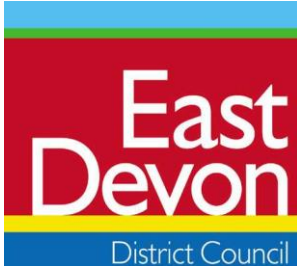


East Devon District Council

Community Right to Bid

List of Assets of Community Value



SUCCESSFUL NOMINATIONS

[illegible]

[illegible]

CA028	Recycling in Ottery	Old Station Yard St Saviours Deport Ottery St Mary EX11 1RE	Ottery Town Council	28 November 2016					Now owned by the Town Council as of 3rd April 2015
CA029	Playing Ground and field	Village Way Aylesbeare Exeter	Aylesbeare Parish Council	8 December 2016					7 December 2021 Removed from listing
CA030	The Cannon Inn	High Street Newton Poppleford Sidmouth EX10 0DW	East Devon & Exeter CAMRA	19 December 2016					19 th December 2021 Removed from listing
CA031	Clyst St Mary Village Hall	Clyst St Mary Village Hall The Village Clyst St Mary Exeter EX5 1AA	Bishops Clyst Parish Council	27 th February 2017					26 th February 2022 Removed from listing
CA032	Beer Social Club	Berry Hill Beer EX12 3JP	Beer Parish Council	17 th March 2017	3 April 2017	14 May 2017	Yes	3 rd October 2017	Sold to local community for social/affordable housing
CA033	Rethink Building + Pottery buildings and courtyard/patio	The Pottery c/o Rethink 2 Meeting Street Exmouth Devon EX8 1LN	Exmouth Ceramic Group	4 th May 2017					September 2018 Passed back to DCC under prior legal agreement with RETHINK
CA025	The Half Moon Inn	Clyst St Mary Exeter EX5 1BR	Broadclyst Parish Council	20 th May 2017					19 th May 2022 Removed from listing
CA034	Six Bells Inn	Payhembury Honiton EX14 3HR	Payhembury Parish Council	26 th June 2017					25 th June 2022 Removed from Listing
CA035	Playing field	Payhembury playing field (adjacent to St Mary's church) Church Lane Payhembury	Payhembury Parish Council	28 th March 2018					27 th March 2023
CA036 See CA056	New Fountain Inn	Church Road Whimble EX5 2TA	Whimble Historical Society	5 th February 2018					4 th February 2023 Removed from Register See CA056

CA037	Diggers Rest Inn	Woodbury Salterton Exeter EX5 1PQ	Woodbury Salterton Residents Association	30 th January 2018					29 th January 2023 Removed from listing
CA043	Kings Arms Inn	Stockland Honiton EX14 9BS	Stockland Parish Council	11 th September 2018					10 th September 2023 Now owned by the community
CA044	Trevelyan Building	Fore Street Seaton EX12 2AN	Seaton Town Council	26 th September 2018					25 th September 2023
CA046	Land at Glen View	Land at Glen View Honiton	Honiton Town Council	4 th February 2019					3 rd February 2024
CA048	McColls Site	Potters Country Market, West Hill Road, West Hill EX11 1TY	West Hill Parish Council	28 th April 2020					27 th April 2025
CA050	Broad Oak Plantation	Broad Oak Plantation Lower Board Oak Road West Hill	West Hill Parish Council	25 th August 2020					24 th August 2025
CA051	Yarcombe Inn	Yarcombe Inn Yarcombe Honiton EX14 9BD	Yarcombe Parish Council	9 th September 2020					8 th September 2025
CA052	Methodist Hall	Chapel Road Lympstone Nr Exmouth EX8 5ER	Lympstone Parish Council	15 February 2021	20 Sep 21	2 November 21	Yes	21 March 2022	14 February 2026
CA053	Feniton playing fields	Station Road Feniton EX14 3DF	Feniton Parish Council	14 May 2021					22 June 2026
CA054	The George Inn	Chardstock Axminster EX13 7BX	Chardstock Parish Council	8 July 2021					7 July 2026

CA056	New Fountain Inn	Church Road Whimble EX5 2TA	Friends of the Fountain Inn	21 Mar 2023					20 March 2028
CA057	Seaton Hospital	Valley View Seaton Devon EX12 2UU	Seaton & District Hospital League of Friends	28 Jan 2024					27 January 2029

UNSUCCESSFUL NOMINATIONS

Reference	Nominated Asset	Address of Asset	Nominating Group	Date of Decision	Reason for unsuccessful nomination
CA001	Magistrates Court	Lyme Close Axminster	Axminster Town Council	25 June 2013	The principle use of the land neither now, nor in the recent past, furthers the social wellbeing or cultural, recreational or sporting interests of the local community. It does not therefore meet the criteria set out in the Localism Act 2011 to be eligible for listing.
CA002	Police Station	Lyme Close Axminster	Axminster Town Council	25 June 2013	The principle use of the land neither now, nor in the recent past, furthers the social wellbeing or cultural, recreational or sporting interests of the local community. It does not therefore meet the criteria set out in the Localism Act 2011 to be eligible for listing.
CA005	Magistrates Court	Dowell Street Honiton	Honiton Community Church Trust	22 August 2013	The principle use of the land neither now, nor in the recent past, furthers the social wellbeing or cultural, recreational or sporting interests of the local community. It does not therefore meet the criteria set out in the Localism Act 2011 to be eligible for listing.
CA009	Winslade Park	Winslade Park Clyst St Mary	Bishop Clyst Parish Council	15 August 2014	In this case, the land is an ancillary use to the buildings so falls outside s88(1)(a) of the Act and it is also restricted by private land on all side with no direct public access. Under the Act the nominated asset does not constitute a community asset in the past or for the foreseeable future.
CA010	Methodist Church	Methodist Church Tower Street Exmouth	Centre Stage Exmouth	11 August 2014	The site and building does not fall into the category of a Community Asset under s88 of the Localism Act and therefore should not be listed.
CA011	St Saviours	Devon County Council Social Services (St Saviours)	Ottery St Mary Town Council	15 August 2014	The building or its use does not enhance for the social wellbeing or social interests of the residents of OSM now or the foreseeable future. For these reasons the site and building nominated does not fall into the category of a Community Asset under s88 of the Localism Act and therefore should not be listed.
CA012	Methodist Church	Tower Street Exmouth EX8 1NT	Centre Stage	11 August 2014	The building or its use does not enhance for the social wellbeing or social interests of the residents of Exmouth now or the foreseeable future. For these reasons the site and building nominated does not fall into the category of a Community Asset under s88 of the Localism Act and therefore should not be listed.
CA016	Knowle Park	Knowle Park Sidmouth EX10 8HL	Knowle Residents Association	18 May 2015	(a)an actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests of the local community, and (b) it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community.
CA020	Axminster Hospital	Chard road Axminster EX13 5DU	Axminster Town Council	17 th September 2015	However, if the hospital was closed and placed on the open market, the Town Council would certainly not have the resources to purchase or run it in its current form. The listing of this asset would serve no purpose and only delay the inevitable outcome for no good reason.

CA024	St John's Court	St Johns Road Exmouth EX8 4DD	Save St John's Court Project Group	7th July 2016	The main use of the property is offices and the 'care element' which may be considered as furthering the social wellbeing or social interest of the community, however, this does not come within the scope of the Localism Act.
CA038	Harbour View Cafe	Queen's Drive, Exmouth Devon EX8 2AY	Save Exmouth Seafront	6th May 2018	The facility is not unique in its position as the only café within the sea front as there are 9 other eating/drinking establishments along its length, ranging from The Point at the marina to Foxholes café and the Premier Inn café. Many like the Harbour View are dog friendly and all are in a better decorative order. The Harbour View is very much at the more affordable end of the market that said, its location is in one, if not the prime commercial position on the sea front. It is not unique as there are numerous other comparable café establishments which further the social wellbeing and interest of the local community and visitors alike.
CA039	Exmouth Fun Park	Land at Queens Drive (east of Ocean Building) Exmouth EX8 2AY	Save Exmouth Seafront	6th May 2018	The function of the Fun Park was a children's play area which may be considered as furthering the social wellbeing or social interest of the community, however, due to the age/size limitations of the facilities at the fun park it was not all inclusive to the community as it only catered for young children. There are now improved and inclusive areas for a wider spectrum of the community in the very near vicinity. If the former fun park site were to be sold or it was used for another purpose, it would not be to the detriment of the local community.
CA040	Seaton Hospital	Valley View Close, Seaton, Devon, EX12 2UU	Seaton Town Council	16 th October 2018	<p>The main use of the property is the 'care element' which may be considered as furthering the social wellbeing or social interest of the community, however, this does not come within the scope of the Localism Act. A plain English guide to the Localism Act, states:</p> <p>"Every town, village or neighbourhood is home to buildings or amenities that play a vital role in local life. They might include community centres, libraries, swimming pools, village shops, markets or pubs. Local life would not be the same without them, and if they are closed or sold into private use, it can be a real loss to the community."</p> <p>In this case the nominated asset does not fall into the category of a Community Asset under s88 of the Localism Act and therefore should not be listed.</p>
CA041	Honiton Hospital	Marlpits Lane, Honiton EX14 2DE	Honiton Town Council	30 July 2017	<p>The main use of the property is the 'care element' which may be considered as furthering the social wellbeing or social interest of the community, however, this does not come within the scope of the Localism Act. A plain English guide to the Localism Act, states:</p> <p>"Every town, village or neighbourhood is home to buildings or amenities that play a vital role in local life. They might include community centres, libraries, swimming pools, village shops, markets or pubs. Local life would not be the same without them, and if they are closed or sold into private use, it can be a real loss to the community."</p> <p>In this case the nominated asset does not fall into the category of a Community Asset under s88 of the Localism Act and therefore should not be listed.</p>
CA042	Ottery St Mary Hospital	Keegan Close, Ottery St Mary,	OSM Town Council	14 August 2018	The main use of the property is the 'care element' which may be considered as furthering the social wellbeing or social interest of the community, however, this does not come within the scope of the Localism Act. A plain English guide

		EX11 1DN			<p>to the Localism Act, states:</p> <p>"Every town, village or neighbourhood is home to buildings or amenities that play a vital role in local life. They might include community centres, libraries, swimming pools, village shops, markets or pubs. Local life would not be the same without them, and if they are closed or sold into private use, it can be a real loss to the community."</p> <p>In this case the nominated asset does not fall into the category of a Community Asset under s88 of the Localism Act and therefore should not be listed.</p>
CA045	West Hill School Playing Field	Land at Beech Park, West Hill EX11 1UQ	West Hill Parish Council	10 December 2018	<p>The current status of the land preclude the land from being listed, it is not in regular use by the wider community and the occasional use does not fulfil the social wellbeing or social interests of the local community.</p> <p>The Judge and Chamber Presidents decision made it quite clear where this category of land sits in his opinion and over turned the district authority's decision to list the land. The school's head, has outlined for child safe guarding and a number of other reasons why the land is not used by the community and not likely to be for the future whilst under ownership of the school.</p> <p>The land is not used for the social wellbeing or social interests of the local community and for that reason, I confirm that the nominated asset should not be listed as an Asset of Community Value and will be added to the Council's list of unsuccessful nominated Assets of Community Value.</p>
C047	Glebe Field	Glebe Field Woodbury Salterton	Woodbury Salterton Residents Association	3 October 2019	<p>This area of land does not enhance the amenity and social wellbeing of those using the area and the site nominated does not fall into the category of a Community Asset under s88 of the Localism Act and therefore should not be listed.</p>
CA049	The George Inn	Chardstock Axminster EX13 7BX		25 th August 2020	<p>There is little evidence that the George Inn is the hub of the village and used for more than just being a licenced establishment. The Village Hall is very well used by previously mentioned groups and provides the hub for meetings and other gatherings. The owners have stated in the past few years trade has dwindled, partly due to the tenants, the use of the village hall, but also due the general decline in rural pub trade locally and nationally.</p> <p>The judge in the first tier tribunal of Hawthorne Leisure Ltd v Bracknell Forest Borough Council highlighted the fact that just because the public house was the last in the area it was not the hub of the community.</p> <p>This has been reinforced by the decision in Admiral Taverns Ltd. V Cheshire West and Chester Council and another ([2018] UKUT 15 (AAC)) in which the Upper Tribunal confirmed that "There was no presumption that a pub came within the listing provisions of the 2011 Act...". Simply stating that the property is a pub and thus must be listed is not an accurate or equitable use of the 2011 Act, which was enacted to protect communities who were (or are) at risk of losing an asset without which community social wellbeing would be damaged</p>
CA055	Cattle Market	Silver Street Honiton	Honiton Town Council	4 February 2022	<p>Section 88(1) of the 2011 Act will not apply as the Property is not currently being used for its intended purpose.</p>

					<p>Section 88 (2) (a) (b) states: a building or other land in a local authority's area that is not land of community value as a result of subsection (1) is land of community value if in the opinion of the local authority—</p> <p>(a) there is a time in the recent past when an actual use of the building or other and that was not an ancillary use furthered the social wellbeing or interests of the local community, and</p> <p>(b) it is realistic to think that there is a time in the next five years when there could be non-ancillary use of the building or other land that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.</p>
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