

Public Document Pack

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

CABINET DELEGATED DECISIONS

**COUNCILLOR ROSS WARD
PORTFOLIO HOLDER FOR COMMUNITIES**

Friday, 23 September 2022

- 1 2022/05 COMMUNITY RIGHT TO BID/ASSET OF COMMUNITY VALUE -
 JERVIS ARMS**

This page is intentionally left blank

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Cabinet Delegated Decision 15 September 2022

TITLE:	Community Right to Bid/Asset of Community Value - Jervis Arms
PORTFOLIO HOLDER:	Councillor Ross Ward - Portfolio Holder for Communities
CONTACT OFFICER:	Victoria Ellis - Projects Officer
WARDS INVOLVED:	Manifold

Appendices Attached –

Appendix 1: Assets of Community Value Assessment Form

Appendix 2: Location Plan

1. Reason for the Report

- 1.1 The District Council has received a nomination for **The Jervis Arms, Onecote, Nr Leek, ST13 7RU** to be registered as an asset of community value in accordance with the Council's policy.

2. Recommendation

- 2.1 To approve the listing of **The Jervis Arms, Onecote, Nr Leek, ST13 7RU** as an asset of community value.

3. Executive Summary

- 3.1 Onecote Parish Council have made a nomination under the Localism Act 2011 (Community Right to Bid) for **The Jervis Arms, Onecote, Nr Leek, ST13 7RU** to be listed by the Council as an asset of community value.
- 3.2 Officers following the Council's Policy have assessed the application using the agreed criteria (**Appendix 1: Assets of Community Value Assessment Form**).

4. How this report links to Corporate Priorities

- 4.1 The Community Rights measures in the Localism Act 2011 have the potential to support the delivery of the Council's Corporate Aims and Priorities.

5. **Alternative Options**

- 5.1 That the nomination is approved. (Recommended)
- 5.2 That the nomination is not approved. (Not Recommended)

Neil Rogers
Executive Director (Place)

Web Links and Background Papers

Contact details

Victoria Ellis
Projects Officer
victoria.ellis@staffs Moorlands.gov.uk

6. **Implications**

6.1 Community Safety - (Crime and Disorder Act 1998)

No implications.

6.2 Workforce

No implications.

6.3 Equality and Diversity/Equality Impact Assessment

No implications.

6.4 Financial Considerations

No implications.

6.5 Legal

The Council is required under the Localism Act 2011 to consider nominations from eligible organisations to register land/property as an asset of community value. The Council has a Community Right to Bid Policy (approved in June 2018) which sets out the process the Council will follow.

6.6 Sustainability

No implications.

6.7 Internal and External Consultation

The ward Councillor for the Manifold has been informed about the nomination along with the land owners, licensee and Parish Council.

6.8 Risk Assessment

Owners of properties listed by the Council can appeal against the decision of the Council to list their property as an asset of community value and, if successful, recover their costs

7. **Detail**

7.1 On 8 April 2022, the Council received a nomination form for **The Jervis Arms, Onecote, Nr Leek, ST13 7RU** from Onecote Parish Council to list as an asset of community value under the Community Right to Bid measure of the Localism Act 2011 (Part 5. Chapter 3: Assets of Community Value).

7.2 The land and buildings are identified on the attached map (**Appendix 2**).

7.3 Officers have assessed the nomination (**see Appendix 1**) and confirmed:

1. There Parish Council are eligible to make the nomination.
2. The land and buildings are not exempt from listing.
3. The land and buildings are used (and in the past 5 years) to further the social well-being and social interests of the local community (as defined by the Localism Act 2011) and this use is not ancillary.
4. It is realistic to think that the building or land and buildings can be used in a way which will further the social well-being and social interests of the community within the next 5 years.

7.4 Accordingly, the Council's Officers have assessed that the criteria for listing have been met and recommend **The Jervis Arms, Onecote, Nr Leek, ST13 7RU** is listed as an asset of community value.

7.5 All interested parties have been notified that the Council had received the application including the property owners, District Councillors and Parish Council.

7.6 **Onecote Parish** Council recommend to list **The Jervis Arms, Onecote, Nr Leek, ST13 7RU** as an asset of community value under the Community Right to Bid measure of the Localism Act 2011 (Part 5. Chapter 3: Assets of Community Value).

7.8 The owners of the Property have submitted comments for consideration, which are shown in **Appendix 1**

This page is intentionally left blank

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL/ HIGH PEAK
BOROUGH COUNCIL**

ASSETS OF COMMUNITY VALUE ASSESSMENT FORM
--

Application reference number	Received date	Has all the relevant detail been provided by the applicant?	Listing recommended?
024 Jarvis Arms	08/04/22	Yes	Yes

Details	
Nominating organisation	Onecote Parish Council
<p>Nominated Land/buildings Brief description and location of land/buildings nominated The Jarvis Arms, Onecote, Nr Leek, ST13 7RU</p> <p>The Public House and restaurant area with a beer garden and car park. It is the only Public House in the village of Onecote.</p>	
<p>Is the applicant authorised to act? (Evidence)</p> <p>The Organisations which are eligible to nominate under the Policy includes Parish Councils.</p> <p>The nomination for the Jarvis Arms was received from Onecote Parish Council.</p>	

Organisational eligibility assessment	
<p>Type of Organisation Eligible organisations are:</p> <ul style="list-style-type: none"> • Neighbourhood Forums (section 61F of the Town & Country Planning Act 1990 – added by the Localism Act 2011) • Parish Councils in respect of land in the parish council’s area • Unincorporated bodies (that has at least 21 individual members of 21 who are on the local electoral register) • A Charity • Company Limited by Guarantee (where profits are not distributed to members) 	<p>Eligible YES</p>

<ul style="list-style-type: none"> • Industrial or Provident Society • Community Interest Company 	
---	--

Local Connection
n/a

Exemption	
Is the land or building exempt from listing? (Description/ evidence)	NO

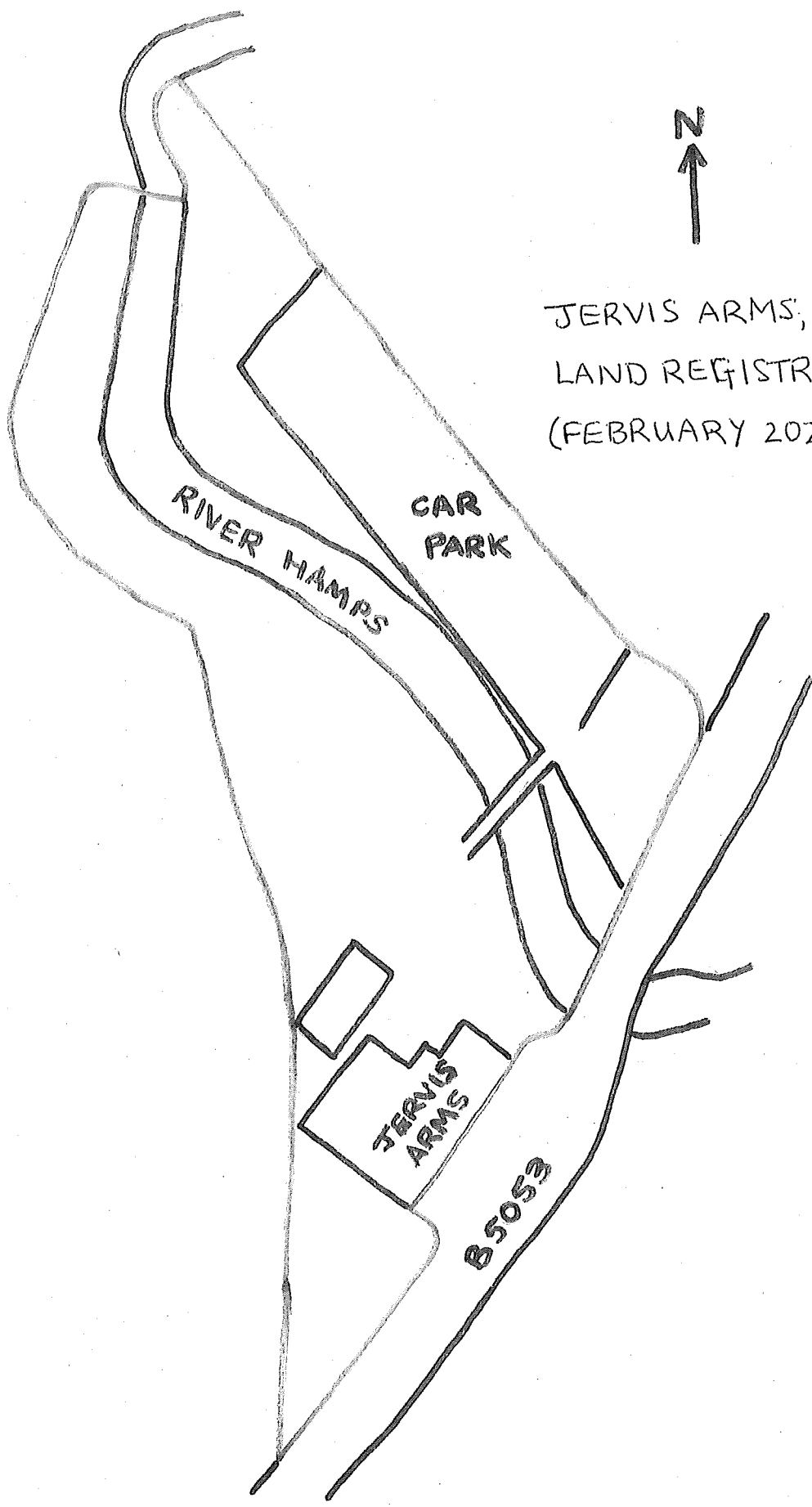
Community Value Assessment	
<p>Does the current use (or its use in the past 5 years) of the building or land further the social well-being or social interests of the local community?</p> <p>The Localism Act 2011 'social interest' includes (in particular) each of the following: cultural interests, recreational interests, sporting interests.</p>	<p>The Jervis Arms is the only public house and restaurant in the village of Onecote. It serves the surrounding area in nearby villages (Bradnop, Ford, Bottomhouses and Grindon) Two these villages have already lost that public houses (the Cavalier and the Green Man) The Mermaid at the far end of the parish has also closed under the existing landlords and the Jervis has been very successful business and provided good quality meals over the years</p> <p>The Jervis has been well used by local people and local groups in the parish with a large car park and grass beer garden alongside the river Hamps. It has provided a popular venue for locals families visitors, ramblers passers-by. Many nearby properties provide holiday accommodation for visitors to the park and local public houses and restaurants is valued. There are no less than 10 holiday businesses within walking distance (caravan camping cottages holiday lets) Other business and traders have expressed concern that there is no local facility to provide hospitality for clients who travelled long distances to visit the area.</p> <p>The landlords have arranged live music, the church and others have used public house to raise funds with quiz nights. The Jervis provides a central for information on local events and activities in the park visitors include those staying in holiday accommodation, residents passes-by all benefit from this centre and the local knowledge. All these social activities add vibrancy to the community</p>

The use above is the main one and not ancillary?	Yes
Is it realistic to think that the building or land will continue to be used in a way which will further the social well-being and social interests of the community within the next 5 years?	The present owners have expressed concern that it is no longer profitable to run as a Public House and restaurant. The last time the Jervis Arms traded was August 2021, and it has been on the open market since then to sell the freehold to the property.
Is all the Criteria met?	Yes

Assessment undertaken by:	Signed	Date
Victoria Ellis	V.Ellis	21/06/22

Authorised	Signed	Date
David Smith	D.Smith	31/08/22

This page is intentionally left blank



JERVIS ARMS; ONECOTE
LAND REGISTRY BOUNDARY
(FEBRUARY 2022)

