



## DECISION OF DIRECTOR OF DEVELOPMENT AND ENVIRONMENT

DECISION NO. 15/16 DE 314

**SUBJECT: Review of decision on Asset of Community Value Nomination: The Blue Flame, West End, Nailsea, BS48 4DE (ACV201601)**

### **Background:**

#### **The Community Right to Bid – Assets of Community Value**

The new rights for communities introduced by the Localism Act 2011 give community groups the ability to nominate assets which they claim are a community asset as defined under the Act. This was brought into effect with the Government's release of the Assets of Community Value Regulations 2012 in October 2012.

North Somerset Council is required to maintain a list of assets of community value and a list of unsuccessful nominations and to assess the nominations coming forward. Nominations are considered in a two-stage process against detailed criteria which ensure the requirements of the Regulations are met. A decision must be reached within 8 weeks of a nomination being received.

#### **Assessment criteria**

In summary the two stages are as follows:

##### Stage 1 - eligibility

- A Is the nominating organisation eligible?
- B Can the nominating organisation demonstrate a local connection to the asset?
- C Does the nomination include all the information requested?
- D Is the asset outside one of the categories of exempt assets?

##### Stage 2 – assessing community value

- E Is there evidence of the use being described in the nomination, and that this is the main and non-ancillary use of the land/premises, or this has been its use within the recent past (12 months)?
- F Does this use further the social wellbeing and social interests of the local community?
- G What is the nature of the social wellbeing and social interest which the asset particularly supports?
- H Does the local community feel strongly that the asset should be retained as a community asset?
- I Could the asset realistically continue to be used for this, or another qualifying community purpose (or could this be achieved within the next five years)?

**Nomination from CAMRA Bristol & Bath District**

The Bristol & District Pubs Campaign Group (CAMRA) submitted a nomination on 9<sup>th</sup> February 2016, requesting that The Blue Flame Pub be considered for inclusion in the list of Assets of Community Value. The nomination was assessed against the criteria above and it was felt that The Blue Flame did qualify as an asset of community value.

**Request for review**

Following the council's decision, the owner of The Blue Flame, Ms G Davidson, subsequently requested a review of the decision and provided additional information to be considered. The request for a review of the listing was also supported by the local Ward Member, Cllr J Tonkin.

**DECISION:**

Taking into consideration the further information provided by the owner the previous decision is overturned and the site will not be listed as an asset of community value.

**Reasons:**

The further information provided by the owner of The Blue Flame demonstrated some inaccuracies in the information provided in the nomination and challenged the evidence demonstrating the strength of community feeling. (Stage 2, Section H)

**Other Alternatives Considered:**

No alternatives considered.

**Risk Assessment:**

None

**Financial Implications:**

None

**Implications for Future Years:**

The asset will now be entered onto the list of unsuccessful nominations.

Signed..........Director of Development and Environment

Dated.....03/05/2016.....