

South Lakeland District Council
Emergency Delegated Executive Decision
Asset of Community Value – Farmers Arms, Lowick

Date: 1/05/2020

Reference: 006

Reason for emergency

Chief Executive received emergency delegated executive decision making powers on the 25th March 2020. It is considered that this decision is necessary or arises from the COVID 19 Global pandemic emergency. The matter is urgent, necessary and expedient and is needed to protect the Council's interests.

The decision is required to be taken because a community nomination has been received to list a property as an Asset of Community Value and Regulation 7 of the Assets of Community Value (England) Regulations 2012 requires that the responsible authority must decide whether land nominated by a community nomination should be included in the list within eight weeks of receiving the nomination. Due to the current circumstances this timescale has already been exceeded with one extension agreed with the nominating party.

This is a Key Decision: No

Portfolio: Councillor Dyan Jones – Climate Emergency and Localism Portfolio Holder
Decision Maker: Chief Executive
Report Author: Tom Dugdale – Case Management Officer (Support Services)
Wards: Broughton & Coniston and Furness Peninsula
Forward Plan: N/A

1.0 Expected Outcome and Reasons for Proposed Decision

1.1 Entry of the Farmers Arms, Lowick onto the list of successful nominations of Assets of Community Value.

2.0 Proposed Decision

2.1 **It is recommended that the Chief Executive:-**

Agrees that the Farmers Arms, Lowick as identified on the plan attached be entered onto South Lakeland District Council's list of successful nominations as Assets of Community Value.

Review Date:	N/A
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3.0 Background and Proposals

3.1 A nomination to list the Farmers Arms as an asset of community value was submitted by Egton with Newland, Masrigg and Osmotherley Parish Council on 12 March 2020.

- 3.2 In accordance with s89(2)(b)(iii) of the Localism Act 2011, Egton with Newland, Masrigg and Osmotherley Parish Council are eligible to make a community nomination in respect of the asset and have a local connection.
- 3.3 The Farmers Arms is a leasehold pub, which has been closed since May 2019. The nomination states that the owner of the asset has recently decided to put it up for sale on the open market.
- 3.4 The Farmers Arms is situated in a rural area, surrounded by a collection of hamlets and rural farms. The nomination states that it has been a social and community hub of the area both recently and historically.
- 3.5 Section 88 of the Localism Act 2011 sets out those uses of land which may result in a property being considered an asset of community value. They are uses that are non-ancillary and that further (or have recently furthered) either the social wellbeing or social interests of the local community. In the case of the Farmers Arms, it appears that its main, non-ancillary, use was, until May 2019, that of a public house. The nomination states that the asset also includes accommodation and function spaces, which can be seen as ancillary to its main use.
- 3.6 The nomination states that the Farmers Arms, with its range of spaces and rooms was an important venue for community groups to meet for regular meetings and functions. It states that it has always been a social meeting place and community hub of the area. The nomination states that previously the groups to use the facilities the asset offered have included: Lowick Young Farmers, the WI, Rotary, NFU and other local groups.
- 3.7 The nomination states that the asset provides the community with a place to organise and plan social activities including: quiz and music nights, small fetes and jubilee celebrations. It states that it has been a major contributor to community cohesion, particularly after the closure of the local school. It is also states in the nomination that the asset's facilities and the range of activities that it has, and could still offer, could be seen to improve the social wellbeing and interests of the local community.
- 3.8 Section 88 of the Localism Act 2011 states that a building or other land can be considered as an asset of community value if:
 - a) there is a time in the recent past when the use of the building (that was not an ancillary use) furthered the social wellbeing or interests of the local community and;
 - b) it is realistic to think that there is a time in the next five years where there could be non-ancillary use of the asset that would further the social wellbeing or social interests of the local community.
- 3.9 The nomination states that with investment and a focused business and marketing plan, it may be possible for the asset to become a viable pub and accommodation business. It states that a working group will be set up going forward, and that support and advice has been offered from CAMRA and Grizedale Arts. The nomination states that the aim is to encourage a new investor capable of purchasing and running the asset as a business after making the necessary repairs and refurbishments needed to do so. It also states that if no such investor comes forward other outcomes would be investigated that may involve community participation in ownership.
- 3.10 The Council has previously approved nominations of similar assets to be registered as assets of community value. An example of this being the Castle Inn, Kendal, which was added to the register in March 2020 in similar circumstances.
- 3.11 It is considered that the Farmers Arms meets the criteria necessary to be accepted as an asset of community value. The evidence that has been provided indicates that

in the recent past (before its closure) the use of the property as a public house, which was not an ancillary use of the property, furthered the social wellbeing of the local community who could use it as a meeting place and to socialise. On the basis of the information provided it is considered that it may be realistic to think that there is a time in the next five years where there could be another non-ancillary use of the property that would further the social wellbeing or interests of the local community. It is also clear that this nomination is in the spirit of the legislation that gives communities the right to nominate assets.

4.0 Consultation

- 4.1 The Council has notified the owner of the property of the nomination.
- 4.2 The assessment of the nomination was carried out by a Case Management Officer in liaison with the Performance, Innovation and Commissioning Specialist.
- 4.3 In line with the Cabinet decision on the 20th March 2019, delegated authority is given to the Director of Customer and Commercial Services, in consultation with the Climate Emergency and Localism Portfolio Holder, to make the decision as to whether the nominated asset is added to the list.
- 4.4 In accordance with Section 91 of the Localism Act 2011 the Council will send notice to all relevant parties of its decision in respect of the nomination.
- 4.5 The District Councillors for the Broughton & Coniston and Furness Peninsula wards have been notified of the nomination. Cllr Anne Hall and Cllr Ian Wharton have both registered their support of the nomination.
- 4.6 The neighbouring parish of Lowick Parish Council have been notified of the nomination.
- 4.7 Lake District National Park Authority have been notified of the nomination.

5.0 Alternative Options

- 5.1 The alternative option is to decline the nomination. The officers who have assessed the nomination in this case feel that the criteria in the legislation have been met and that the listing is justified on the basis of the information received. Section 88 of the Localism Act states that it is a decision for the authority whether or not the criteria are met.

6.0 Links to Council Priorities

- 6.1 Empowering customers and communities to achieve the Council's visions and values.
- 6.2 Assets of Community Value relate to Council Plan key priority 'Health and Environment'. Specifically, improving quality of life by working with communities to reduce isolation and loneliness.

7.0 Implications

Financial, Resources and Procurement

- 7.1.1 There are no financial or resources implications.

Human Resources

- 7.2.1 There are no human resources implications.

Legal

- 7.3.1 Under Section 87 of the Localism Act 2011 the Council must maintain a list of assets of community value.

7.3.2 Section 88 of the Localism Act 2011 states that a building or other land is, or may be, an asset of community value if, in the opinion of the Authority:

- The property is actually used, or was used in the recent past, for an activity that was not an ancillary use and which furthered the social wellbeing or interests of the local community; and
- it is realistic to think that there can continue to be non-ancillary use of the property which will further (whether or not in the same way) the social wellbeing or social interests of the local community; or
- it is realistic to think that there is a time in the next five years when there could be non-ancillary use of the property that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.

On the basis of the evidence provided in the nomination in this case, officers have determined that the necessary criteria of section 88 Localism Act 2011 are met.

7.3.3 With regard to timescales, regulation 7 of the Assets of Community Value (England) Regulations 2012 requires that the responsible authority must decide whether land nominated by a community nomination should be included in the list within eight weeks of receiving the nomination. As the nomination was received on 12 March, it is considered that an emergency decision is needed on this matter.

Health, Social, Economic and Environmental

7.4.1 A sustainability impact assessment has not been carried out. A building or other land is an asset of community value if its main use has recently been or is presently used to further the social wellbeing or social interests of the local community and could do so in the future. The Localism Act 2011 states that social interests include cultural, recreational and sporting interests.

7.4.2 The inclusion of assets on the List of Assets of Community Value is recorded as a local land charge under the Local Land Charges Act 1975.

Equality and Diversity

7.5.1 Have you completed an Equality Impact Analysis? No

7.5.2 The Impact Assessment published by Department for Communities and Local Government (DCLG) indicates there are no foreseeable adverse impacts on any single equality group arising out of the legislation relating to Assets of Community Value.

Risk

Risk	Consequence	Controls required
The Council fails to meet the statutory deadlines for responses and publication of lists	The Council faces challenge on the way in which it addresses nominations for Assets of Community Value	Appropriate procedures put in place to achieve the Council's obligations including appropriate use of emergency decision making procedures during the COVID-19 pandemic
The Council may be required to bear the burden of administering any initial appeals in respect of either nominations or compensation decisions	The Council's financial and other resources would be used to address any appeal	Appropriate procedures put in place to achieve the Council's obligations

Risk	Consequence	Controls required
Listed assets of community value not added to the local land charge register	Reputational challenge	Appropriate procedures put in place to achieve the Council's obligations

Contact Officers

Tom Dugdale – Case Management Officer: 793269 t.dugdale@southlakeland.gov.uk

Appendices Attached to this Report

(delete if no appendices attached)

Appendix No.	Name of Appendix
1	Farmers Arms_Lowick_ACV Nomination Form
2	Farmers Arms_Lowick_ACV Request for Further Information
3	Farmers Arms_Lowick_ACV Nomination Map
4	Farmers Arms_Lowick_ACV Assessment Form

Background Documents Available

Name of Background document	Where it is available
Community Right to Bid: Nonstatutory advice for local authorities	DCLG Website
Approved by:	Signature and Date (or email confirmation)
Chief Executive	04/05/2020
In consultation with	
The Leader of the Council	04/05/2020
And Relevant Portfolio Holder	04/05/2020
CMT Directors	04 /05/2020
The following interests were declared – disclosable pecuniary interest or other or none	None

<p><i>Due to COVID 19 and Government announcements , it has not been possible for this Key decision to be included in a Forward Plan at least 28 clear days before the decision was to be made. It is not possible to comply with the General Exemption procedure.</i></p> <p><i>In accordance with Part 4 of the Constitution - Rules of Procedure – Access to Information Rules – Paragraph 16, the Chairman of the Overview and Scrutiny Committee (Cllr Hughes) has agreed that the taking of the decision is urgent and could not reasonably be deferred because for the reasons outlined in this report and the timescales required</i></p>	Yes
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<p><i>to protect the public/business interest and to comply with Government advice.</i></p> <p><i>This being “special urgency”</i></p>	
<p><i>In accordance with Part 4 of the Constitution – Rules of Procedure – Overview and Scrutiny Procedure Rules - paragraph 16(j), the Chairman of the Council (Cllr Coleman) agrees that this decision is reasonable in all the circumstances and that it is treated as urgent for the reasons outlined above and, therefore, the decision is exempt from call-in.</i></p>	<p>Yes</p>

South Lakeland District Council - Asset of Community Value Nomination Form

Before completing this form please read the material at www.southlakeland.gov.uk

Section A – Organisation

Name of organisation	Egton with Newland, Mansriggs and Osmotherley Parish Council.
Address (including postcode)	The Clerk C/O The New House, Lowick Green, Ulverston LA12 8DY
Contact (name)	Cllr. Brian Campbell
Position in organisation	Chair
Address of contact (including postcode)	3 Summer Hill House, Spark Bridge, Ulverston LA12 7SS
Telephone no.	01229 861 510
Email address	parish@summerhill.co.uk

Type of organisation

Description	Applying as: ✓	Registration no. of charity and/or company (if applicable)
Neighbourhood forum (as defined by in Localism Act)		
Parish Council	✓	
Charity		
Community interest group		
Unincorporated body		
Company limited by guarantee		
Industrial and provident society		

A1. Local Connection

Your organisation must have a local connection, which means that its activities are wholly or partially concerned with the administrative area of South Lakeland District Council or neighbouring authority.

Parish Council (Egton with Newland, Mansriggs and Osmotherley Parish Council)

A2. Number of members registered to vote locally (unincorporated bodies only)

In the case of unincorporated bodies at least 21 of the members must be registered to vote locally. If they are registered to vote in a neighbouring local authority please indicate where.

At a recent Public Meeting over 60 people attended. 48 people signed the attendance list, 38 declared themselves as living in the Crake Valley and 33 were willing to sign the Asset of Community Value form and 32 were willing to pursue further actions with project involvement. (Names can be supplied).

A3. Distribution of surplus funds (certain types of organisations – see below)

If your organisation is an unincorporated body, a company limited by guarantee, or an industrial and provident society, its rules must provide that any surplus funds are not distributed to members. Surplus funds must be applied in part or whole for the benefit of the local area. If relevant, please confirm that this is the case.

A4. Your organisations rules: Please send us the relevant type of document for your organisation and indicate which it is:

	Please tick:
Memorandum and Articles of Association (for a company)	
Trust Deed (for a trust)	
Constitution and/or rules (for other organisations)	

Section B – Information on the nomination

What is being nominated	A Grade 2 Listed 17 th Century Coaching Inn and pub.
Name of the premises/land	Farmers Arms Lowick
Address (including postcode)	Lowick Green, Ulverston LA12 8DT

B1. The nomination form **must** include a map, which clearly states the boundaries of the premises or land that you are nominating. Please include with the nomination form.

B2. Owners and other with interests in the building or land:

	Name(s)	Address(es)
Current occupants	Vacant	
Current or last known details of those owning the freehold of the land	Star Pubs & Bars	3-4 Broadway Park South Gyle Broadway Edinburgh EH12 9JZ
Current or last known details of those having a leasehold interest in the land	Not known	

B3. Why do you think the building or land is of community value?

<p>Does this use further the social well-being and social interest of the community?</p> <p>Include information on:</p> <ul style="list-style-type: none"> • the current level of use and who uses it • any used by particular communities of interest or need 	<p>The Farmers Arms has been a centre of community activity in the Crake Valley for very many years. It was very popular with locals and tourists alike. Its accommodation served both tourists and business visitors. We consider that the form of tenancy used by its owners militated against the creation of a sustainable business and this, along with the lack of investment in the building fabric and interior finishes and decorations, is the reason the owners are not able to find a tenants.</p> <p>The property has been vacant since May 2019 and its owners have not been willing or able to find tenants.</p> <p>When approached last October by the local MP the owners stated that they fully intended to keep the premises as a Pub and that they were aware that the property had certain maintenance issues.</p> <p>Since then the owner has advised that it has decided to sell the premises and that it will be put on the market shortly for sale as a pub with accommodation.</p> <p>The Farmers, with its range of spaces and rooms, was and important venue for community groups to meet for their regular meeting and functions. These included:</p>
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	<p>Lowick Show Committee, Lowick Young Farmers, the WI, vintage motorcycle and car clubs, local shoots, the local foxhounds, Newlands Furness Trust and walking groups (Footloose Walking and Ulverston Walkfest).</p> <p>It also had active pool and darts teams and there were weekly quizzes.</p> <p>It had been a favourite port of call for TV celebrities and was a favourite haunt of the local Cumbrian “Poet Laureate”, Norman Nicholson.</p>
<p>What do communities gain from their use of the asset and what would be the impact if it were lost?</p>	<p>Organising and planning future activities. Social activities, such as quiz and music nights. There have been small fetes held in the adjacent fields in the past. e.g. Celebration for Jubilee activities. It has been a major contributor to community cohesion, especially after closure of the local school, and promotes all of the other functions listed.</p> <p>It bonds the Community and they meet to discuss other ways to cooperate to enhance the wellbeing and regeneration of the area.</p>
<p>What is the nature of social well being and social interest which the asset supports?</p> <p>Does the use of the asset do any of the following:</p> <ul style="list-style-type: none"> • Reduce isolation • Address the needs of disadvantage members of the community • Reach vulnerable people • Support community cohesion and involvement • Enable communities to be self supporting • Increase access to positive activities 	<p>It is a social meeting place and always has been. Historically, it has been the social and community hub of the area, which is a collection of hamlets and isolated farms.</p> <p>We consider that by providing a venue for the community in the way it has the Farmers Arms fulfils many of the function listed.</p>

<p>Does the community feel strongly that the asset should be retained as a community asset?</p>	<p>This nomination has come about in response to two main concerns expressed by the community. The first was to the loss of the Farmers Arms as a social hub since the departure of the last tenant and second that without proper investment there was a risk of permanent closure of an important community asset.</p> <p>These concerns were represented to a District Councillor who brought the matter to the attention of both Lowick and Egton with Newland, Mansriggs and</p>
	<p>Osmotherley Parish Councils.</p> <p>A public meeting was held on 5th March 2020 and attended by over 60 local people. A large majority of those attending agreed that the Farmers Arms should be nominated for designation as an Asset of Community Value.</p> <p>This nomination is supported by District and County Councillors for the area and is supported by the MPs for Barrow and Furness and Westmoreland and Lonsdale.</p>
<p>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)?</p>	<p>With investment and a focused Business and Marketing Plan, there is no reason that the Farmers Arms cannot be a viable pub and accommodation business serving the community. The aim expressed by the community is to encourage a new investor capable of running a quality hospitality business after making the necessary repairs and refurbishments needed. If no such investor comes forward other outcomes would be investigated that may involve community participation in ownership.</p> <p>A working group will be set up to discuss all options and create a Forward Plan.</p> <p>Representatives from CAMRA and other funding bodies and potential partners, such as Grizedale Arts attended the meeting on 5th March. They have offered support and advice.</p>

Section C – Submitting this nomination

C1. Please include the following before submitting your application:

- The rules of your organisation

C2. Signature:

B R Campbell

By signing your name (if submitting by post) or typing it (if submitting by email) you are confirming that the contents of this form are correct, to the best of your knowledge.

C3. Where to send this form:

By post to: Partnerships and Organisational Development Team, South Lakeland District Council, South Lakeland House, Lowther Street, Kendal, LA9 4DQ

By email to: policy@southlakeland.gov.uk

Asset of Community Value Nomination – Farmers Arms, Lowick

Requested further information

Further to the details set out in the Nomination Form we would like to provide this additional clarification.

As mentioned in the form the Farmers Arms was a well-used local pub with a range of accommodation and function rooms. The seven double bedrooms catered for tourists while the three single rooms were mostly occupied by workman undertaking contract work in the local area.

There was a range of bars, function rooms and catering offerings that allowed the Farmers Arms to serve the local community as well as a more general clientele. The restaurant, normally with around 25 covers, could be configured to take up to 50 covers and the space be used as a function room. Other spaces and patios served bar meals and the usual run of pub snack offerings.

Over many years the Farmers Arms developed as a focus and venue for a range of social activities as well as a gathering place for local groups that are active in the area and form an important element of what makes the area function as a community. We do not think there is any other local venue that provides a substitute for the facilities on this site.

At a social level these activities included weddings, Christening celebrations and funeral wakes. For many in the area who support this nomination it is important that there is somewhere like the Farmers Arms, with its range of facilities, that can cater for these kind of events within the community where those celebrating or being celebrated were born and raised. Other social activities that were fostered and promoted included things like a pub pool team, weekly quiz nights and regular visits by local motor cycle and car clubs.

There were a range of community groups that had come to use the Farmers Arm as the base for activities. These Included:

1. NFU - for training, seminars and meetings
2. WI – used by the local branches as a venue for social activities and some meetings
3. Rotary – used a regular meeting place
4. Lowick Show – for Committee Meetings and social events
5. Meetings of groups such as the local Commons committees, North Lonesdale Hunt and Age UK.

As the Nominee we think that all of the factors mentioned are important to supporting community cohesion and development as well promoting and enabling the community to be self-supporting. The engagement of regular customers in charitable causes like collecting for the installation and maintenance of defibrillators is another example of these sorts of activity.

We also think it important to retain places like the Farmers Arms which as a selection of rooms and versatile spaces that can provide a venues for a ranger of activities and gatherings all of which act to reduce isolation and can reach out to vulnerable people.

I trust these additional points provide a useful supplement to the points already made in our nomination



Asset of Community Value Assessment – South Lakeland District Council

Nominate By:	Egton with Newland, Mansrigg and Osmotherley Parish Council
Number of Nominations:	1
Date of Submission:	12 March 2020
Address of Nomination:	Farmers Arms, Lowick, Ulverston LA12 8DT
Date of DED:	7 April 2020

Section One - Eligible Criteria

Eligible Criteria	YES	NO	Further Comments
Is the nominating body eligible to nominate?	✓		
Does the nominating body have a connection to the nomination?	✓		The majority of the asset (building) lies within the parish, while parts of the attached land (within the property boundary) lies within the neighbouring parish of Lowick.
Is the nominated asset outside of one of the categories that cannot be assets of community value?	✓		

Section Two – Determining Usage

	YES	NO	Further Comments
1.) Is there evidence of the use being described in the nomination?	✓		The nomination states that the pub has a range of spaces and rooms, as well as offering accommodation facilities. The property is currently closed, and has been vacant since May 2019.
Is this the main, and non-ancillary, use of the land or premises?	✓		The nomination states that the main non-ancillary use was, up until its closure, a well-used local pub, with a range of accommodation and function rooms.
Or has it been its use within the last 12 months?	✓		The nomination states that the asset has been closed for the past 9 months, prior to this its

			non-ancillary use was that of a pub with accommodation.
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	YES	NO	Further Comments
2.) Does this use further the social well-being and social interest of the community?	✓		The nomination states that the Farmers, with its range of spaces and rooms was an important venue for community groups to meet for regular meetings and functions. It states that it has always been a social meeting place and community hub of the area, which is a collection of hamlets and isolated farms.
What is the current level of use of the asset and who uses it?			The asset is currently closed, since May 2019.
Is it used by particular communities of interest or need?	✓		The nomination states that the asset was an important venue for groups to meet, including; Lowick Young Farmers, the WI, Rotary, NFU other local groups.
What do communities gain from their use of the asset and what would be the impact if it were lost?			The nomination states that the asset provides the community a place to organise and plan social activities. It states that it has been a major contributor to community cohesion, especially after the closure of the local school.

	YES	NO	Further Comments
3.) What is the nature of social well being and social interest which the asset particularly supports?			
Does the use of the asset do the following:			
<ul style="list-style-type: none"> Reduce isolation 	✓		The nomination states that the facilities that the asset offers can provide a venue for a range of activities and gatherings which act to reduce social isolation.
<ul style="list-style-type: none"> Address the needs of disadvantaged members of the community 		✓	There is little information provided in the nomination to determine if this is the case.

<ul style="list-style-type: none"> Reach vulnerable people 	✓		The nomination states that the facilities that the asset offers can provide a venue for a range of activities and gatherings which can reach out to vulnerable people.
<ul style="list-style-type: none"> Support community cohesion and involvement 	✓		The nomination states that the facilities that the asset offers and the groups/events that it has hosted in the past, are important in supporting community cohesion.
<ul style="list-style-type: none"> Enable communities to be self supporting 	✓		The nomination states that the facilities that the asset offers and the groups/events that it has hosted in the past, are important factors in enabling communities to be self-supporting.
<ul style="list-style-type: none"> Increase access to positive activities 		✓	There is little information provided in the nomination to determine if this is the case.

<p>4.) Does the community feel strongly that the asset should be retained as a community asset?</p>	<p>The nomination states that it came about in response to two main concerns expressed by the community. The first being the loss of the asset as a social hub, and the second that without proper investment there was a risk of permanent closure.</p> <p>The nomination states that a public meeting was attended by over 60 local residents, with a large majority agreeing to the nomination. It states that it is supported by local district and county councillors, and the MPs for Barrow & Furness and Westmorland & Lonsdale.</p>
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<p>5.) 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)?</p>	<p>The nomination states that with investment and a focused business and marketing plan, it may be possible for the asset to become a viable pub and accommodation business. It states that a working group will be set up going forward, and that support and advice has been offered from CAMRA and Grizedale Arts.</p> <p>The nomination states that the aim is to encourage a new investor capable of purchasing and running the asset as a</p>
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	business after making the necessary repairs and refurbishments needed to do so. It also states that if no such investor comes forward other outcomes would be investigated that may involve community participation in ownership.
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Section Four - Non-ancillary use of the building or other land.

Officers are asked to consider the following questions, where appropriate, in relation to non-ancillary usage:

	Yes	No	Comments
Has the building/land legal requirement for this usage changed significantly that the asset is not fit for purpose?		✓	
Could the asset be made fit for purpose practically and within reasonable resource requirements and within timescales?	✓		There is information in nomination stating that refurbishment of the asset is needed, however this could be achieved with the relevant investment.

Recommendation and reasons for:

Recommendation: It is recommended that the Farmers Arms be accepted as an asset of community value.

Current (or recent) use of the asset

The asset has been closed for since May 2019. Due to this the nomination does not contain a substantial amount of evidence proclaiming how the asset’s current use furthers the social well-being and social interests of the community. However it does contain information of how, in the recent past, it was used a place that did so. It gives numerous examples of how the asset was, and has been for many years, an important part of the community.

Legislation

This states that an asset can be listed as a community asset if its principle use furthers (or has recently furthered) the community’s social well-being or social interests and is likely to do so in the future. There is evidence provided in the nomination that, before its closure, the asset was used by various local groups and it could be said that it did further the community’s social well-being and interests. The legislation also requires that the asset is able to do so in the future. The nomination states that for the asset to continue running as a viable community asset in the future it will require investment. There is a risk that the asset may remain empty and unused if this investment does not materialise. However, as it is stated that the asset has only been closed for just under a year, this may indicate that

there is a credible possibility that the required investment will materialise within the next 5 years and the asset could return to serve the community as it once did.

Previous additions to the community asset register

The Council has previously approved six nominations of similar assets to be registered as assets of community value. An example of this is the Castle Inn, Kendal, which was in similar circumstances when it was added to the register in March 2020.