



Aylesbury Vale District Council

Community nomination in respect of

The Swan & Castle Public House, 52 Lower Street, Quainton

Notice under section 91 of the Localism Act 2011

1. The Nomination

On 14 February 2014 Aylesbury Vale District Council received a nomination under section 89 of the Localism Act 2011 ('the Act') to list The Swan & Castle Public House, 52 Lower Street, Quainton, Buckinghamshire HP22 4BJ as an asset of community value. The nomination was made by "Keep the Swan as a Pub" an unincorporated community group with at least 21 individuals who appear on the electoral roll. 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 property is located at 52 Lower Street, Quainton, Buckinghamshire HP22 4BJ
- (b) it comprises a former public house which is not currently used as a public house and a car park which is subject to a planning application to erect two residential dwellings thereon.
- (c) a copy of the title registered title indicates that the land is owned by West Star Land LLP.
- (d) The Swan & Castle Public House used to host regular live music events, sports competitions and pub quizzes. The Public House also provided meeting space for local community sports teams. The pub was also used by local people to host parties, beer festivals and barbeques
- (e) The Swan & Castle Public House closed in February/March 2013 and up until that time the pub offered a wide variety of facilities which involved the community.
- (f) Although the pub is currently closed the nominating body assert that the community's wish is for it to reopen as a pub and the general public object to the proposed development of the pub under planning reference 13/03384/AOP

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

- i) Although the property comprising The Swan & Castle Public House, 52 Lower Street, Quainton, Buckinghamshire HP22 4BJ lies within the administrative area of Aylesbury Vale District and within the parish of Quainton.
- ii) “Keep the Swan as a Pub” are eligible under section 89(2) b) (i) to make a community nomination in respect of The Swan & Castle Public House
- iii) The community nomination made by “Keep the Swan as a Pub” includes the matters required under regulation 6 of the Assets of Community Value (England) Regulations 2012

The Council DOES NOT ACCEPT the nomination by “Keep the Swan as a Pub” and will not include The Swan & Castle Public House 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) The Council considers that the current use of the property for office use does not further the social wellbeing and social interests of the local community and that the land and building therefore is not of community value
- (c) On 7 February 2014 the building’s status was changed from A4 (Drinking Establishment) to A2 (Financial & Professional Service). A Tenancy at Will was granted on 7 February 2014 to Island Financial Strategy LLP to use the property for an A2 use. Also the Local Authority’s Revenues & Benefits Section were notified of the above change of use and the property has been registered from 7 February 2014 for Business Rates.
- (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 as an office would further the social wellbeing or social interests of the local community.

4. Next Steps

The Swan & Castle Public House will not be included in the list of assets of community value maintained by the Council under section 87 of the Act. However The Swan & Castle Public House 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) "Keep the Swan as a Pub" 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 15 April 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: Unconstituted group "Keep the Swan as a Pub"

Address and postcode:

Registration number N/a
(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: Deborah Barker Boyd

Address and postcode:

Telephone number

Email address

Section 2 ABOUT THE PROPERTY TO BE NOMINATED

Q4 Which asset do you wish to nominate?

Name of property: Swan and Castle

Address and postcode: 52 Lower Street
Quainton
Aylesbury
Bucks
HP22 4BJ

Name of property owner: West Star Land LLP

Address and postcode: 7 Manor Courtyard
Hughenden Avenue
High Wycombe
Bucks
HP13 5RE

Telephone number

Email address (if known)

Current occupier's name None
(if different from property owner)

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?

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.

Supporting opening statement:

The Ministerial Foreword in the Government's own guidance for local authorities on assets of community value begins: "from local pubs and shops to village halls and community centres, the past decade has seen many communities lose local amenities and buildings that are of great importance to them."

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

Community pubs represent the very essence of a community asset, providing a meeting place where social networks are strengthened and extended and where people can mix with others from different backgrounds to their own. Pubs host a wide variety of community-oriented events and activities that add considerably to local civic life.

As well as injecting an average of £80,000 into their local economy each year, pubs play a key role in raising money for local charities – it is estimated that the average pub raises around £3000 a year for charity.

The Institute of Public Policy Research (IPPR) has used 'Social Return on Investment' methodology to quantify the wider social value which pubs generate for their communities, which cannot be captured in financial terms. These wider community benefits range from the amount of money the pub raises for charity to the reduced risk of social isolation through opportunities for pub-goers to make new friends and strengthen community ties. The IPPR's research found that each pub generates between £20,000 and £120,000 of wider social value to their communities

Please note that I have prepared this nomination in a question/answer format following guidance from CAMRA.

- **Evidence that the pub has had a recent community use – is the pub open, or has it been open within the past five years?** *The Swan and Castle closed in March 2013. Up until that time the pub offered a wide variety of facilities which involved the community – please see attached copy of Facebook pages to see what was on offer. All these events were well supported.*
- **Evidence that it is realistic to think that the pub can continue to (in the next five years) further the social wellbeing and social interests of the local community by demonstrating that the pub can remain viable^{1[2]}:**
 - **Is this one of the only pubs in the area and serving the local community?** *Quinton has only one other pub – The George and Dragon situated on Village Green. The George and Dragon is currently on the market (from January 2014)*
 - **If there are other pubs nearby, does the pub (by its character, location, design etc) cater for a different audience and provide a different offering to its competitors?** *The Swan and Castle has always been the pub where many locals have held their social functions such as birthday celebrations, christenings, wedding anniversary parties, etc due to its size and particularly the parking availability for those attending these functions who have travelled to the village. This type of social gathering is very difficult to arrange at the George and Dragon as the "wet trade" area of the pub is relatively small.*
 - **What is the catchment area of the pub?** *The main catchment area of the pub is the village of Quinton and the surrounding parish area*
 - **How many adults live within a one mile radius?** *Approximately 1200 people*
 - **Is there a daytime working population?** *There are a number of small businesses located within the parish at Fieldside Farm business park and Ladymead Farm*
- **Is the pub in a well visited/popular location, such as in a picturesque area, near a popular walking route etc?** *The pub is located near many local walks including*

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

those promoted by the <http://www.buckscc.gov.uk/> website, eg www.buckscc.gov.uk/media/951082/quainton.pdf

- o Does the pub offer a good number of parking spaces? The pub has an excellent feature in its large car parking area.*
- o Is the pub near public transport hubs such as a train station or bus stop? There is a bus stop right opposite the pub.*
- o Have there been efforts to make the pub attractive to consumers by serving real ales, food or hot drinks? The last three landlords offered a variety of ales, wines, bar snacks, take away food options, hot drinks and Sunday "roast" meals.*
- Evidence of interest in keeping the pub open – perhaps with a petition of local people or a letter from the local MP. If closed, provide evidence that there remains interest and intent to reopen the pub. Although the pub is currently closed, we would provide as evidence of the community's wish for it to re-open as a pub, the documents submitted by the general public against the proposed development of the pub under reference number 13/03384/AOP. There are 28 documents sent by the public detailing their desire for the pub to be retained as a pub including a concise business plan from a former landlady and support from Quainton Parish Council.**

Cultural value:

- The pub regularly hosts live music events (i.e. "open mike" nights, weekly jazz band shows etc) The pub regularly hosted live events as evidenced by the attached Facebook pages. Local talent was encouraged to gain performance experience by playing at these events, for example, local singer Charlotte Hardwick.**
- The pub provides meeting rooms for local community groups and charities to use. Perhaps the pub provides the only community meeting space in the area. The pub was regularly used by Quainton Golf Society for its meetings and indeed a purpose built display cabinet was made to house the society's cups. The committee of Quainton Football Club also regularly used the pub as a meeting place for its monthly meetings.**

Sporting value:

- Local sports teams meet in this pub. Quainton Football Club used to meet at the pub prior to matches as the Club's facilities are near by. The pub often hosted away team players for after match food and socialising. The Tennis club used to visit after their matches for refreshment.**
- The pub sponsors a team which represents it at football, cricket, rugby etc The pub entered a local 6 a side charity football competition in June 2012. This was an event raising funds for Quainton Football Club to help maintain the facilities at the football ground.**
- The pub hosts local sports competitions (such as darts or pool leagues) The pub had two darts teams in The Wing and District Darts League, held regular pool matches including the Bob Carpenter Cup match between the Swan at Grendon and the Swan and Castle Quainton. This has been an annual event since the death of Bob Carpenter ten years ago who was a great supporter of pool playing in the Swan and Castle. It is used to raise funds for cancer charities. His widow and family always attend this event and value the communities continued support of charities in Bob's memory. The pub also hosted Quainton Domino players in the local league and had a cribbage team**

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

Recreational value:

- **The pub has a beer garden which is used by local people.** *The last landlord and landlady did an excellent job of revitalising the beer garden area to be enjoyed by the community. It was available at all times for the community to use and hosted outdoor birthday parties, beer festivals, music events and barbecues.*
- **The pub provides a children's play area for local families.** *The outside beer garden included space for children to play which was safe and secure as it was fenced in away from the main road and adjacent car park.*
- **The pub has televisions screening sporting events enjoyed by patrons.** *The pub had two televisions located at opposite ends of the pub which allowed both the rugby and football supporters to be kept happy and enjoy their sporting events.*
- **The pub hosts pub quizzes which bring the community together.** *The pub held regular quiz nights, many written by the patrons of the pub, who would take it in turns to provide fun and stimulating quizzes.*
- **The pub hosts beer festivals offering a range of local beers.** *The pub held two successful beer festivals in the last three years. Local breweries were supported in this way.*
- **The pub offers one or more of: quiz machine/pool tables/board games** *The pub had a quiz machine and a pool table, both used frequently by the locals.*

Further community value:

- **The pub allows local businesses to use the car park.** *The pub actively encouraged the community to use their parking facilities when dropping their children off at Quainton Primary School. This was much appreciated by the school as parking is not available any nearer.*
- **This pub is a member of CAMRA's LocAle scheme, committed to serving locally produced real ales and meeting consumer demands for local produce.** *The pub held the Cask Marque accreditation when it closed last year. This is an award for the quality of cellarmanship and quality of ale being served*

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 the attached documentation from the Land Registry.

Attachment checklist

- Copy of group constitution (if applicable) N/A
- 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: D L BARKER BOYD

Position in Organisation: N/A

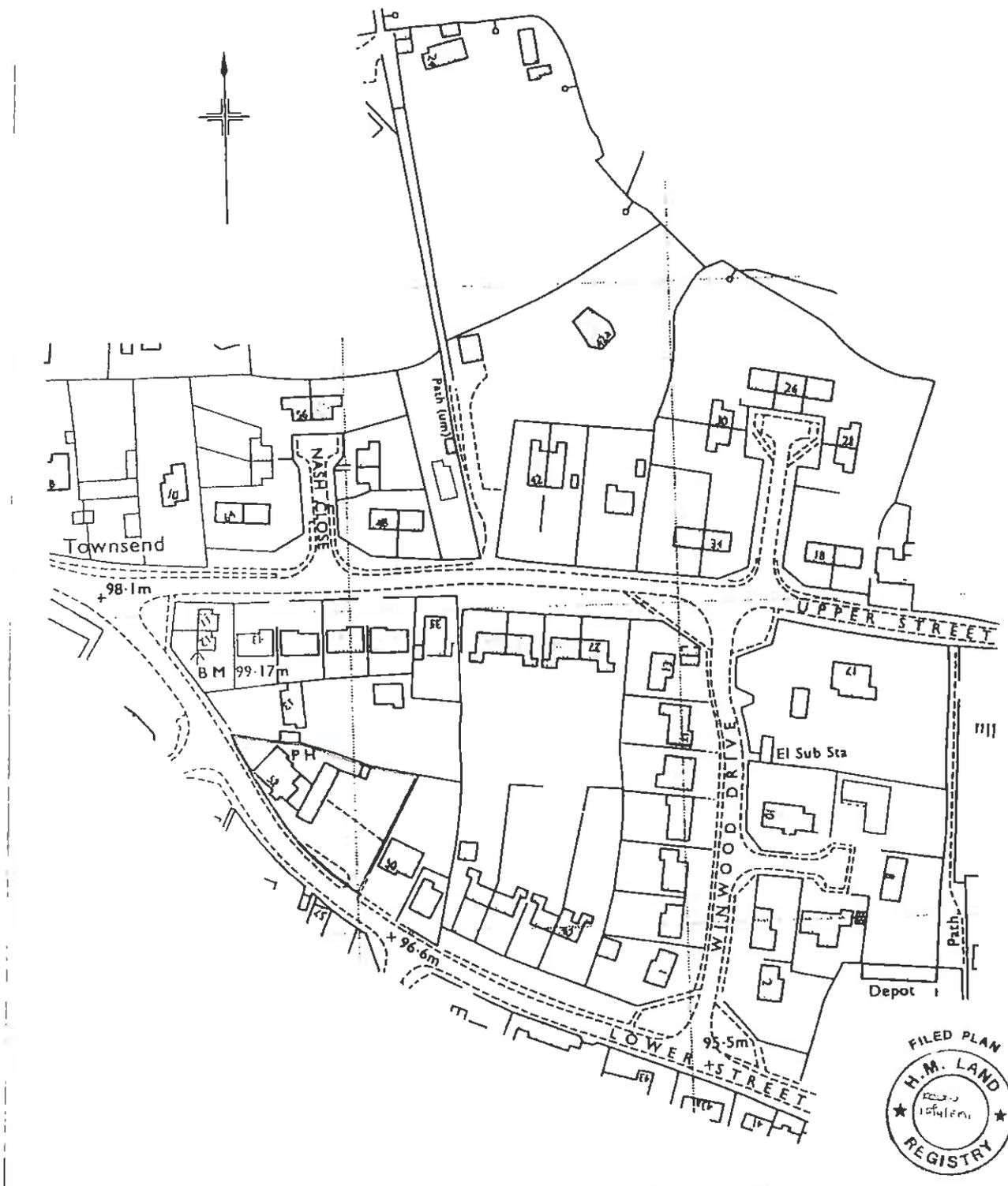
Date: 12/02/14

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Date received:

Decision deadline:

H.M. LAND REGISTRY		TITLE NUMBER	
		BM155320	
ORDNANCE SURVEY PLAN REFERENCE	SP7420	SECTION D	Scale 1/1250 Enlarged from 1/2500
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