



EAST CAMBRIDGESHIRE
DISTRICT COUNCIL

Assets of Community Value Joint Scoring Form

Reference number:	009
Date of receipt of nomination:	Friday 24th July 2015.
Latest notification of decision date:	Friday 4 th September 2015.
Date of ACV assessment panel decision:	Monday 17 th August 2015.

Property name:	The Reindeer Public House
Property Address including postcode:	62 The Street Saxon Street Newmarket CB8 9RS

The internal review considers whether the nomination is valid, whether the asset is within the local authority area and whether the asset meets the statutory definition of an Asset of Community Value.

Please note that the information contained within this document will be shared with the property owner and nominating organisation when notifying them of the Council's decision. It will also be used to populate the relevant ACV list on the ECDC website. Therefore, please provide detailed reasons for your decision.

Section 1 – Nominating Body

Name of Nominating Body:	Woodditton Parish Council
Legal Structure:	(please mark with ✓ as appropriate)
<ul style="list-style-type: none">• An un-incorporated body (with list of 21 registered local electors supplied) <input type="checkbox"/>• A charity (charity number supplied) <input type="checkbox"/>• A company limited by guarantee <input type="checkbox"/>• An industrial or provident society <input type="checkbox"/>• A neighbourhood forum <input type="checkbox"/>• A parish council in East Cambridgeshire <input checked="" type="checkbox"/>• A neighbouring parish council <input type="checkbox"/>	

Written evidence of agreed nomination through group meeting minutes provided?			
Yes	✓	No	

Is any surplus the nominating organisation makes wholly or partly applied for the benefit of the community or for the benefit of a neighbouring authority area? (parish councils not required to supply this information)			
Yes	N/A	No	

Does the nominating body have a local connection to the asset nominated?			
Yes	✓	No	

Section 2 – Details of the land and/or building nominated

Is the land and/or building nominated in East Cambridgeshire?	Yes <input checked="" type="checkbox"/>
Description of nominated land and its boundaries	Please see attached map.
Are there any exemptions that apply which mean that the nominated land and/or building cannot be considered : <ul style="list-style-type: none"> • It is used wholly or partly as a residence. • It is covered by the caravan Sites and Control of Development Act 1960. • It is defined as operational land under section 263 of the Town and Country planning Act 1990, owned by statutory undertakers such as utility companies. 	(please mark with ✓ as appropriate) No exemptions apply. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Section 3 – Assessing whether the asset is of community value

Does the current and main use of the asset further the social wellbeing or cultural, recreational or sporting interest of the local community?			
Yes	<input checked="" type="checkbox"/>	No	Please list your reasons why below:
The Reindeer Public House is the only pub in the village.			

Is it realistic to think that there can continue to be a main use for the building or other land which will further (whether or not in the same way) the social well-being or social interest of the community?			
Yes	<input checked="" type="checkbox"/>	No	Please list your reasons why below:
We are not aware of any plans for the pub to close or of proposals for change of use. It is realistic to think that it continue to operate as a public house.			

If the main use of the asset does not currently further the social wellbeing or cultural, recreational or sporting interest of the local community did it do so at some point in the recent past?			
Yes	<input type="checkbox"/>	No	Please list your reasons why below:
N/A			

If the main use of the asset does not currently further the social wellbeing or cultural, recreational or sporting interest of the local community could it realistically return to such a use within the next five years?			
Yes	<input type="checkbox"/>	No	Please list your reasons why below:
N/A			

Section 4 – Decision

Assessor's decision

(please mark with ✓ as appropriate)

Approved	<input checked="" type="checkbox"/>	Add to 'List of Assets of Community Value'
Refused	<input type="checkbox"/>	Add to 'List of land nominated by unsuccessful community nominations'

List reasons below

The Red Lion is the only pub in the village and a focal point for the village community.

Assessors name (print)	Signed
Allison Conder, Principal Community & Leisure Officer	
Amanda Apcar, Principal Solicitor	
Sue Wheatley, Planning Manager	

Definitions

Local connection

4.—(1) For the purposes of these regulations and section 89(2)(b)(iii) of the Act, a body other than a parish council has a local connection with land in a local authority's area if—

(a) the body's activities are wholly or partly concerned—

(i) with the local authority's area, or

(ii) with a neighbouring authority's area;

(b) in the case of a body within regulation 5(1)(c), (e) or (f), any surplus it makes is wholly or partly applied—

(i) for the benefit of the local authority's area, or

(ii) for the benefit of a neighbouring authority's area; and

(c) in the case of a body within regulation 5(1)(c) it has at least 21 local members.

(2) For the purposes of these regulations and section 89(2)(b)(iii) of the Act—

(a) a parish council has a local connection with land in another parish council's area if any part of the boundary of the first council's area is also part of the boundary of the other

council's area; and

(b) a parish council has a local connection with land that is in a local authority's area but is not in any parish council's area if—

3 (i) the council's area is within the local authority's area, or

(ii) any part of the boundary of the council's area is also part of the boundary of the local

authority's area.

(3) In paragraph (1)(c), "local member" means a member who is registered, at an address in the local authority's area or in a neighbouring authority's area, as a local government elector in the register of local government

Social well being

Social wellbeing involves a person's relationships with others and how that person communicates, interacts and socialises with other people. It can also relate to how people make friends and whether they have a sense of belonging. For example, going to the movies with friends is being social.

Social Interest

If something is done in the social interest, it is exercised for the common good of society as a whole. Social interests include (in particular) each of the following:

- Cultural interests
- Recreational interests
- Sporting interests

If something is done in the social interest, it is exercised for the common good of society as a whole. Generally, there can be a good amount of disagreement on what exactly this means depending on views on society's role. For example, people who think society should make it easier for people to maximize their own self-interest will not agree with others who believes steps taken toward egalitarianism are beneficial to society.

Realistic to think

Note to 3.4 – Patel v Hackney LBC [2013] UKFTT 5 (GRC).

The test for determining whether “it is realistic to think that there is a time in the next five years when there could be non-ancillary use of the building...that would further the (whether or not in the same way as before) the social wellbeing or social interests of the local community” is not the civil standard of proof i.e.: on the balance of probabilities, as this would lead to only one outcome.

The wording of the LA 2011 is consistent with permitting a number of realistic outcomes to co-exist. Therefore the owners intentions for the use of the building or other land is not a determinative factor but should be considered as part of the whole set of circumstances. I.e.: planning permission may or may not be applied for / granted (in the next five years) therefore the owner of the land may or may not be able to sell on the basis of an existing planning use or with the benefit of a new planning permission.