

**ASSET OF COMMUNITY VALUE NOMINATION- SPORTSMANS ARMS, STRINES,
STOCKPORT**

Report of the Deputy Chief Executive

1. MATTER FOR CONSIDERATION

- 1.1 To provide Members with information about a nomination received and to determine whether to include The Sportsmans Arms on the list of Assets of Community Value.

2. BACKGROUND

- 2.1 The Community Right to Bid, which is also known as Assets of Community Value is one of the community rights derived from the Localism Act, 2011. The aim of the Right is to empower communities wishing to protect valuable local assets (land and buildings) by requiring the Council to maintain a list of assets in its area which are of community value, so that upon sale, the community will have a chance to delay a sale in order to prepare a bid to buy. The Right does not restrict in anyway who the owner of the asset can sell his property to, or at what price and does not confer a right of first refusal to community interest groups. The Right does not apply to residential property or operational land as defined in the Town and Country Planning Act 1990 Part 2.
- 2.2 On 1st October 2012 the Council's Executive agreed the Community Right to Bid Policy Statement, which invites written nominations from voluntary and community organisations. The Council is obliged to review every nomination and reach a decision within 8 weeks.
- 2.3 A nomination has been received to add The Sportsmans Arms, 105 Strines Road, Strines to the list of assets of Community Value. Information has been collated into this report for Members' consideration.

3. INFORMATION

- 3.1 The Government has published statutory regulations setting out who can nominate assets and a definition of assets of community value. A summary of each is set out below for reference:

An asset is of community value if

- It is at least partly within the local authority's area
- Its main use (i.e. not ancillary) has recently been or is presently being used to further the social wellbeing or social interests of the local community and could reasonably do so in the future ie. Within the next 5 years
- It does not fall within one of the exemptions specified in the Regulations

Only voluntary and community organisations with a local connection, so based in Stockport or a neighbouring authority can nominate an asset for inclusion on the list. This includes:

- Neighbourhood Forums
- Parish Councils
- Unincorporated bodies of 21 named members
- A Charity
- Company Limited by Guarantee
- Industrial or Provident Society

4. NOMINATION RECEIVED

4.1 The following nomination has been received:

Identification of Asset	
Type of asset	Public House
Title of asset	The Sportsmans Arms
Address	105 Strines Road, Strines, Stockport, SK6 7GE
Any additional information supplied to help us to identify the asset	HM Land Registry Title Register and Plan GM 947656 and GM 599593.
Assessment of Community Value	
Is the asset at least partly in the local authority's area	YES
Has its main use (i.e. not ancillary) recently been or is presently being used to further the social wellbeing or social interests of the local community and could reasonably do so in the future i.e. within the next 5 years	YES – see below
Does it fall within one of the exemptions listed in the regulations?	NO
Relevant additional information provided in nomination; See nomination	
Information about the nominating organisation	
Name of organisation	Save the Sporty
Type of organisation	Unincorporated body of 21 named members
Relevant additional information provided in nomination See nomination form	
Is the organisation eligible to make a nomination	YES

Assessment of nomination	
Is the nominated asset suitable for inclusion on the Council's list of assets of community value	YES

- 4.2 The issue of Public Houses being suitable for inclusion on lists of Assets of Community Value has been tested repeatedly in the Courts, particularly the issue of Public Houses furthering the Social wellbeing or social interests of the Community.
- 4.3 The nomination in this case states that The Sportsmans Arms has closed in 2019, however it hosted live music and screened sports prior to the closure.
- 4.4 The building has in the recent past traded as a public house and is a venture which provides somewhere for village residents to meet and socialise. It acts as a place where people can interact with others from the local area to ensure a cohesive community and a village pub of this type meets the statutory test in Section 88 of the Localism Act 2011.

5. RECOMMENDATION

- 5.1 The Area Committee are reminded that The Sportsmans Arms (the Asset) can be determined an Asset of Community Value if it meets those criteria set out in paragraph 3.1 of the report. Officers can confirm that the Asset is within the Local Authority's area; and that it does not fall within one of the exemptions specified in the Regulations.
- 5.2 The Area Committee are asked to consider the information provided in Section 4 of the report and determine whether the Asset's main use (i.e. not ancillary) has recently been or is presently being used to further the social wellbeing or social interests of the local community and could reasonably do so in the future ie within the next five years.
- 5.3 The Area Committee is therefore recommended to add the Sportsmans Arms to the List of Assets of Community Value.

BACKGROUND PAPERS

Stockport Council Policy Statement – [Community Right to Bid / Assets of Community Value](http://www.stockport.gov.uk/services/communitypeopleliving/yourcommunity/righttobid/) www.stockport.gov.uk/services/communitypeopleliving/yourcommunity/righttobid/

Nomination form submitted by R Taylor on behalf of Save the Sparty

Anyone wishing to inspect the above background papers or requiring further information should contact Paul Edgeworth on telephone number Tel: 0161 218 1934 or alternatively email paul.edgeworth@stockport.gov.uk