

NORTH LINCOLNSHIRE COUNCIL

**COMMERCIAL ENTERPRISE
CABINET MEMBER**

**ASSETS OF COMMUNITY VALUE -
NOMINATIONS REGISTER UPDATE**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 Local community bodies can nominate buildings as an Asset of Community Value under the Community Right to Bid initiative.
- 1.2 The Nominations Register is regularly updated to show how the Community Right to Bid process is progressing in North Lincolnshire.
- 1.3 To consider the nominations of the following properties to be listed as Assets of Community Value:
 - Woodland at the rear of Ferry Road West, Scunthorpe, DN15 8UG.
 - Nelthorpe Arms Public House, School Lane, South Ferriby, DN18 6HW.

2. BACKGROUND INFORMATION

- 2.1 Local community groups and Town or Parish Councils can nominate buildings or land for listing by the council as an Asset of Community Value under the Community Right to Bid initiative.
- 2.2 The responsibility for deciding whether to list a building or land as an Asset of Community Value is delegated to council officers, subject to consultation with the Cabinet Member.
- 2.3 For a local group to successfully nominate a property it will have to show that:
 - It is based within the local authority area (or a neighbouring authority); and
 - It is a group that is qualified to make a nomination.

- 2.4 A property can be listed if:
- (a) An actual or current use of the building furthers the social wellbeing or social interests of the local community; and
 - (b) It is realistic to think there can continue to be use of the building which will further the social well being or social interests of the local community. This includes assets which have been used in the recent past and which it is realistic to consider will do so again during the next five years.
- 2.5 The attached Nominations Register shows the progress made for each nomination from the date it was received through to the appeal deadline, as applicable.
- 2.6 Flixborough Parish Council has submitted a nomination for woodland at the rear of Ferry Road West, Scunthorpe, to be listed as an Asset of Community Value. South Ferriby Parish Council has submitted a nomination for the Nelthorpe Arms Public House, South Ferriby to be listed as an Asset of Community Value.

3. OPTIONS FOR CONSIDERATION

- 3.1 That the Cabinet Member notes the latest updates to the council's Assets of Community Value Nominations Register.
- 3.2 To consider the nominations received from Flixborough Parish Council and South Ferriby Parish Council. Parish Councils are eligible to nominate and these nominations are addressed in turn, in section 4 of this report.

4. ANALYSIS OF OPTIONS

- 4.1 Woodland at the rear of Ferry Road West, Scunthorpe, DN15 8UG
- 4.2 The subject property comprises an area of woodland situated to the rear of properties on Ferry Road West. Flixborough Parish Council have suggested the following reasons to support the nomination:
- The woodland has been used by the local community for at least 25 years and more.
 - People have walked through the woodland and find it a small peaceful tranquil place as an escape from their urban surroundings. Children of young and teenage years play in this woodland. Local residents walk their dogs everyday and there is also a lot of interest in the varied wildlife that inhabits the woodland.

- In terms of furthering the social wellbeing or social interests of the local community in the future, the Parish Council would like to initiate a scheme for local school children to have safe access under the supervision of their teachers for nature and wildlife learning.
- 4.3 The council has received an objection to the nomination from the owner's solicitors.
- 4.4 It is considered that there is currently insufficient evidence to demonstrate the woodland meets the statutory criteria set out in paragraph 2.4 above. Although there has been some use of the woods by dog walkers, local children etc, the woodland is not the only area of open greenspace for these activities and there are similar amenities readily available within the local area.
- 4.5 The Nelthorpe Arms Public House, School Lane, South Ferriby, DN18 6HW
- 4.6 The subject property comprises a former Public House which was closed in August 2016. The property was originally included on the Council's list of Assets of Community Value on 3rd July 2014, following a successful nomination by South Ferriby Parish Council. The owner at the time of the listing was Enterprise Inns Plc. The property was sold on 25th March 2015. This was a permitted disposal and hence the property was subsequently de-listed. South Ferriby Parish Council have submitted a new nomination for the property to be listed as an Asset of Community Value.
- 4.7 The Parish Council have suggested the following reasons to support the nomination:
- Until its recent closure, the pub had been a key focus for the residents of the village. It used to offer home-made food, live music and darts/pool/quiz leagues. Seasonal activities (Christmas celebrations etc) were also hosted here.
 - In terms of furthering the social wellbeing or social interests of the local community in the future, the Parish Council have stated they anticipate the demand for the public house will increase in line with the tourism potential of the area.
- 4.8 Further information has been provided to support the nomination in the form of a statement from the former landlord. The key points of this are summarised below:
- The pub had a core of locals who were in the pub daily and a large customer base who frequented two to three times a week. The outbuilding which has since been taken down held the cellar, but also housed a gym for a period, used by locals to keep fit.

- There were two quiz league teams, a pool team, a ladies' darts team, a super league darts team and a Barton darts team.
- Events previously held at the pub consisted of open mic nights and karaoke nights, monthly band nights, two to three bike nights supported by up to 700 bikers, an annual rock festival named GAVFEST, mayday events, Christmas fayres and folk festivals.
- The restaurant element of the pub also had a core of people who visited more than once a week where 90% of people who ate, came back on a regular basis. The restaurant was also used for weddings, funerals, birthdays, christenings etc – sometimes four times a month.

4.9 The Council has received an objection to the nomination from the current owner's solicitor. A summary of the grounds stated are as follows:

- The pub does not, nor has in the past, contributed to significant or important social and community functions beyond its commercial use as a pub, therefore it is suggested the first limb of the statutory criteria set out in paragraph 2.4 of this report is not satisfied.
- The Pub was suffering losses immediately prior to its closure in August 2016 demonstrating that members of the community using the pub were much reduced.
- The pubs previous listing as an Asset of Community Value, is not a ground for a further listing.
- South Ferriby Parish Council did not exercise the rights under this legislation when the pub was last sold.

4.10 As the pub is now closed, consideration needs to be given as to whether in future it could further the social wellbeing or social interest of the local community. There is no planning permission for an alternative use therefore whilst the pubs future use is uncertain; there is nothing which would definitively rule out community use during the next five years. On the evidence presented, the property was used in the recent past for a use which furthered the social well-being or social interests of the local community and it is realistic to consider it will do so again during the next five years, hence it is considered the property satisfies the statutory criteria.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 The Register is continually updated as part of the ongoing Community Right To Bid initiative.

5.2 If the owners of properties listed as an Asset of Community Value decide to market the assets for sale or long lease, qualifying interest groups will have to be given the opportunity to bid in order to acquire the asset.

6. OUTCOME OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

6.1 Not applicable.

7. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTEREST DECLARED

7.1 Appropriate council officers and Town and Parish Councils are consulted throughout the Community Right To Bid process.

7.2 Local Ward Councillors are informed when a nomination relating to an asset in their ward is received, thereby allowing them an opportunity to raise any issues they feel are appropriate.

8. RECOMMENDATIONS

8.1 That the information held within the attached Nominations Register is noted and approved.

8.2 That the Cabinet Member supports the following proposals:

- That the woodland at the rear of Ferry Road West, Scunthorpe is not listed as an Asset of Community Value.
- That the Nelthorpe Arms Public House, School Lane, South Ferriby is listed as an Asset of Community Value.

DIRECTOR OF PLACES

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Background Papers used in the preparation of this report:

- 1) Non-statutory Advice Note for Local Authorities issued by Department for Communities and Local Government.
- 2) The Assets of Community Value (England) Regulations 2012.
- 3) The Localism Act 2011.

- 4) Statutory Instruments 2015 No. 659, The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015.
- 5) Minute 14 (14) of the Asset Management, Culture and Housing Cabinet Member of 25 September 2012 – Community Right to Bid

ASSETS OF COMMUNITY VALUE - NOMINATIONS REGISTER AS AT 9 MARCH 2017

Location & Name of Asset		Date Valid Nomination Received	Decision Deadline (8 Weeks)	Address	Nominated By	Date Acknowledgement Sent	Representations Deadline (3 Weeks)	Date Recommendation Sent	Date Added to List	Notes
Barrow upon Humber	Royal Oak Inn	15/07/2016	08/09/2016	High Street, Barrow upon Humber, DN19 7DB	Better Barrow Community Project	20/07/2016	09/08/2016	31/08/2016	31/08/2016	
Barton upon Humber	The Volunteer Arms	01/11/2016	25/12/2016	Whitecross Street, Barton upon Humber, DN18 5DF	Scunthorpe & District CAMRA Branch	02/11/2016	23/11/2016	08/12/2016	08/12/2016	
Bonby	Bonby Post Office	05/09/2014	31/10/2014	58 Main Street, Bonby, DN20 0PW	Bonby Parish Council	05/09/2014	26/09/2014	17/10/2014	30/10/2014	
Brigg	The Britannia Inn	08/11/2016	02/01/2017	Wrawby Street, Brigg, DN20 8BS	Scunthorpe & District CAMRA Branch	09/11/2016	29/11/2016	08/12/2016	08/12/2016	
Elsham	Former Elsham Quarry	05/06/2014	31/07/2014	Off Vicarage Lane/ Middlegate Lane, DN20 0RF	Elsham Parish Council	11/06/2014	02/07/2014	28/07/2014	29/07/2014	
Flixborough	The Flixborough Inn Public House	13/05/2015	08/07/2015	High Street, Flixborough, DN15 8RL	Flixborough Parish Council	21/05/2015	11/06/2015	25/06/2015	08/07/2015	Owner requested a listing review on 17/08/2015 - Review decision to be determined by 12/10/2015 - Listing upheld at appeal 14/09/2015
Goxhill	The Brocklesby Hunt Inn Public House	24/09/2014	19/11/2014	Howe Lane, Goxhill, DN19 7HL	Goxhill Parish Council	29/09/2014	20/10/2014	23/10/2014	30/10/2014	
Gunness	Jolly Sailor Public House	04/05/2016	28/06/2016	Doncaster Road, Gunness, DN15 8SU	Gunness Parish Council	06/05/2016	26/05/2016	28/06/2016	28/06/2016	Owner notified the council of his Intention to Sell on 12/07/2016. 6 Week moratorium period ended 22/08/2016 - no written requests to bid received.
Gunness	Ironstone Wharf Inn Public House	06/12/2016	30/01/2017	Station Road, Gunness, DN15 8SX	Scunthorpe & District CAMRA Branch	07/12/2016	28/12/2016	12/01/2017	12/01/2017	
Hibaldstow	The Wheatsheaf Public House	26/11/2015	14/01/2016	High Street, Hibaldstow, DN20 9EB	The Wheatsheaf Supporters	14/12/2015	04/01/2016	07/02/2016	07/02/2016	
Hibaldstow	Perry Sports Bowls Club	31/05/2016	26/07/2016	Gainsthorpe Road West, Hibaldstow, DN21 4JL	Hibaldstow Parish Council	06/06/2016	27/06/2016	15/07/2016	15/07/2016	
Keadby with Althorpe	The Dolphin Public House	17/03/2014	12/05/2014	27, A18 Trunk Road, Althorpe, DN17 3HN	Keadby with Althorpe Parish Council	12/05/2014	02/06/2014	01/05/2014	02/06/2014	Owner requested a listing review 18/06/2014 - Listing upheld at appeal 08/08/2014 - Owner requested the appeal decision goes to a First Tier Tribunal 19/09/2014 - Hearing held 18/02/2015 - Decision expected by 01/04/2015m - Appeal dismissed by First Tier Tribunal 24/03/2015
Kirton in Lindsey	Land on former MOD Airfield	08/05/2014	03/07/2014	Land south of the B1400, Former MOD Airfield, Kirton in Lindsey	Kirton in Lindsey Town Council	16/05/2014	06/06/2014	06/06/2014	09/06/2014	
Kirton in Lindsey	Land at RAF Kirton in Lindsey	09/05/2014	04/07/2014	Land south of the B1400, Former MOD Airfield, Kirton in Lindsey	Trent Valley Gliding Club Ltd	15/05/2014	05/06/2014	05/06/2014	09/06/2014	
Kirton in Lindsey	The Vincent Hall, Gymnasium & associated land & car park	13/05/2016	08/07/2016	York Road, Kirton in Lindsey	Kirton in Lindsey Town Council	16/05/2016	06/06/2016	28/06/2016	28/06/2016	
Kirton in Lindsey	Sports Field	29/04/2016	24/06/2016	off York Road, Kirton in Lindsey	Kirton in Lindsey Town Council	09/05/2016	30/05/2016	28/06/2016	28/06/2016	
Roxby cum Risby	Roxby Methodist Church	10/02/2016	06/04/2016	South Street, Roxby, DN15 0BP	Roxby cum Risby Parish Council	16/02/2016	08/03/2016	14/04/2016	14/04/2016	
Scawby	The Grove	29/04/2014	24/06/2014	38 West Street, Scawby, DN20 9AN	Communities Advice Centre Ltd.	21/05/2014	11/06/2014	20/06/2014	NOT LISTED 23/06/2014	Property not eligible because of previous residential/C-class uses
Scunthorpe	The Berkeley Hotel	30/07/2015	24/09/2015	Doncaster Road, Scunthorpe, DN15 7DS	Scunthorpe & District CAMRA	06/08/2015	27/08/2015	18/09/2015	24/09/2015	The Berkeley Hotel was given Grade II Listed Status by Historic England on 24/08/2015
Scunthorpe	The Desert Rat	27/04/2016	21/06/2016	The Desert Rat Pubic House, Swinburne Road, Scunthorpe, DN17 1PS	Desert Rat Action Committee	28/04/2016	18/05/2015	09/06/2016	NOT LISTED 09/06/2016	Planning permission already granted to demolish building. Report sent to Cllr Briggs on 09/06/2016 and it was approved that this property would not be listed. Decision reported at Cabinet Meeting on 28/06/2016
Scunthorpe	Café INDIEpendant	24/11/2016	18/01/2017	169-173 High Street, Scunthorpe, North Lincs, DN15 6LN	Café INDIEpendant Ltd	24/11/2016	15/12/2016	12/01/2017	12/01/2017	
Scunthorpe	Woodland to the rear of Ferry Road West	17/01/2017	13/03/2017	Land off Ferry Road West, Scunthorpe	Flixborough Parish Council	17/01/2017	07/02/2017			New Nomination
South Ferriby	Car Park			Land east of Low Street, South Ferriby, DN18 6HW	South Ferriby Parish Council			27/11/2013	02/06/2014	
South Ferriby	The Nelthorpe Arms Public House	09/05/2014	04/07/2014	School Lane, South Ferriby, DN18 6HW	South Ferriby Parish Council	22/05/2014	12/06/2014	02/07/2014	03/07/2014	Sold to third party in March 2015, therefore removed from list
South Ferriby	Site of Former School Canteen	03/06/2014	29/07/2014	School Lane, South Ferriby, DN18 6HW	South Ferriby Parish Council	06/06/2014	27/06/2014	11/07/2014	NOT LISTED 16/07/2014	Land not eligible because previous & current use does not further any social interest or wellbeing
South Ferriby	CEMEX Community Garden	21/08/2014	16/10/2014	Land to north east of Cemex Ltd, Sluice Road, South Ferriby, DN18 6JL	South Ferriby Parish Council	29/08/2014	19/09/2014	22/09/2014	02/10/2014	
South Ferriby	River Ancholme Car Park	27/08/2014	22/10/2014	Land adjacent to Red Lane, Sluice Road, South Ferriby	South Ferriby Parish Council	29/08/2014	19/09/2014	22/09/2014	02/10/2014	
South Ferriby	Sluice Road Allotments	27/08/2014		Land adjacent to White Cottage, Sluice Road, South Ferriby	South Ferriby Parish Council					Awaiting owner/ occupiers details from nominating group in order to validate nomination
South Ferriby	South Ferriby Village Hall	21/08/2014	16/10/2014	Horkstow Road, South Ferriby, DN18 6HS	South Ferriby Parish Council	26/08/2014	16/09/2014	22/09/2014	02/10/2014	
South Ferriby	Sluice Road Allotments	30/08/2016	24/10/2016	Sluice Road, South Ferriby	South Ferriby Parish Council	05/09/2016	25/09/2016	13/10/2016	13/10/2016	
South Ferriby	The Hope and Anchor	18/08/2016	12/10/2016	Sluice Road, South Ferriby, DN18 6JQ	South Ferriby Parish Council	23/08/2016	12/09/2016	13/10/2016	13/10/2016	
South Ferriby	Cemex South Ferriby Bowls Club	18/08/2016	12/10/2016	Sluice Road, South Ferriby	South Ferriby Parish Council	23/08/2016	12/09/2016	13/10/2016	13/10/2016	
South Ferriby	The Nelthorpe Arms Public House	16/09/2016	10/11/2016	School Lane, South Ferriby, DN18 6HW	South Ferriby Parish Council	19/09/2016	06/10/2016			New Nomination

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Winterton	Tillymints Day Nursery (Kinder House)			King Street, Winterton, DN15 9TP	Winterton Town Council			01/05/2014	02/06/2014	
Winterton	Winterton Rangers Football Ground & Function Room	30/05/2014	25/07/2014	54 West Street, Winterton, DN15 9QF	Winterton Town Council	05/06/2014	26/06/2014	22/07/2014	25/07/2014	
Winterton	The Butcher's Arms Public House	06/08/2014	01/10/2014	High Street, Winterton, DN15 9PU	Winterton Town Council	11/08/2014	01/09/2014	08/09/2014	18/09/2014	
Winterton	The George Hogg Public House	06/08/2014	01/10/2014	Market Street, Winterton, DN15 9PT	Winterton Town Council	11/08/2014	01/09/2014	08/09/2014	18/09/2014	
Winterton	Wesley House	06/08/2014	01/10/2014	10 High Street, Winterton, DN15 9PU	Winterton Town Council	13/08/2014				Property not eligible for listing owing to current residential use

KEY:

	New nomination
	Stage Complete
	No Details Available
	More Details Required to Validate Nomination
	Nomination Unsuccessful
	Listing removed