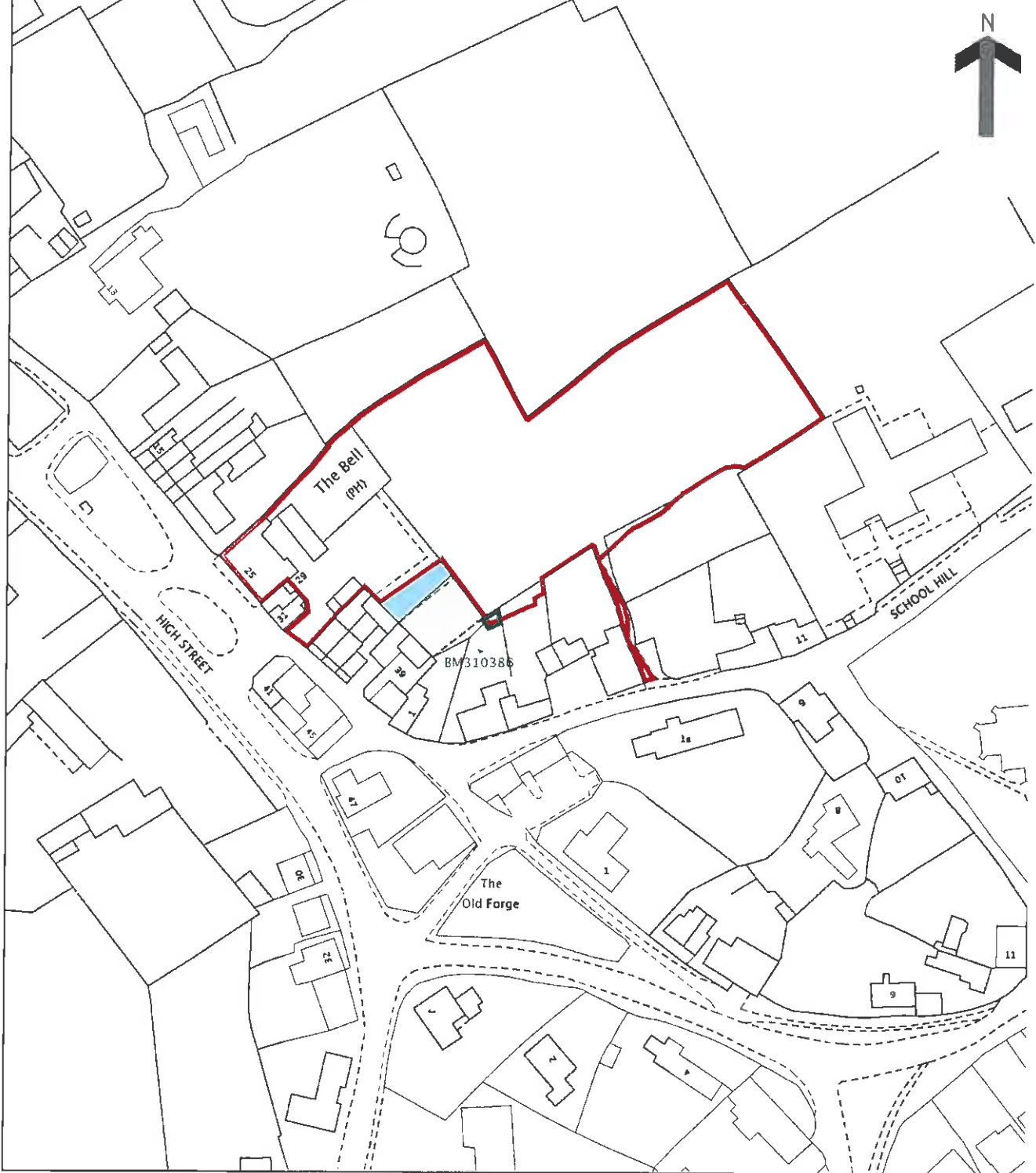
Decision deadline:

Land Registry
Current title plan

Title number **BM203399**
Ordnance Survey map reference **SP7722NE**
Scale **1:1250 enlarged from 1:2500**
Administrative area **Buckinghamshire :**
Aylesbury Vale



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This is a print of the view of the title plan obtained from Land Registry showing the state of the title plan on 19 August 2013 at 15:48:01. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - Title plans and boundaries.

This title is dealt with by Land Registry, Leicester Office.