



# **Aylesbury Vale District Council**

## **Community nomination in respect of**

**The Chandos Arms Public House, 8 The Turnpike, Oakley HP18 9QB**

### **Notice under section 91 of the Localism Act 2011**

#### **1. The Nomination**

Aylesbury Vale District Council received a nomination under section 89 of the Localism Act 2011 ('the Act') to list The Chandos Arms Public House, 8 The Turnpike, Oakley HP18 9QB as an asset of community value. The nomination was made by Oakley Parish Council. A copy of the nomination is attached at Appendix 1 and plan showing the boundaries of the nominated land is attached at Appendix 2 being the land edged in red .

A summary of the nomination is set out below:

The Chandos Arms PH is the last one in the village within a reasonable walking distance being in the interests of the village which continues to grow. It is realistic to assume that it will further the social well-being and social interests of the community. The pub serves regular customers hosts an Aunt Sally and Quiz team. There are regular Quiz nights and occasional live music. Oakley United Football Club have used the pub in the past. Regular pensioner lunches were offered in the recent past and the kitchen has re-opened with themed nights as well as Sunday Roasts and a weekend takeaway menu. The pub is an invaluable venue for social functions, birthdays, funeral wakes and seasonal parties and is also used by village organisations for committee and other informal meetings. There is a fenced garden area providing a safe social venue for families with young children.

#### **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 The Chandos Arms Public House, 8 The Turnpike, Oakley HP18 9QB 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

- i) The property comprising The Chandos Arms Public House, 8 The Turnpike, Oakley HP18 9QB lies within the administrative area of Aylesbury Vale District and within the parish of Ashendon..
- ii) Oakley Parish Council are eligible under section 89(2) b) (i) to make a community nomination in respect of The Chandos Arms Public House, 8 The Turnpike, Oakley HP18 9QB The community nomination made by Oakley Parish Council includes the matters required under regulation 6 of the Assets of Community Value (England) Regulations 2012 .

The Council **DOES NOT ACCEPT** the nomination by Oakley Parish Council and will not include The Chandos Arms Public House, 8 The Turnpike, Oakley HP18 9QB in its list of assets of community value.

The reasons for this decision are as follows:

- (a) The property does not fall within a description of property which may not be listed as specified in Schedule 1 of the Assets of Community Value (England) Regulations 2012 (the Regulations).
- (b) However, the Council considers that the current use of the property does not further the social wellbeing and social interests of the local community and that the property therefore is not of community value. Section 88 of the Act states, in order for land to be considered of community value there must be a current non-ancillary use which furthers the social wellbeing or social interests of the local community. It can be argued that a number of the reasons provided are considered ancillary to the main activity of a pub i.e. dining and those linked to the sale of alcohol.
- (c) In respect of those events/meetings that do occur there is insufficient evidence or detail of the actual non-ancillary use of the property that furthers the social wellbeing or social interests of the local community. Those reasons put forward as to why the property is of community value fail the test.
- (d) In the circumstances the current use of the property does not further the social wellbeing or social interests of the local community.

In the opinion of the Council it is not realistic to think that there is a time in the next five years when the use of the building would further the social wellbeing or social interests of the local community.

### 4. Next Steps

The Chandos Arms Public House, 8 The Turnpike, Oakley HP18 9QB will not be included in the list of assets of community value maintained by the Council under section 87 of the Act. However, The Chandos Arms Public House, 8 The Turnpike, Oakley HP18 9QB will be shown on the List of Unsuccessful Nominations maintained by the Council under Section 93 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) Oakley Parish Council as the nominee body

**5. 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 to nominating Assets of Community Value you are advised to seek independent legal advice.

Signed



Dated

20<sup>th</sup> May 2019

Lead Legal and Monitoring Officer  
Aylesbury Vale District Council



# 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](mailto:righttobid@aylesburyvaledc.gov.uk)**


## Section 1 ABOUT YOUR COMMUNITY ORGANISATION

Q1 Name and address of your organisation	
Organisation name:	Oakley Parish Council
Address and postcode:	Mrs Patricia Pointer 30 Ashfield Rise Oakley, Aylesbury Bucks HP18 9QA
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:	Paul Kilpin
Address and postcode:	██████████ ██████████ ██████████ ██████████
Telephone number	01844 237200
Email address	██████████

**Section 2 ABOUT THE PROPERTY TO BE NOMINATED**

<b>Q4 Which asset do you wish to nominate?</b>	
<b>Name of property:</b>	Chandos Arms PH
<b>Address and postcode:</b>	8 The Turnpike Oakley, Aylesbury Bucks HP18 9QB
<b>Name of property owner</b>	Punch Taverns
<b>Address and postcode:</b>	Jubilee House Second Avenue Centrum One Hundred Burton upon Trent Staffordshire DE14 2WF
<b>Telephone number</b>	01283 501600
<b>Email address (if known)</b>	
<b>Current occupier's name</b> (if different from property owner)	
<b>Details of occupier's interest in property</b>	Temporary licencee

**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.

The Chandos Arms is the last remaining Public House in the village and there is no other Public House within reasonable walking distance. It is very much in the interest of the village for the pub to continue trading in order to provide a meeting place and social centre. Oakley has over 1100 residents and continues to grow. It is realistic to assume that the Chandos Arms will continue to further the social well-being and social interests of the local community well into the future and to enhance the sustainability of that community.

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

The pub serves a number of regular customers. It hosts an Aunt Sally team that plays in the Bicester League and a Quiz team that plays in the Oxford Quiz League.

The pub runs regular quiz nights and occasional live music. Oakley United Football Club who hope to reform have in the past used the pub for socialising and refreshment after weekly training sessions and home fixtures.

Regular pensioner lunches have been offered in the recent past. These were popular and helped to combat social isolation amongst older village residents. The kitchen has recently re-opened and is trialling themed food nights (E.G. Steak nights, Tapas evening, etc) as well as Sunday Roasts and also offers a takeaway menu at weekends.

The pub is the only venue in the village for eating out and so is an invaluable venue for social functions, birthdays, funeral wakes and seasonal parties. It is also used by some village organisations for committee and other informal meetings. There is a reasonable sized fenced garden providing a safe social venue for families with young children.

**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 Chandos Arms comprises bar and restaurant and ancillary trading space on the Ground floor with residential accommodation upstairs for use by the licensee. There are no letting bedrooms. Outside there is a garden with tables for customer use and a car park for 16 vehicles. The entrance to the premises is from The Turnpike which forms the front boundary, other boundaries are defined by fencing surrounding the remainder of the property

Please see attached Land Registry entry for the property

**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:** . . . . *P.R.Kilpin* . . . . .  
 . . . . .

**Print Name:** . . . . . Paul Kilpin . . . . .  
 . . . . .

**Position in Organisation:** . . . . . Parish Councillor . . . . .  
 . . . . .

**Date:** . . . . . 06 March 2019 . . . . .  
 . . . . .

FOR OFFICE USE ONLY			
<b>Date received:</b>		<b>Decision deadline:</b>	

## GUIDANCE NOTES

These guidance notes are provided to help you complete your Community Right to Bid nomination form.

The guidance is set out question-by-question for ease of use.

### **Section 1 ABOUT YOUR COMMUNITY ORGANISATION**

#### **Q1 Your organisation**

Enter the name and address of your organisation in this section.

#### **Q2 Type of organisation**

It is important you state which organisation type you are as only those shown here are currently eligible to nominate and all but unconstituted community groups are able to bid. Unfortunately any nomination received from any other body will not be accepted.

- Parish/Town Council
- 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
- Unconstituted/unincorporated Community Group whose members include at least 21 local people who appear on the electoral roll within the local authority, or a neighbouring authority.
- Community Interest Company which satisfies the requirements of Part 2 of the Companies (Audit, Investigations and Community Enterprise) Act 2004
- Charity

If you are a charitable organisation or company you must provide your charity number.

#### **Q3 Who to contact about the nomination**

##### **Contact details**

The contact name must be the same as the person signing the declaration overleaf. Ideally, this will be a member of the management team (chairperson, secretary or treasurer).

### **Section 2 ABOUT THE PROPERTY TO BE NOMINATED**

#### **Q4 Which asset do you wish to nominate?**

Enter the full name and postal and address of the property you wish to nominate.

**Owner** It is very important that you include the details of the owner of the freehold interest in the property as the Council will need to contact the owner to inform them of the nomination and allow them to comment.

#### **Q4 Which asset do you wish to nominate?**

**Current occupier** The current occupier may not be the same as the property owner so it is important we advise all affected should the property be registered. You should therefore provide details of all tenants/occupants at the property.

It is particularly important that this question is completed as correctly and accurately as possible as this could delay the assessment of your nomination.

### **Section 3 DEMONSTRATING THE COMMUNITY VALUE OF THE ASSET**

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

In here you need to put why you feel the property currently boosts the social interest and social wellbeing of the local community or if it had in the past why it is realistic to think that it could in the future.

Definition of an asset of community value

A building or land is deemed to be of community value if, in the opinion of the council:

- its actual current use furthers the social wellbeing and interests of the local community, or a use in the recent past has done so; and
- that use is not an ancillary one; and
- for land in current community use it is realistic to think that there will continue to be a use which furthers social wellbeing and interests, or for land in community use in the recent past it is realistic to think that there will be community use within the next 5 years (in either case, whether or not that use is exactly the same as the present or past); and
- it does not fall within one of the exemptions e.g. residential premises and land held with them.

Social interests include (a) cultural interests; (b) recreational interests; (c) sporting interests.

Social well-being relates to social interaction and engagement. It is a sense of involvement with other people and their communities

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

We need to know the extent of the property you are nominating; this may include the car park area as an example. However, it should be noted that any area which is in the ownership of a statutory undertaker (i.e. electricity substation) cannot be registered.

If possible please include a plan with the boundary marked on it.

#### **Checklist**

##### **What is a constitution?**

A constitution sets out what the main aims of the organisation are and how the group will be governed. It details the structure of the group and how members will work together to achieve its aims (including how the management team are elected and how new members can join the group). It should detail the frequency and level of meetings i.e. every quarter and a yearly AGM and how finances will be dealt with. Examples of a constitution can be searched on the internet.



# H.M. LAND REGISTRY

TITLE NUMBER

## BM20330

ORDNANCE SURVEY  
PLAN REFERENCE

SP6312

SECTION C

1/1250 Enl

COUNTY BUCKINGHAMSHIRE

DISTRICT AYLESBURY VALE

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