



Aylesbury Vale District Council

Community nomination in respect of

**The Queens Park Centre, Kings Road, Aylesbury ,Buckinghamshire
HP21 7RT**

Notice under section 91 of the Localism Act 2011

1. The Nomination

A Nomination was received by Aylesbury Vale District Council under section 89 of the Localism Act 2011 ('the Act') to list The Queens Park Centre, Kings Road ,Aylesbury , Buckinghamshire HP21 7RT as an asset of community value. The nomination was made by Aylesbury Town 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.

A summary of the nomination is set out below:

- (a) The Queens Park Centre is located at Kings Road ,Aylesbury , Buckinghamshire HP21 7RT. It is an Arts Centre that serves a well established clientele offering affordable opportunities to people from Aylesbury to participate in arts & crafts, dance, drama ,photography, as well as providing a wide range of cultural ,recreational and social interests including exhibitions and events.
- (b) Over the last decade the Centre has increased its number of weekly workshops to 70 sessions per week, many of which are drop-in pay-as-you-go.
- (c) The Centre has also introduced regular workshops for children and longer length courses for adults during the holidays and increased the opportunities for local hirers to use the facilities..
- (d) The Centre hosts a well established annual Art & Craft Fair (now in its tenth year), a popular pantomime;an alternating annual pottery festival and Open Day .
- (e) The Queens Park Arts Centre is a registered charity and offers a commitment to affordable arts for all and its Limelight Theatre remains a much valued community resource.

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

1. Decision and Reasons

The Council accepts the nomination by Aylesbury Town Council and includes The Queens Park Centre, Kings Road ,Aylesbury , Buckinghamshire HP21 7RT in its list of assets of community value.

The reasons for this decision are as follows:

- (a) The land and building comprising The Queens Park Centre, Kings Road ,Aylesbury , Buckinghamshire HP21 7RT lies within the administrative area of Aylesbury Vale District.
- (b) Aylesbury Town Council are eligible under section 89(2) b (ii) to make a community nomination in respect of The Queens Park Centre, Kings Road ,Aylesbury , Buckinghamshire HP21 7RT.
- (c) The community nomination made by Aylesbury town 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 an Arts Centre 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

2. Next Steps

The Queens Park Centre, Kings Road ,Aylesbury , Buckinghamshire HP21 7RT 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) Aylesbury Town Council

3. 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.**

4. 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

5. 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

6. 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

A handwritten signature in black ink that reads "Maria Mersli". The signature is written in a cursive style with a large initial 'M'.

Dated

24th October 2014

Head of Legal Services and Estates Services

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:	Aylesbury Town Council
Address and postcode:	Town Hall 5 Church Street Aylesbury Buckinghamshire, HP20 2QP
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:	Town Clerk
Address and postcode:	As above
Telephone number	01296 425678
Email address	keithgray@aylesburytowncouncil.gov.uk

Section 2 ABOUT THE PROPERTY TO BE NOMINATED

Q4 Which asset do you wish to nominate?	
Name of property:	Queens Park Arts Centre
Address and postcode:	Queens Park Centre Kings Road Aylesbury Buckinghamshire HP21 7RT
Name of property owner	Queens Park Arts Centre Limited
Address and postcode:	As above
Telephone number	01296 424332
Email address (if known)	info@qpc.org
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.

It serves a well-established clientele, offering affordable opportunities to people from Aylesbury to participate in arts & crafts, dance, drama, photography, etc. as well as providing a wide range of cultural, recreational and social interests, including exhibitions and events of interest to the wider public.

In the last decade, the Centre has greatly increased the number of weekly workshops and now offers over 70 sessions a week. Many of which are drop-in pay-as-you-go. It has also introduced regular workshops for children and longer length courses for adults during the holidays and increased the opportunities for local hirers to use the facilities. There is now a well-established and successful annual Art & Craft Fair – now in its 10th

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

year – as well as a popular pantomime and an alternating annual pottery festival / open day.

As a charity with a huge breadth of programmes on offer and commitment to affordable arts for all, Queens Park Arts Centre and the Limelight Theatre remains the creative hub of Aylesbury and a much-valued community resource.

Although not located in the actual town centre it is however, still easily accessible and does provide car parking spaces for participants.

<http://www.qpc.org/>

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 map.

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



Official copy of register of title

Title number BM276855

Edition date 11.03.2009

- This official copy shows the entries in the register of title on 21 August 2014 at 11:55:04.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 21 August 2014.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website www.landregistry.gov.uk or Land Registry Public Guide 1 - *A guide to the information we keep and how you can obtain it.*
- This title is dealt with by Land Registry Leicester Office.

A: Property register

This register describes the land and estate comprised in the title.

BUCKINGHAMSHIRE : AYLESBURY VALE

- 1 (05.12.2002) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Queens Park Centre, Kings Road, Aylesbury (HP21 7RT).

B: Proprietorship register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (11.03.2009) PROPRIETOR: QUEENS PARK ARTS CENTRE LIMITED (Co. Regn. No. 04279862) of Queens Park Centre, Kings Road, Aylesbury, Buckinghamshire HP21 7RT.
- 2 (11.03.2009) The price stated to have been paid on 4 March 2009 was £325,000.
- 3 (11.03.2009) RESTRICTION: No disposition by the proprietor of the registered estate to which section 36 or section 38 of the Charities Act 1993 applies is to be registered unless the instrument contains a certificate complying with section 37(2) or section 39(2) of that Act as appropriate.
- 4 (11.03.2009) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a certificate signed by Buckinghamshire County Council of County Hall, Walton Street, Aylesbury, Buckinghamshire HP20 1UA or their conveyancer that the provisions of the overage schedule of the Transfer dated 4 March 2009 referred to below have been complied with.



B: Proprietorship register continued

- 5 (11.03.2009) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by William Harding's Charity care of Parrott & Coales Solicitors, 14 Bourbon Street, Aylesbury, Buckinghamshire HP20 2RS or their conveyancer.
- 6 (11.03.2009) A Transfer of the land in this title dated 4 March 2009 made between (1) Buckinghamshire County Council and (2) Queens Park Arts Centre Limited contains transferee's personal covenant(s).

NOTE: Copy filed.

C: Charges register

This register contains any charges and other matters that affect the land.

- 1 (05.12.2002) A Conveyance of the land in this title and other land dated 14 February 1905 made between (1) George Reader (the Vendor) and (2) The County Council of the administrative County of Buckingham (the said Council) contains the following covenants:-

And the said Council do hereby covenant with the Vendor that they will well and truly observe and perform the conditions and stipulation contained in the first schedule hereunder written and that nothing shall ever be hereafter fixed or done upon the said piece of land in breach or violation or contrary to the fair meaning of the said stipulations

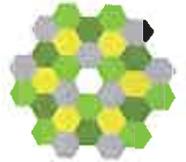
THE FIRST SCHEDULE hereinbefore referred to:-

1. The Building Line shall be at least five feet back from the Road and nothing is to be erected nearer to the road than the Building Line except fences and those not more than six feet high.
2. No messuage to be erected on the said piece of land intended to be hereby conveyed or any part thereof shall be used as a shop or manufactory without the consent of the Vendor and no noxious or offensive trade business or manufacture shall at any time be carried on upon the said piece of land or any part thereof.

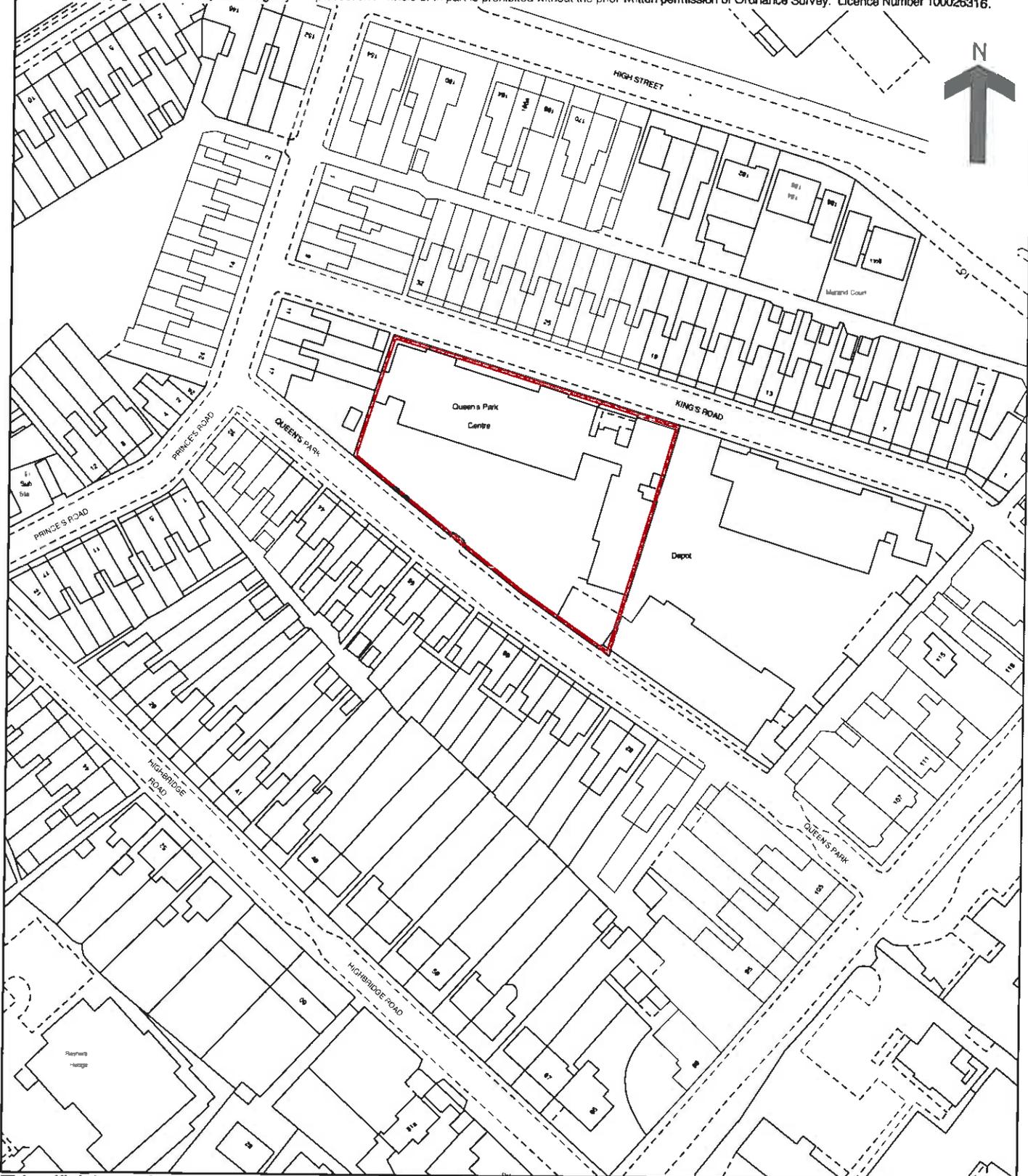
End of register

Land Registry Official copy of title plan

Title number **BM276855**
Ordnance Survey map reference **SP8213NE**
Scale **1:1250**
Administrative area **Buckinghamshire: Aylesbury
Vale**



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This official copy issued on 21 August 2014 shows the state of this title plan on 21 August 2014 at 11:55:04. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). 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.



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