



Aylesbury Vale District Council

Community nomination in respect of

The Butchers Shop, 31a The Green, Quainton, Buckinghamshire

Notice under section 91 of the Localism Act 2011

1. The Nomination

On 28 April 2014 Aylesbury Vale District Council received a nomination under section 89 of the Localism Act 2011 ('the Act') to list The Butchers Shop, 31a The Green, Quainton, Bucks HP22 4AR as an asset of community value. The nomination was made by Quainton Parish Council following a resolution of the Council dated 10 April 2014. A copy of the nomination is attached at Appendix 1 and plan showing the extent of the nominated land shaded red is attached at Appendix 2.

A summary of the nomination is set out below:

- (a) A copy of the registered title BM113169 indicates that the property is owned by Mr Andrew Philip Lloyd.
- (b) The butchers' shop is one of very few. Customers therefore come from a wide area, particularly from Waddesdon, Westcott, Grendon Underwood and others within a radius of several miles.
- (c) The shop provides other daily essentials.
- (d) The shop is placed on the village green, in the very centre of the village. Consequently, it is often the reference point for transmitting information and the exchange of news.
- (e) It has served as a collection point for prescription medicines from Waddesdon surgery, saving patients a round 6 mile trip.

2. The Law and Statutory Guidance

Under section 87 of the Act the Council must maintain a list of 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

Under sect
Legal and E
Road, Aylesb
land. Rel
9

The Council accepts the nomination by Quainton Parish Council and includes The Butchers Shop, 31a The Green, Quainton, Buckinghamshire HP22 4AR in its list of assets of community value.

The reasons for this decision are as follows:

- (a) The land and building comprising The Butchers Shop, 31a The Green, Quainton, Buckinghamshire HP22 4AR lies within the administrative area of Aylesbury Vale District and within the parish of Quainton.
- (b) Quainton Parish Council is eligible under section 89(2) b) (i) to make a community nomination in respect of The Butchers Shop.
- (c) The community nomination made by Quainton 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 butchers shop 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) The Council also considers it is realistic to think that there can continue to be non-ancillary use of the land and 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 Butchers Shop, 31a The Green, Quainton, Buckinghamshire HP22 4AR 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) Quainton 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 the 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



Head of Legal Services and Estates Services

Dated

12 June 2014

Section 1
Q1 Name and
Organisation

Section 1 ABOUT YOUR COMMUNITY ORGANISATION

Q1 Name and address of your organisation

Organisation name: QUANTON PARISH COUNCIL

Address and postcode: 8 TORBAY
QUANTON
BUCKS
HP22 4AX

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

Q2 Please specify what type of organisation you are

Category

Parish/~~Town~~ Council

Tick ✓

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: MR DAVID WARNER (PARISH CLERK)

Address and postcode: AS ABOVE

Telephone number 01296-651354

Email address quainton.pc49@btinternet.com

Section 2 ABOUT THE PROPERTY TO BE NOMINATED

Q4 Which asset do you wish to nominate?

Name of property: THE BUTCHERS SHOP

Address and postcode: THE GREEN
QUANTON
BUCKS
HP22 4AR

Name of property owner MR A LLOYD

Address and postcode:

Telephone number

Email address (if known) NONE

Current occupier's name
(if different from property owner)

Details of occupier's interest in property

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.

Being one of very few local butchers' shops, customers come from a wide area, particularly from Waddesdon, Westcott, Grendon Underwood and others within a radius of several miles. The shop also provides some other daily essentials.

Placed on the Village Green, in the very centre of the village, it is often the reference point for transmitting information and the exchange of news.

It has served as a collection point for prescription medicines from the Waddesdon surgery, saving patients a round 6 mile trip.

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 photograph and 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: S. A. WARNER.

Position in Organisation: PARISH CLERK.

Date: 28th APRIL 2014.

FOR OFFICE USE ONLY

Date received:

Decision deadline:

THE BUTCHERS SHOP.
THE GREEN GWANTON

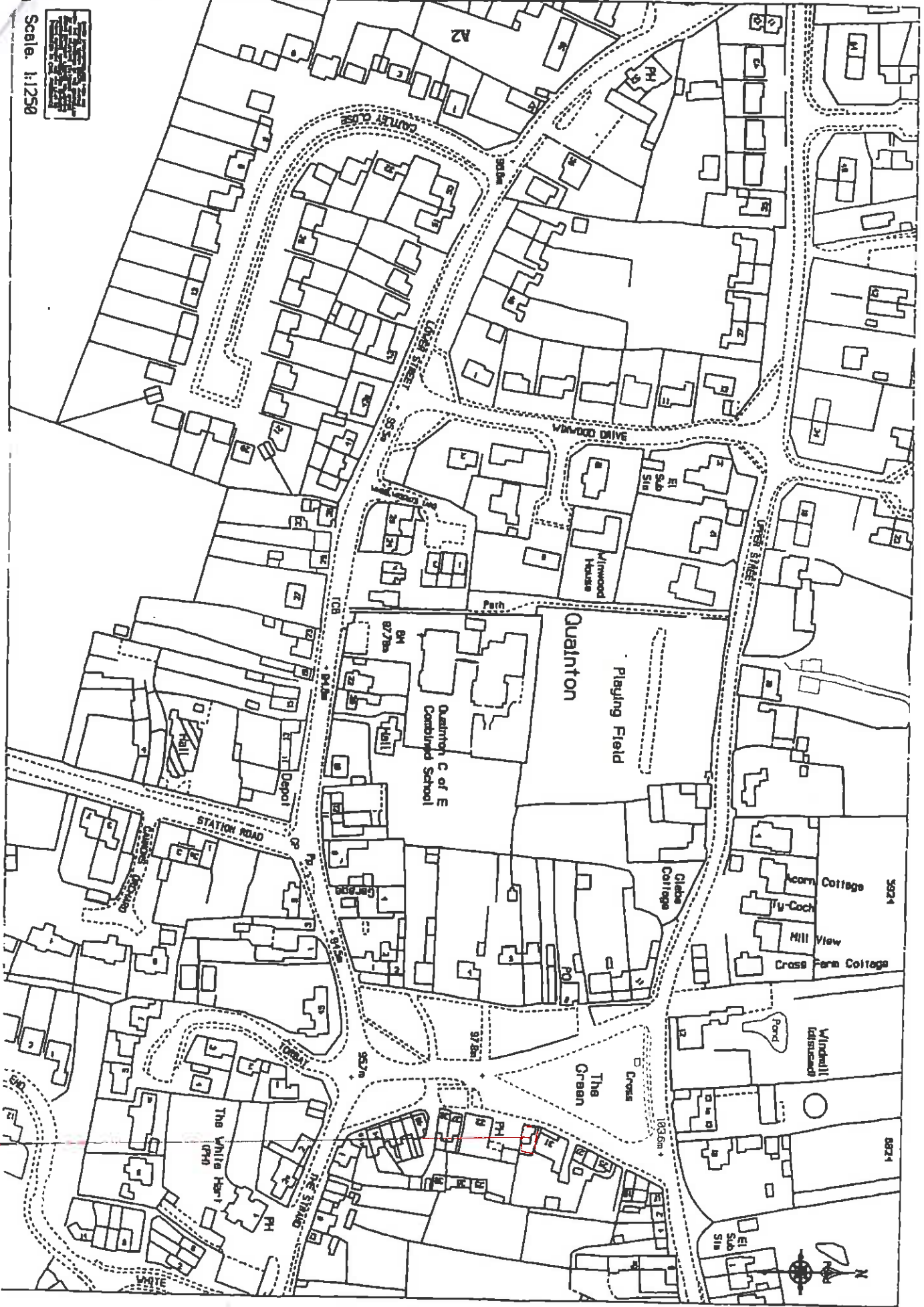
Scale. 1:1250



Scale. 1:1250



THE BUTCHERS SHOP THE GREEN QUANTINTON



Matters Arising
George & Drag
The nomination
Highway issues:
It is hoped to follow
to see if the

QUANTON PARISH COUNCIL

Minutes of the Parish Council Meeting held at the Memorial Hall on 10th April 2014

Present:

Councillors: Mr E Evans (Chairman) Mr N Heirons (Vice Chairman) Mrs C Lucas, Mr M Lewis, Mr J Knox, Mr N Butler, Mrs E Phillips and Mr D Warner (clerk)

Also present: County Councillor Mrs J Blake and District Councillor Mrs S Polhill and parishioners Ms M Thompson, Mrs S Hammond & Mr K Hewson

Apologies for Absence:

None

Disclosures of Interests:

There were no interests reported that would affect the outcome of any business on the agenda due to be discussed.

Open Forum:

The PCSO present offered a brief report.

We were told that a new police officer would be joining our local team in the near future.

Several shed thefts have been reported and all parishioners should check the security on their property.

The speed enforcement van has been in Station Road. Parishioners should report any speeding traffic to the police as this will ensure the service will be kept active.

Dog fouling was an issue raised. We were informed that the police are visiting schools in the area to inform children of how to keep pets under control and to ensure they clean up any mess whilst walking them.

Any questions parishioners have in regard to policing the village should be put to the local PCSO and the following email address was provided; Antony.Hurd@thamesvalley.pnn.police.uk

Other items raised by parishioners present were;

Plastic bags should not be placed in the recycling bins.

Investigations are in progress to establish if the Swan & Castle is still registered as a class A4 premises as it appears the owners are trying to change this.

The planning department legal team is working hard to ensure the proper channels and requirements are being met. It is hoped the Community Asset application will be successful as this will give other sources the opportunity to bid for the purchase of the premises, although the present owners are not legally bound to accept any offers put forward.

Thanks were offered to the two ladies that have dedicated a lot of time and effort in keeping us and the planners informed and up to speed with the ongoing issues that the agents and developers are trying to get put in place to get the premises released from Public House usage. Their services were also offered to the Neighbourhood plan team.

The County Councillor then offered a report.

Bucks County Council are in receipt of the HS2 report and they hope they will be able to offer help to our investigations. The Station Road issues were discussed as the railway centre proposes to state its case regarding the choice of route if the project materialises. The County Councillor agreed to investigate the chance of an exploratory meeting to try and gain an amicable resolve to the differences of opinions regarding the alignment of the road layout.

We were informed that the Highways department will conduct another survey with councillors when they have had their budgets set so they know what funds are available to do works required around the village. As soon as land owners clear their ditches BCC will clear their adjoining ones so the flooding problems will then, hopefully be resolved.

The poor signage and road markings at the Station Road crossroads were also raised.

Minutes of Previous Meeting:

Having been circulated prior to the meeting, the minutes were approved by the council and signed by the Chairman.

Matters Arising:

George & Dragon:

The nomination for the premises to be listed as an asset of community value has been successful.

Highway issues:

It is hoped to follow up with the environmental agency to see if inspections can be made further up the hills to see if there is leakage into the water table from an agricultural source causing the intermittent smell emanating in Church Street and around The Green.

Neighbourhood Development Plan:

AVDC have sent out guidance notes, but they are not expected to complete the Vale of Aylesbury Plan for approximately 2 years.

We were informed that three options have been offered for a way forward and these will be investigated. An offer of thanks was passed to the committee members that are working on this project on our behalf.

New Model Standing Orders:

Now all councillors have had time to study the required updates and have accepted the changes put forward by a councillor, it was agreed to organise a meeting with the clerk to update the present standing orders. This will be done once the newly supplied update of the financial regulations, that were circulated to councillors earlier in the day, have been looked at so both documents can be dealt with at the same time.

Winwood Almshouses Trust:

Action is continuing and a decision will be made at the next meeting.

Streetlights:

A price for one pilot light fixture has been obtained and it was proposed that a suitable site be decided so it can be installed to see how looks and what light it emits.

We were informed that a guide price of approximately £20,000.00 would be needed to instigate a change of all the lights in one go and a councillor provided charts showing different options of lighting available and calculations of the savings that could be achieved in the power outlay. The 'after midnight dimmer' proved to be the most popular option among the councillors. Capital funding ideas and options were also supplied. Another idea discussed was the option of replacing lights as and when they stopped working thus avoiding any major capital investment, this will be considered before a final decision is made.

Three quotes have been obtained for future service and maintenance contractors. These were circulated but councillors requested more time to study them so a decision can be made at the next meeting.

HS2 Update:

It was reported that the distances for compensation claims has been changed from 50 metres to 120 metres. It was proposed that a Parish Council meeting be held on Monday 28th April 2014 to confirm agreement that QPC should petition the government following the second reading of the HS2 bill.

This was agreed and an advert will be placed in the local press as required.

Planning Matters:

Appeal Decision:

Ref: APP/J0405/A/13/2196203 - Sawpit Yard Land to the rear of 21-31 The Green Quainton Bucks
This appeal was dismissed following a site visit on 18th February 2014.

New Applications:

14/00727/ATC: Fell two Plum trees and prune two Plum trees and a Damson tree – 3 Cannons Orchard Quainton Bucks.

There were no objections to this application

14/00896/APP: Erection of detached two bedroom dwelling, demolition of existing garage and erection of new detached double garage to serve 6a Church Street – Sawpit Yard The Green Quainton Bucks.

This application was placed in the circulation folder so councillors can study it and offer their opinions.

Applications Approved:

14/00177/APP and 14/00178/ALB: Demolition of existing rear conservatory and replacement with single storey rear extension with two roof lights – 10 The Green Quainton.

Clerks report:

Clerks Salary:

The normal annual salary rise by one grade to SCP-23 was agreed as from April 2014.

Risk Assessment:

The annual risk assessment was updated then adopted by the council; this will be reviewed in 12 months

H.M. L
ORDNANCE SURVY
PLAN REFERENCE
COUNTY

Correspondence:

Rural Exception Scheme:

A letter from Community Impact Bucks regarding proposed changes to the Bucks Home Choice (BHC) housing allocation scheme was circulated prior to the meeting. It was agreed to acknowledge receipt of this as requested and await the outcome of the consultation as it appears a list of local interested parties will have to be compiled.

Fuel Odour Problem:

A letter from AVDC Environmental Health Department reporting the findings of their investigations was circulated prior to the meeting.

Village Pump:

An idea put forward by the Village Society in regard to the installation of a pump on the green was discussed. It was agreed to advise them that they would need to approach the School Lands charity who own the land.

Finance:

The following payments were authorised:

- £ 25.00 to J Knox – Reimbursement of HS2 stationary outlay
- £ 494.59 to D Warner (clerk) – Quarterly expenses and allowances
- £ 337.90 to D Warner (clerk) – Net monthly salary (Mar)
- £ 242.00 to HM Revenue & Customs – Quarterly tax reference clerks salary
- £ 224.00 to Quainton Memorial Hall – Hire of hall for Youth Cafe & PCC meetings (Jan-Mar 14)
- £ 71.94 to R Midgley – Youth Cafe food expenses (Jan-Apr 14)
- £ 29.02 to K Blanchard – Youth Cafe food expenses (Jan-Apr 14)
- £ 500.00 to HS2 Action Fund - Internal transfer
- £ 202.00 to Eon – Streetlight supply (Mar)
- £ 15.00 to AVALC – Annual subscription

The following receipt was reported:

- £ 2.81 from Nat West Bank – Interest
- £ 500.00 internal transfer to HS2 Action Fund

Accounts:

Copies of the draft accounts were circulated prior to the meeting.

After discussion it was agreed they were a true record and a proposal to adopt them was put forward. This was seconded and the motion was carried by a 6 to 1 majority.

Recreational Facilities:

Sports Field:

Tennis club members kindly agreed to resurface the driveway using the materials supplied by the parish council. The Tennis Club also agreed they would offer a donation to help with the outlay made for the materials.

Upper Street Playground:

A letter from Bucks County Council stating that the rent would rise by 20% for the duration of the next lease was discussed.

It was agreed this amount appeared exorbitant and it was proposed we ask for a reduction in the suggested rise and also ask for an idea of the legal costs that will be involved for setting up the new lease.

Community Assets:

It was suggested that we attempt to list other items in the village as community assets such as; The Village Stores, The Butchers and The Children's Playground.

A councillor agreed to obtain the relevant forms.

Roads Paths and Lighting:

Relating items were dealt with in the open forum and the streetlighting sections of the meeting.

Date of Next Meeting:

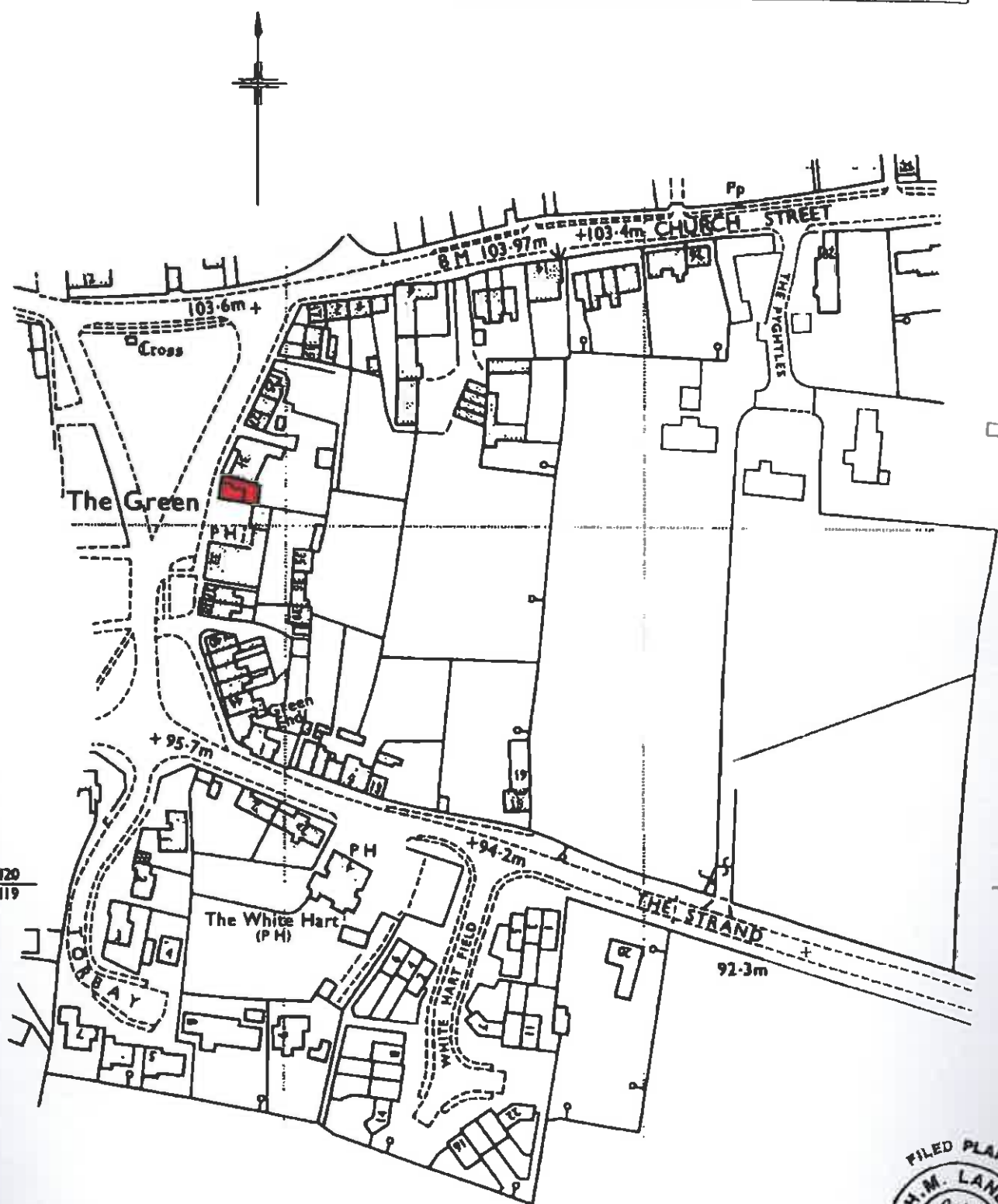
The next Parish Council meeting will be held on Thursday 8th May 2014 in the committee room at the Memorial Hall Station Road Quainton.

Being no further business the Chairman declared the meeting closed at 10.55 pm.

Choice (BHC)
asciit of this

Appendix 2

H.M. LAND REGISTRY		TITLE NUMBER	
		BM 113 169	
ORDNANCE SURVEY PLAN REFERENCE	SP7420	SECTION C	Scale 1/1250 Enlarged from 1/2500
COUNTY	BUCKINGHAMSHIRE	DISTRICT	AYLESBURY VALE
			© Crown copyright 1885



SP7420
SP7419

