



## **Aylesbury Vale District Council**

### **Community nomination in respect of**

**The Green Man Public House, 22 Main Street, Mursley,  
Buckinghamshire MK17 0RT**

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

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

On 12 May 2014 Aylesbury Vale District Council received a nomination under section 89 of the Localism Act 2011 ('the Act') to list The Green Man Public House, 22 Main Street, Mursley, Buckinghamshire MK17 0RT as an asset of community value. The nomination was made by Mursley Parish Council following a resolution of the Council dated 28 April 2014. A copy of the nomination is attached at Appendix 1 and the plan showing the boundaries of the nominated land is attached at Appendix 2.

A summary of the nomination is set out below:

- (a) the property is located at 22 Main Street, Mursley, Buckinghamshire MK17 0RT
- (b) it comprises a public house including a bar, restaurant, garden/grounds, car park and Landlord's accommodation.
- (c) a copy of the title registered title BM179086 indicates that the land is owned by The Green Man (Mursley) Limited.
- (d) the property is the only pub in Mursley and is at the heart of the village, located in the conservation area.
- (e) the pub hosts numerous village events. The following events use the grounds of the Green Man to accommodate the event: Mursley Fun Day (the annual village fete); Christmas Carols and Father Christmas present giving; Mursley annual Music Festival; Fireworks Night; Queen's Diamond Jubilee Events.
- (f) the pub hosts a monthly Older Persons Lunch; Baby Club; Knit and Natter; Sketch and Soup; Quiz nights.
- (g) the property is the headquarters for several sporting teams including: Mursley Sports Association; Mursley Football Club; Mursley Cricket Club; Coronation Sports an annual sports day event; Mursley Darts Team; Mursley Xmas Fun Run; a 50 mile walk charity event called "Mad Dogs and Young Bucks".
- (h) the following social groups meet at the property: The Earmuffs Singing Group; Wine Society; Photographic Society; Arts and Crafts Society; Amateur Dramatics and Village Show; Investment Club.

#### **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 an 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 Mursley Parish and includes The Green Man Public House, 22 Main Street, Mursley, Buckinghamshire MK17 0RT in its list of assets of community value.

The reasons for this decision are as follows:

- (a) The land and building comprising The Green Man Public House, 22 Main Street, Mursley, Buckinghamshire MK17 0RT lies within the administrative area of Aylesbury Vale District and within the Parish of Mursley.
- (b) Mursley Parish Council are eligible under section 89(2) b (i) to make a community nomination in respect of The Green Man Public House, 22 Main Street, Mursley, Buckinghamshire MK17 0RT
- (c) The community nomination made by Mursley 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 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) 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 the social wellbeing and social interests (whether or not in the same way) of the local community.

### **4. Next Steps**

The Green Man Public House, 22 Main Street, Mursley, Buckinghamshire MK17 0RT 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) Mursley 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

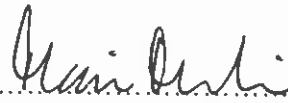
In accordance with paragraph 14 of the Regulations an owner or former owner of the land is entitled to claim compensation from the Council of such amount as the Council may determine, where they have incurred loss or expense in relation to the land which would be likely not to have been incurred if the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

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

**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 ..... 26 June 2014 .....

Maria Memoli, Head of Legal Services and Estates Services

## ABOUT YOUR COMMUNITY ORGANISATION

### Name and address of your organisation

**Organisation name:** MURSLEY PARISH COUNCIL  
**Address and postcode:** RIVENDELL, CHURCH LANE  
 MURSLEY  
 BUCKS. MK17 0RS

### 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**

X

**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:** IAN HOOK (CLERK)

**Address and postcode:** AS ABOVE

**Telephone number** 01296720690

**Email address** MURSLEYPC@BTINTERNET.COM

## ABOUT THE PROPERTY TO BE NOMINATED

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

**Name of property:** THE GREEN MAN (PUBLIC HOUSE)

**Address and postcode:** THE GREEN MAN  
22 MAIN STREET  
MURSLEY  
BUCKS.MK17 0RT

**Name of property owner:** THE GREEN MAN(MURSLEY) LTD.

**Address and postcode:**

**Telephone number**

**Email address (if known)**

**Current occupier's name** MR. AND MRS. L. BROOM  
(if different from property owner)

**Details of occupier's interest in property** TENANT

## 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 GREEN MAN IS AT THE HEART OF THE VILLAGE IN THE CONSERVATION AREA.

APART FROM BEING THE ONLY PUB IN THE VILLAGE AND THEREFORE THE FOCAL POINT OF THE VILLAGE, IT HOSTS NUMEROUS VILLAGE EVENTS SUCH AS THE MONTHLY OLD PEOPLES LUNCH, ART AND CRAFT SOCIETY AND THE ANNUAL VILLAGE FETE.

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

**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.

AS SHOWN ON ATTACHED PLAN INCLUDES 2 ACRES OF Paddock LAND.

**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**

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

Signed: .....

Print Name: I.R. Hook .....

Position in Organisation: CLERK .....

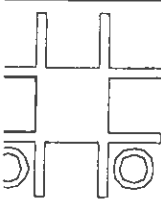
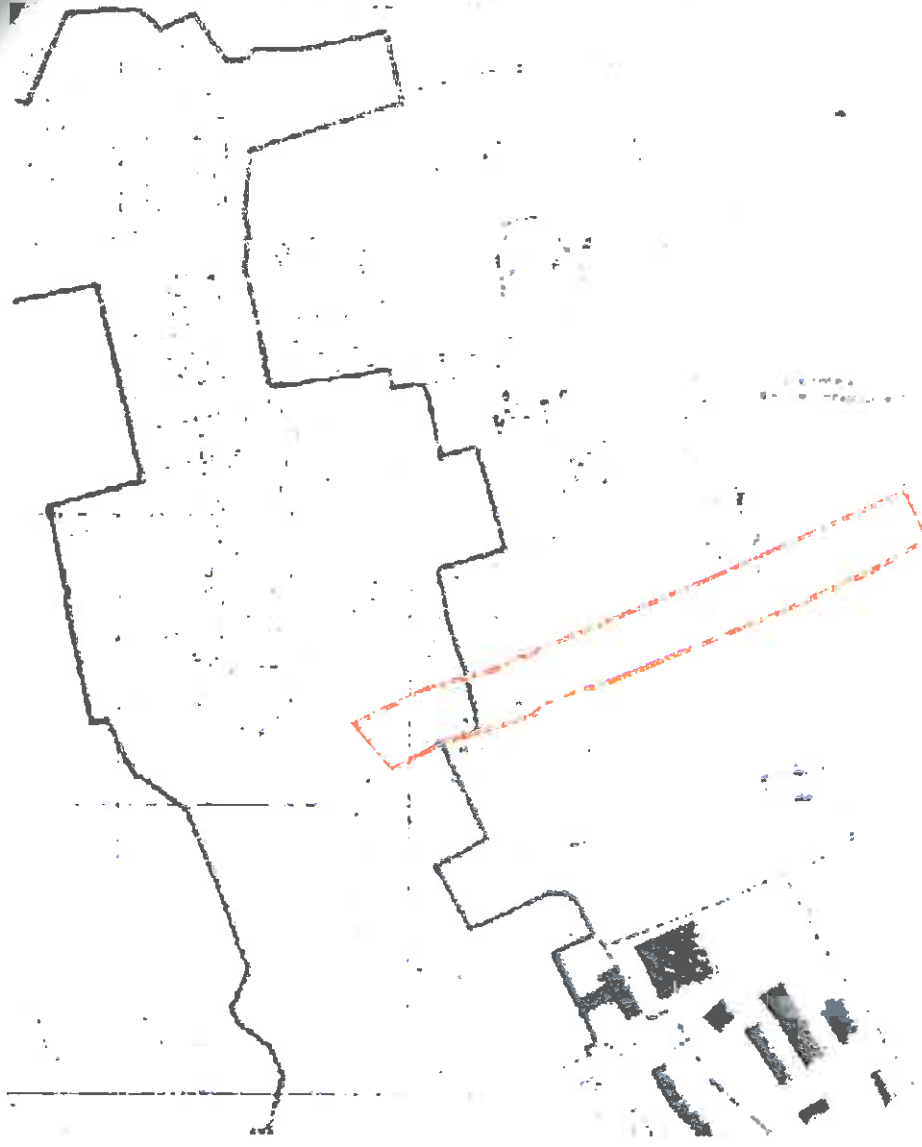
Date: 6 May 2014 .....

**FOR OFFICE USE ONLY**

Date received:

Decision deadline:





**bhd**  
 R. HARRINGTON, 1st FLOOR  
 12 CHURCH SQUARE  
 LEIGHTON BUZZARD  
 BEDS. LU7 1AE  
 Tel: 01525 854770 Fax: 01525 854778

**PROJECT**  
 THE GREEN MAN  
 MAIN STREET  
 MURSLEY

**Dept. of Environment  
 and Planning**  
  
**09 JUL 2007**

**PROJECT TITLE**  
 LOCATION PLAN

**SCALE**  
 1:2500

**DATE**      **DRAWN**    **CHECKED**  
 09.07.07    AC        -

**PROJECT CODE**  
 0743

**DRAWING NUMBER**  
 PL-003

**PROJECT STATUS**  
 PLANNING

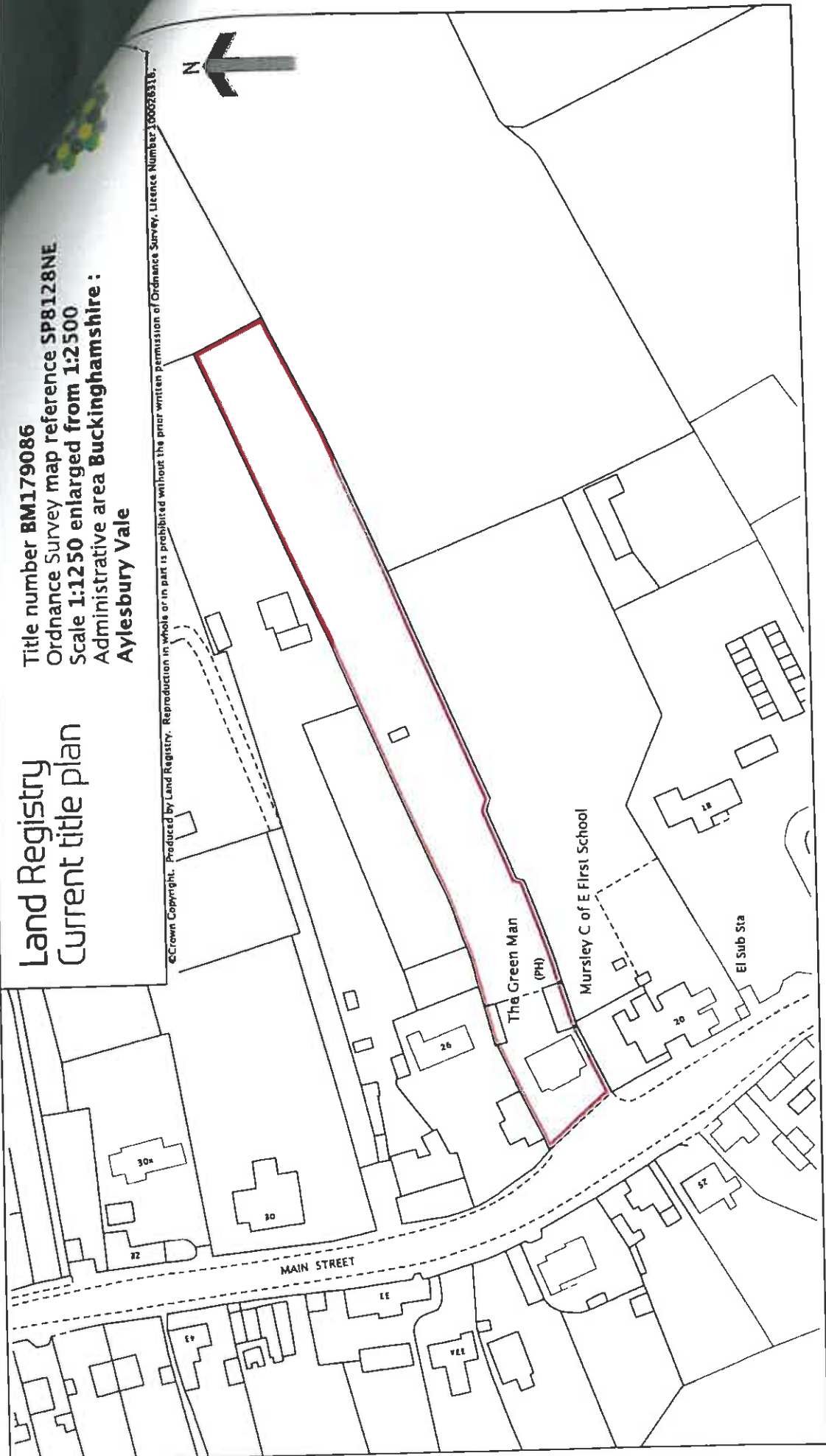
**REVISION DATE**      **DRAWN**    **CHECKED**

**REVISION**

# Land Registry Current title plan

Title number **BM179086**  
Ordnance Survey map reference **SP8128NE**  
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 16 May 2014 at 10:19:23. 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.