

# CHESIL BANK PARISH COUNCIL

INCORPORATING THE PARISHES OF PORTESHAM, ABBOTSBURY, LANGTON HERRING AND FLEET



## Minutes of the Parish Council meeting held on Monday 29<sup>th</sup> April 2019 at Langton Herring

### Councillors Present:

M White (MW) (*Chairman*)

D Stevens (DS) (*Vice-Chairman*)

J Coombe (JC)

I White (IW)

S Milton (SM)

G Whitby (GW)

D Collins (DC)

R Doggett (RD)

K Donnelly (KD)

Mrs M Harding (Clerk)

42 members of the Public

**Apologies:** J Barker (JCB), J Beck (JB) R Chipp-Marshall (RCM) G Roper (GR) H Ford (HF)

**2019/04-14 Welcome, Housekeeping and to receive apologies for absence-** received and recorded.

**2019/04-15 To receive any declarations of interest and grants of dispensation-** None.

**2019/04-16 Democratic Forum 30 minutes**

Resident: The owners of the Elm Tree have resubmitted their planning application again for 2 houses in the car park of the pub, there is local opposition. The pub has been and is used by locals for pub quizzes; it is also a general meeting place for locals and has good disabled access. Many walkers use the pub. A petition has been signed by 194 people who live in the village, use the pub or have an interest in keeping the pub going for the good of the community.

The tenant of the pub then explained that there had been a development in the sale of the pub as potential buyers have paid a deposit are very keen and have plans to hold events develop the pub and are experienced pub landlords, the extra car parking will be vital for the viability of the pub, the new buyers would aim to be in for the summer. The tenant explained that if this ACV is listed it may jeopardise the sale and asked that it be postponed until after the sale.

Concerns were raised that if this is not a genuine buyer they could just close the pub and build on the land or that the decision to list and ACV could hold up the sale.

It was suggested that the ACV is put on hold until the sale is complete, but some felt that the ACV should be listed and then would be carried with the new owner as and when the sale completed.

It was stressed that the Council must not underestimate the position of the petition, in retaining the community asset of the Pub. Lots of communities are losing their pubs, and don't want to lose the opportunity because of timing. Concerns were expressed on delaying the ACV.

**2019/04-17 To consider to list the Elm Tree Inn as an asset of Community Value(RD)**

Cllr Doggett explained that this new information regarding a sale had not been presented to the Council prior to the meeting but continued to explain the reason for the meeting and the proposal to consider and agree to nominate the Elm Tree Inn (ETI) to be registered with the Dorset Council (DC) as an Asset of Community Value (ACV).

RD then read out his report explaining what an ACV is, how it works and what it hopes to achieve. Also some background on the Elm Tree and its importance to the community.

It is hoped that an ACV will offer a degree of protection until the ETI can be included in the future CBPC Neighbourhood Plan, which is currently under production.

The Elm Tree Inn is subject to a planning application for 2 dwellings built on the overflow parking area (the paddock) which, if supported by the DC planning authority, will impact on future viability of the ETI. CBPC will review this application and make comment on 13 May

The degree of urgency for this meeting arises because it is known that a sale of the ETI plot is in progress. The late notification of the renewed planning application with the alternative option to sell has created much concern within the Langton Herring community regarding timescales. If the planning application to build on the paddock is approved, this will not help the pub to survive, only for it to close in due course for development.

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ACV: Arising from the Localism Act 2011, this allows the local community, voluntary bodies or a parish council to identify and nominate land or buildings that are important to them, to give them a degree of protection especially from being lost to development.

A community asset may be a village shop, community centre, library, public toilet but most frequently the local pub.

The nominating organisation proposes the asset to the DC. This cannot be an individual but a recognised legal body such as a parish council or Neighbourhood Forum.

If, in the opinion of the local authority (DC) that the current use of the asset furthers the social well-being or social interests of the community and it is realistic to think that continued use will do the same, then DC will consider listing the asset.

If a listed ACV comes up for sale the owner is legally obliged to inform the DC in writing. This activates a 6-week pause in the sale process – the initial moratorium, during which the owner cannot legally dispose of the asset.

The DC also notifies the community, to allow them to consider whether or not to bid for the asset, i.e. a community bid. If this happens, it triggers a 6-month full moratorium to enable the community body to raise funds and bid to buy the asset.

This does not mean the community body has rights of first refusal or to acquire below market value, but it gives them the opportunity to buy to retain the asset.

If there is no sale to the community within the 6 month period, the owner is free to sell the asset without restriction for 18 months. So, listing the asset offers a degree of protection in the short term but not a fail-safe guarantee.

Overall, the asset remains on the List for 5 years but can be re-listed for a further 5 years etc.

The ETI offers support to the village community in a number of ways, giving clear evidence of providing social well-being and social interest as follows:

- It hosts regular village suppers, the most recent being on 17 April.
- It provides refreshments to village groups attending weekly activities in the village hall, such as table tennis, art club, yoga, general interest talks.
- It hosts a weekly Sunday evening quiz, which is well attended.
- It provides direct support to the village hall committee in its activities.
- It regularly hosts interest groups that convene on the site with vintage cars, motorbikes, walkers and runners. Recently, 16 April, a local Harriers running club convened filling the car park, the paddock and Rodden Road with their cars, some 50+ runners participating.

As an indication of local support for the ACV listing initiative, over 190 local residents and visitors have signed a petition indicating that they wish the ETI to remain as a pub and not be lost to development.

It was recommended that the ETI was nominated as an ACV as soon as possible, given the pending sale of its freehold. However, given the new information that emerged from the pub's tenant, the Council needed to consider whether to proceed with the ACV and risk blighting the sale or postpone listing until the sale completes; additionally, what ACV action to take if the current sale was to fail. Support had also been received from Sir Oliver Letwin on this matter.

The Council considered the options and it was proposed to prepare the ACV nomination forms in readiness but to withhold submission until the sale completes; should the current sale process fail, the ACV nomination forms would be submitted straight away."

Proposed RD

Seconded IW

8 votes FOR 1 vote AGAINST

Meeting closed at 8.17pm

Chairman

Date: 13<sup>th</sup> May 2019

Chairman's initials