

West Dorset District Council - List of Successful Nominations of Assets of Community Value: Notes / Updates

Name of Asset	Address Of Asset	Notes / Updates
Shave Cross Inn	Shave Cross Inn, Shave Cross to J.N. Dodges Orchards, Shave Cross, Bridport, DT6 6HW	<p>The Shave Cross Inn was successfully nominated as an asset of Community Value. The reason for this decision is that, in the opinion of the Authority, The Shave Cross Inn satisfies the requirements of Section 88 of the Localism Act 2011 in that the building is land of community value because:</p> <p>(a) an actual current use of the building that is not an ancillary use, furthers the social wellbeing or social interests of the local community, and</p> <p>(b) it is realistic to think that there can continue to be non-ancillary use of the building which will further (whether or not in the same way) the social wellbeing or social interests of the local community.</p> <p>The Shave Cross Inn was for sale at the time of listing so a 6 week interim moratorium commenced on 20 August 2014. The interim moratorium ends on 24 September 2014.</p> <p>As no community bid was received the owner was free to sell to any potential purchaser after this date. In accordance with section 95 of The Localism Act, 2011, no further moratorium will apply to a sale on the Shave Cross for the remainder of a protected period lasting 18 months (running from the same start date of when the owner notified the local authority of wishing to sell), that is until 20 February 2016.</p>
Chalk and Cheese Public House	53 Dorchester Road, Maiden Newton, Dorset DT2 0BD	<p>The Chalk and Cheese Public House was successfully nominated as an asset of Community Value. The reason for this decision is that, in the opinion of the Authority, the public house satisfies the requirements of Section 88 of the Localism Act 2011 in that the building is land of community value because:</p> <p>(a) the Chalk and Cheese public house is within its local authority area,</p> <p>(b) it is an asset that could be listed under Section 88 (1) (a) and (b) of The Localism Act, 2011,</p> <p>(c) the nomination had been made by a qualifying community or voluntary body with a local connection and;</p> <p>(d) the nomination contained the information required by law.</p>
The New Inn	Mount Lane, Eype, Bridport, Dorset, DT6 6AP	<p>The New Inn was successfully nominated as an asset of Community Value under Section 88 (2) (of the Localism Act because:</p> <p>a. the The New Inn, Eype is within its local authority area,</p> <p>b. it is an asset that could be listed under Section 88 (1) (a) of The Localism Act, 2011,</p> <p>c. the nomination has been made by a qualifying community or voluntary body with a local connection and;</p> <p>d. the nomination contained the information required by law.</p>
The Ilchester Arms	The Ilchester Arms, Symondsbury, Bridport, DT8 6HD	<p>The Ilchester Arms was successfully nominated as an asset of Community Value under Section 88 (2) (of the Localism Act because:</p> <p>a. the The Ilchester Arms in Symondsbury is within its local authority area,</p> <p>b. it is an asset that could be listed under Section 88 (1) (a) of The Localism Act, 2011,</p> <p>c. the nomination has been made by a qualifying community or voluntary body with a local connection and;</p> <p>d. the nomination contained the information required by law.</p>
The Gaggle of Geese	The Gaggle of Geese, Buckland Newton, Dorchester, Dorset DT2 7BS	<p>The council has decided to list The Gaggle of Geese Inn as an asset of community value because in the view of the council:</p> <p>i. The Gaggle of Geese Inn in Buckland Newton is within its local authority area,</p> <p>ii. it is an asset that could be listed under Section 88 (1) (a) & (b) and Section 90 (3) of The Localism Act, 2011,</p> <p>iii. the nomination has been made by a qualifying community or voluntary body with a local connection and;</p> <p>iv. the nomination contained the information required by law.</p>

The Sly Fox	The Sly Fox, Chapel Lane, Osmington, Dorset DT3 6EU	The council has decided to list The Sly Fox as an asset of community value because: i. the Sly Fox is within its local authority area, ii. it is an asset that could be listed under Section 88 (1) (a) and (b) of The Localism Act, 2011, iii. the nomination had been made by a qualifying community or voluntary body with a local connection and; iv. the nomination contained the information required by law.
The Trick Factory	The Trick Factory, Unit 33, St Michaels Trading Estate, Bridport DT6 3RR	Review upheld listing as an asset of community value for following reasons: i. The Trick Factory in Bridport is within its local authority area. ii. The nomination has been made by a qualifying community or voluntary body with a local connection iii. The evidence supports a conclusion that the requirements of section 88 (1) (a) Localism Act, 2011 are satisfied. The asset's primary use as an indoor skateboarding / BMX / roller skating park is considered to be a sports / recreational facility that furthers the social wellbeing / social interests of the local community. The Council considered the length of use by young people and ongoing membership issues and referred to Higgins Homes PLC v London Borough of Barnet, Tribunal Reference CR/2014/0006). iv. The requirements of section 88 (1) (b) Localism Act, 2011 are satisfied; long term commercial viability need not to be demonstrated. The Council referenced Gullivers Bowls Club v Rother DC, Tribunal Reference CR/2013/0009 and Patel v (1) London Borough of Hackney (2) Churchwell Residents' Group CR/2013/005. v. The Council has noted the various other submissions that have been made in relation to this nomination in respect of heritage, possible future uses and issues relating to motivation. The Council doubts the relevance of any of the particular submissions expressly identified above which would justify reaching a different overall conclusion to that expressed in this letter. vi. In reaching its decision, the Council has also had regard to its previous decisions in relation to the nomination of this asset. For the reasons set out above, the Council considers the evidence as it now stands supports a different conclusion to that reached at the previous internal review. In this respect, the Council now also has the benefit of a number of appeals that has been considered by the tribunals and courts which have given some clarity as to the approach to some of the issues to which weight was given at that time.
Tom Browns Public House	Tom Browns Public House, 47 High East Street, Dorchester DT1 1HU	The Council has decided to list Tom Browns Public House as an asset of community value for the following reasons: i. The asset is within the council's administrative area. ii. The land or building is an asset that can be listed as an asset of community value as set out in the Assets of Community Value (England) Regulations, 2012 iii. The nomination has been made by West Dorset Branch of the Campaign for Real Ale which is a limited company with a local connection that does not distribute its surplus to its members. iv. The nomination received is complete. v. The actual, current use of the asset that is not an ancillary use furthers the social wellbeing or social interest (includes cultural recreational or sporting interests) of the local community. vi. It is also 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 community. Notification of freehold owner's intention to sell received in writing by the council on 9 May 2016. Initial moratorium period ended on 21 June 2016. No notices of intention to bid received. Protected period notified to owner, which ends on 9 November 2017.

The Hare and Hounds	The Hare and Hounds, Waytown, Dorset DT6 5LQ	<p>The Council has decided to list The Hare & Hounds as an asset of community value for the following reasons:</p> <ul style="list-style-type: none"> i. The asset is within the council's administrative area. ii. The land or building is an asset that can be listed as an asset of community value as set out in the Assets of Community Value (England) Regulations, 2012 iii. The nomination has been made by West Dorset Branch of the Campaign for Real Ale which is a limited company with a local connection that does not distribute its surplus to its members. iv. The nomination received is complete. v. The actual, current use of the asset that is not an ancillary use furthers the social wellbeing or social interest (includes cultural recreational or sporting interests) of the local community. vi. It is also 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 community.
The Martyrs Inn	The Martyrs Inn, 49 Main Road, Tolpuddle	<p>The Council has decided to list The Martyrs Inn as an asset of community value for the following reasons:</p> <ul style="list-style-type: none"> i. The asset is within the council's administrative area. ii. The land or building is an asset that can be listed as an asset of community value as set out in the Assets of Community Value (England) Regulations, 2012 iii. The nomination has been made by Puddletown Area Parish Council which is a qualifying community or voluntary body with a local connection. iv. The nomination received is complete. v. The actual, current use of the asset that is not an ancillary use furthers the social wellbeing or social interest (includes cultural recreational or sporting interests) of the local community.
The Public Conveniences	The Public Conveniences, Osmington Mills DT3 6HE	<p>The Council has decided to list the Public Conveniences at Osmington Mills as an asset of community value for the following reasons:</p> <ul style="list-style-type: none"> i. The asset is within the council's administrative area. This satisfies the legal requirement under Section 87 (1) of The Localism Act, 2011. ii. The Public Conveniences are an asset that can be listed under Section 88 (1) (a) and (b) of The Localism Act, 2011. This is because the asset's non-ancillary use furthers the social wellbeing or social interests of the local community and could continue to do so. It is the council's view that the public conveniences contribute to social wellbeing as they are available for use by local residents. They also support the local tourist economy and the sustainability of the village throughout the year. iii. The nomination has been made by a qualifying community or voluntary body with a local connection - OsmingtonArea Parish Council which falls within Regulations 4, 5 (1) (f) and 5 (3) of The Assets of Community Value (England) Regulations 2012. iv. The nomination received is complete. The nomination contains the information required by law as laid down in Regulation 6 (a) – (d) of The Assets of Community Value (England) Regulations 2012.