

**Assets of Community Value**

23/05/2016

**Application Number:** 16/003

**Nominated Asset:** The Chester

**Site Address:** 19 Chester Street, Oxford, OX4 1SN

**Ward:** Iffley Fields Ward

**Applicant:** Oxford CAMRA Branch

**Recommendation:** The Head of Planning and Regulatory Services is recommended to:

1. Agree that the Nominated Asset should be confirmed as an Asset of Community Value
2. Agree to include the asset on the City Council's Register of Local Assets of Community Value Register and place the asset on the Local Land Charge Register.

**Background to Report.**

1. The Localism Act 2011 and the Assets of Community Value (England) Regulations 2012 set out the opportunities and procedures to follow for communities wishing to identify assets of community value and have them listed.
2. The City Council is required to list an asset if it is land of community value. Land is land of community value if, in the opinion of the Council;
  - an actual current use (not an ancillary use) of the building or other land is one that 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 that will further the social wellbeing or social interests of the local community (whether or not in the same way as the current use).  
**OR**
  - there was a time in the recent past when an actual use (not an ancillary use) of the building or other land is one that furthered the social wellbeing or interests of the local community; AND
  - it is realistic to think that there is a time in the next 5 years when there could be non-ancillary use of the building or other land that would further the social wellbeing or social interests of the local community (whether or not in the same way as before).

3. These definitions have been taken from section 88 of the Localism Act.
4. Land can be entered into the List only as a result of a community nomination. The nomination by a body meeting statutory requirements must provide a description of the land (including boundaries); the information that the nominator has as to ownership and occupation; and the nominator's reasons for believing that the Land is land of community value. If the owner objects to their property being placed on the List, they have a right in the first instance to an internal review by the City Council of this decision. If still dissatisfied an appeal may be made to the First Tier Tribunal.

### **Nomination**

5. The Oxford CAMRA Branch wrote to Oxford City Council on 4 April 2016 to nominate the Chester as an Asset of Community Value. A plan of the nominated area is attached to this report.
6. The Oxford CAMRA Branch argued that the pub significantly contributes to the wellbeing of the area in the following ways:
  - a. The pub is the only remaining pub in what is principally a residential area. It is the only pub within a few hundred yards' walk for most local residents.
  - b. There is a beer garden attached to the pub which is used and enjoyed by local people including families. This is particularly enjoyed in the summer months and brings different groups of people together to use the pub in furthering the recreational interests of the community.
  - c. The pub has a great food menu enjoyed by the local community.
  - d. There are good transport links available to/ from the pub. This means that elderly members of the community can easily and safely get to/ from the pub. It also means that people from surrounding areas can easily access and enjoy the pub's facilities.

### **Response to consultation**

7. The community group provided the name and address of persons whom they believed to be the owners. These persons were written to in April 2016. No reply was received.

### **Assessment**

8. It is confirmed that the nominating organisation is a community organisation for the purposes of the Regulations, being a company limited by guarantee which does not distribute any surplus to its members.

9. The Council has notified various persons including landowners, as required by the Regulations.
10. The first part of the definition is that the nominated asset is a non-ancillary use that furthers the social wellbeing or social interests of the local community.
11. In the nomination of The Chester, the Oxford Branch of CAMRA provided evidence that The Chester furthers the social wellbeing or social interests of the community in the following ways:
  - a) It is the only remaining pub within a principally residential area, close to local residents.
  - b) Beer Garden which is used and enjoyed by local people including families and brings together different groups of people in furthering the recreational interests of the community.
  - c) The pub has a great food menu enjoyed by the local community
  - d) Good transport links to/ from the pub meaning that elderly members of the community can easily and safely get to/ from the pub. It also means that people from surrounding areas can easily access and enjoy the pubs facilities.
12. Given the fact that the pub is currently open, it is therefore agreed that it is realistic to think that there can continue to be a non-ancillary use of the building which will further the social wellbeing or social interests of the community.

## Decision

I confirm that:

**Nominated Asset: The Chester**

**Site Address: 19 Chester Street, Oxford, OX4 1SN**

**Should** be an Asset of Community Value and included on the City Council's Register of Local Assets of Community Value Register and placed on the Local Land Charge Register.

**Name:** *Patry Dou*

**Title:** *Head of Planning and Regulatory Services*

**Signature:** *P. Dou*

**Date:** *25.5.2016*

**Background Papers:** Nomination application

**Contact Officer:** Richard Wyatt

**Extension:** 2704

**Date:** 23/05/2016

**Appendix 1: Map of The Chester, 19 Chester Street**

