

Community Right to Bid - Nomination Form

Assistance in completing this form can be found by downloading the guidance from the website

Section 1 About the property to be nominated

Name of property	Crown Inn
Address of property	Water Street
	Morland
Postcode	CA10 3AZ
Property owner's name	Mr Kevin Savage
Address	[REDACTED]
	[REDACTED]
	[REDACTED]
Postcode	[REDACTED]
Tel	[REDACTED]
Current occupier's name	Unsure – new tenant taken over

Section 2 About your community organisation and its contact point

Name of organisation	Morland Parish Council				
Your Title	Miss	First Name	Andrea		
Surname	Runkee				
Position in organisation	Clerk and RFO				
Email address	clerk@morlandparishcouncil.org				
Address	1 Town End Barns				
	Gamblesby				
	Penrith				
Postcode	CA10 1HY	Tel	-	Mobile	[REDACTED]

Organisation type - tick all that apply

<input type="checkbox"/> Unincorporated Community/Voluntary Group	<input checked="" type="checkbox"/> Parish Council
<input type="checkbox"/> Neighbourhood Forum	<input type="checkbox"/> Community Interest Company
<input type="checkbox"/> Industrial and Provident Society	<input type="checkbox"/> Charity
<input type="checkbox"/> Company Limited by Guarantee	<input type="checkbox"/> Other

How many members do you have (this is particularly important for unincorporated community groups)?

6 councilors
1 clerk

Section 3 Supporting information for nomination

Any information entered in this section only may be copied and passed onto the owner of the property you are nominating. Definition of an asset of community value can be found in the guidance document.

Why do you feel the property is an asset of community value? Please give as much information as possible and attach any supporting evidence.

The Crown Inn is the only public house in Morland, it provides food and beverages. It is the venue for many of the village groups, including dominoes, darts and pools. The venue also provides many opportunities for the community to come together by hosting events such as live music, quizzes, bon fire night celebrations.

The building itself is located in the heritage centre of the village and it provides an ideal location for visitors to the village, including the annual choristers' camp.

It is vital that this prominent building in the heart of the village is kept alive and vibrant as the effect of a closed pub on the rest of the village centre could be devastating.

Section 4 Boundary of property

What do you consider to be the boundary of the property? Please give as much detail/be descriptive as possible. Please include a plan and if this is not possible, please provide a sketch stating the dimensions of the property to be listed, as precise information is required for registration purposes.

The front boundary of the pub is the main road through the village.

A road forms the boundary along the west side.

The rear of the pub has a outdoor area which is boarded by the village beck side.

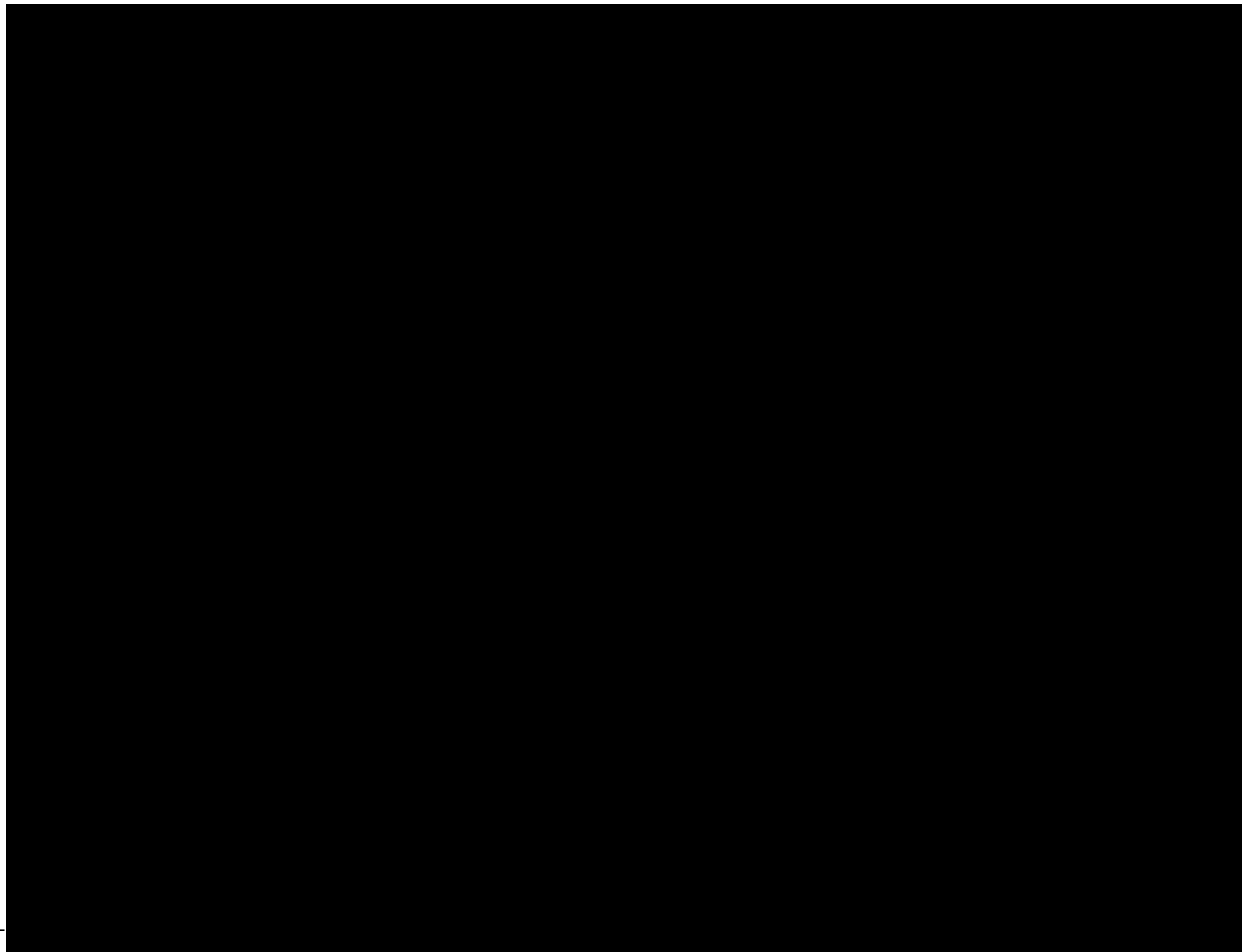
The east side of the pub has the beck as the boundary

Section 5 Attachment checklist

☒ Copy of group constitution – MPC Standing Orders

☐ Name and home addresses of 21 members registered to vote in nomination area (if group is not incorporated), plus confirmation they belong to the group and support the nomination.

☒ Site boundary plan and description



Section 6 Declaration

I can confirm that to the best of my knowledge the information contained in this nomination form is complete and accurate.

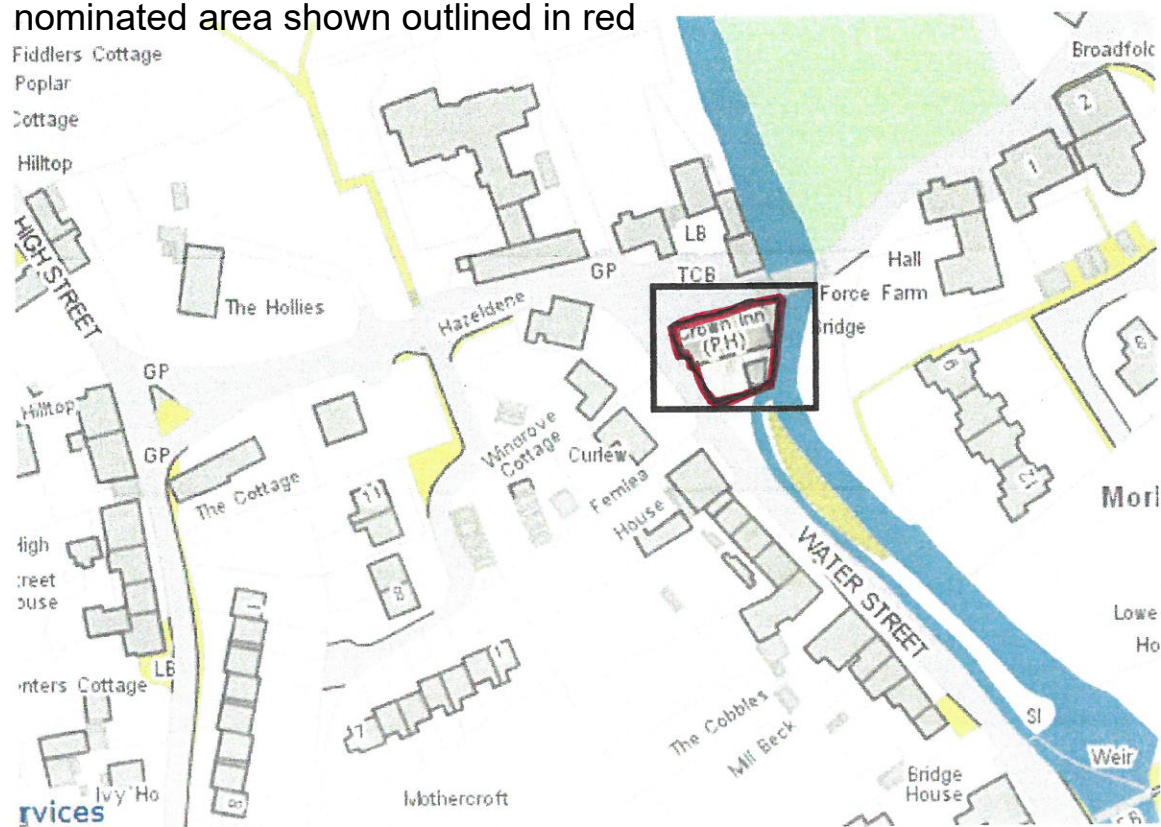
Signed:	A Runkee	Dated:	30.09.19
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Please send your completed form to:

Assistant Director Governance
Eden District Council
Town Hall
Penrith CA11 7QF

or email to: dcls@eden.gov.uk

Revised Plan - submitted 4 December 2019
nominated area shown outlined in red



Section 6 Declaration

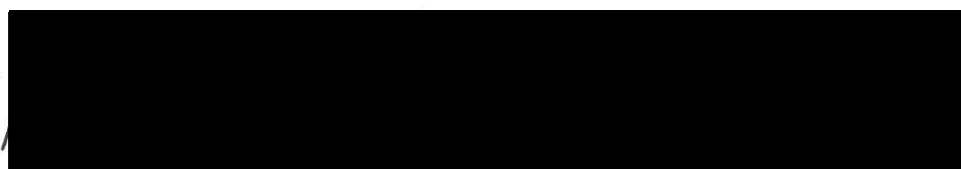
I can confirm that to the best of my knowledge the information contained in this nomination form is complete and accurate.

Signed:	A Runkee	Dated:	30.09.19
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Eden District Council
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Penrith CA11 7QF

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Eden District Council

Assets of Community Value

**A Summary of the Statutory Provisions
Procedure to Nominate Land**

1. Introduction

- 1.1 Under the Localism Act, the Council has to maintain a list of land in its area that is of community value. The obligation arises under Section 87 of the Localism Act. It is for the Council to decide the form and content of its list of assets of community value, subject to whatever regulations the Secretary of State may make.

2. Land of Community Value

- 2.1 A building or other land in the Council's area is land of community value if in the authority's opinion:
- a) an actual or current use of the building or other land 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.

3. The Procedure for including Land in a List

- 3.1 Land in the Council's area which is of community value may be included in the list only:
- a) in response to a community nomination; or
 - b) were permitted by regulations made by the Secretary of State.
- 3.2 A community nomination means one which nominates the land in the area for inclusion in the list of assets and is made by a Parish Council or by a person that is a voluntary or community body with a local connection.
- 3.3 Regulations may enable a nomination to be made by someone in circumstances other than where it is a community nomination.
- 3.4 Upon the community nomination being made it must be considered. The Council must accept the nomination if the land is in the Council's area and of community value. If the Council is required to accept the nomination, the authority must cause the land to be included in the list of assets. If the nomination is unsuccessful the Council must give to the person who made the nomination the authority's written reasons for its decision that the land could be included in the list.

4. Notice of Inclusion

- 4.1 The Council must give a written notice of the inclusion or removal of land in its list of assets of community value to:
- a) the owner of the land;
 - b) the occupier of the land if he is not the owner;
 - c) if the land was included in the list in response to a community nomination, the person who made the nomination; and
 - d) any person who is so specified in the regulations.
- 4.2 If appropriate where it is not reasonably practicable to give a notice, the Council may instead take reasonable alternative steps to bring the notice to the person's attention.

5. Review of a Decision

- 5.1 The owner of the land included within the authority's list of assets of community value may ask the authority to review the decision. The Council must notify the person concerned of the decision and the reasons for the decision on any review. The Council may remove the land and if it does so, must give notice to the body which made any community nomination.

6. List of Unsuccessful Community Nominations

- 6.1 The Council must maintain a list of land in its area that has been nominated by unsuccessful community nominations. This list is to be known as the list of land nominated by unsuccessful community nominations.

7. Publication

- 7.1 The Council must publish its list of assets of community value and the list of any land nominated by unsuccessful community nominations. The list must be available for inspection. The Council must provide a free copy of its list of assets to any person who asks for it.

8. Moratorium

- 8.1 The person who is the owner of land which is included within the authority's list of assets of community value must not enter into a relevant disposal of the land unless certain conditions are met. The conditions are:
- a) The particular person has notified the Council in writing of that person's wish to enter into relevant disposal of the land;
 - b) Either the interim moratorium period has ended without the Council having received from any Community Interest Group a written request for the Group to be treated as a potential bidder for the land or the full moratorium period has ended; or
 - c) That the protected period has not ended.

- 8.2 There are exclusions from the moratorium where a disposal is by way of gift or in relation to a disposal by will or intestacy, amongst others.
- 8.3 The full moratorium period means six months beginning with the date upon which the Council receives notification under Condition 8.1 a.
- 8.4 The interim moratorium period means six weeks beginning with the date upon which the Council receives notification under Condition 8.1 a.
- 8.5 The protected period means the period of eighteen months beginning with the date upon which the Council receives notification in relation to the disposal under Condition 8.1 a.
- 8.6 The meaning of the term “relevant disposal” is defined in the Act: Section 96 and includes the disposal of the freehold estate or the grant of a qualifying leasehold estate. The effect of the moratorium is that the community has to make an initial expression of interest in six months and the owner cannot sell to anyone else for six months if it does.
- 8.7 The effect of listing is to prevent a sale until there has been an adequate period to submit a bid should the owner wish to sell.
- 8.8 The Council’s list of assets must reveal that the notice has been received and indicate the date upon which the notice was received and the moratorium periods which are applicable.
- 8.9 If the Council receives from a Community Interest Group a written request to be treated as a potential bidder, the Council must pass that notification onto the owner or inform the owner of the details of the request. This obligation arises if the notice is received before the end of the interim moratorium period.
- 8.10 The Localism Act enables the Secretary of State to make regulations providing for the payment of compensation.

9. Local Land Charge

- 9.1 If land is included within the list of assets of community value, it should be included in the local land charges register. The Secretary of State may make regulations providing for enforcement and do anything to give advice and assistance in relation to land of community value. The Council has a duty to co-operate with other local authorities if different parts of any land are in different local authority areas. The District Council is the appropriate local authority for the purposes of the application of these provisions. A Parish Council is not a local authority for this purpose. A County Council is only a local authority for this purpose where there is no District Council in the area concerned.

10. The Regulations

- 10.1 The Secretary of State has made the Assets of Community Value (England) Regulations 2012. The Regulations came into force on 21 September 2012, the day after they were made. The Regulations identify land which is not of community value. The following are not land which is of community value and therefore may not be listed:

- A residence together with any land connected with that residence, however, land which is a residence falls within the exclusion may be listed if the residences of a building that is partly used as a residence and but for that residential use of the building the land would be eligible for listing.
- Land on which a site license is required under the Caravan Sites and Control of Development Act cannot be listed.
- Operational land as defined in Section 263 of the Town & Country Planning Act 1990 cannot be listed. Operational land is that which belongs to a statutory undertaker.

10.2 The Regulations define what is meant by “a local connection”. The activities that the body concerned must be wholly or partly connected with the Council’s area and there may be a requirement for it to have at least twenty-one local members if it is a Neighbourhood Forum. A voluntary or community body means:

- a Neighbourhood Forum
- Parish Council
- a non incorporated body with at least twenty-one individuals who are members and which does not distribute any surplus to its members
- a charity
- a company limited by guarantee which does not distribute any surplus to its members
- an industrial and providence society which similarly does not distribute any surplus; and
- a community interest company.

11. Content of a Community Nomination

11.1 A community nomination must include:

- A description of the nominated land including its proposed boundaries;
- A statement of all the information which the nominator has with regard to the current occupants and the owner;
- The nominator’s reasons for thinking that the Council should conclude the land is of community value and the evidence that the nominator is able to make the community nomination.

11.2 The Council has a period of eight weeks to respond to the nomination. The Council must notify a Parish Council, the owner of the land and any occupant that a nomination is under consideration.

12. Compensation

12.1 An owner is entitled to compensation from the Council of such amount as the Council may determine in the following circumstances:

- 12.2 That the person making the claim has at the time when the person was the owner of the land the land was listed incurred loss or expense in relation to the land which would be likely not to have been incurred if the land had not been listed.
- 12.3 The regulations identify that a claim arising from any period of delay in entering into a binding agreement to sell the land which is wholly caused by the prohibition upon the disposal and a claim for reasonable legal expenses incurred in any successful appeal against the Council's decision are claims which may be made.
- 12.4 A claim for compensation must be made in writing to the Council and before the end of the period of thirteen weeks after the loss or expense was incurred. The claim must state the amount of compensation which is being sought and be supported by evidence. The Council must give the claimant written reasons for its decision in relation to any request for compensation.
- 12.5 The regulations identify that a body which has its accounts audited under Section 2 of the Audit Commission Act 1998, a department or body to which Section 6 of the National Audit Act 1983 applies and a body which has its resources examinable under Section 7 of the 1983 Act may not claim compensation.
- 12.6 A person who makes a claim for compensation may ask the Council to review its decisions in relation to compensation, a written for a decision must be given. An appeal may be made to a first tier tribunal against any decision of the Council on any review.
- 12.7 The Council must notify the owners and mortgagees of any listed land as soon as practicable after the land is entered on the register.
- 12.8 The regulations set out a procedure for a listing and a compensation review and identified relevant disposals to which the Act does not apply. There are fifteen such examples.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

10th September 2019

A Runkee
Clerk to Morland Parish Council

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Andrea

Re: Listing if the Crown Inn, Morland as a Significant Community Asset

As a member of the Campaign for Real Ale (CAMRA) and a regular of the Crown for many years now, I feel that it is in the long-term interest of the pub and village community to reapply for the Crown Inn to be registered as a significant community asset.

As such should the Inn come up for sale a six-month moratorium may be invoked by any community group while they try to put together a system capable of buying and running the place. It is my belief that there are sufficient people in Morland willing and able to support a viable bid and operation should this become necessary.

It is hardly necessary to state the obvious social importance pubs have assumed in communities over hundreds of years, both directly and indirectly. Even villagers who have no interest in using the pub (or church or school) are happy to benefit from the desirability of their homes in a fully serviced community, and of course the Crown is the only pub we have now.



The Crown Inn attracts a wide range of social class and has its own successful darts and pool teams as well as a popular quiz evening. I have been instrumental in setting up the very popular Crown Inn Singers community choir which has added a new dimension to the function and social life of the village pub.

The loss of such a focus would verge on catastrophic for the village, so any measure however precautionary should be taken advantage of.

Your sincerely

[REDACTED]

[REDACTED]

11 September 2019

Andie Runkee
Clerk to Morland Parish Council

Dear Andie,

Re: Listing of the Crown Inn, Morland as a Asset of Community Value

I am pleased that the Parish Council have again decided to apply to list The Crown Inn as an Asset of Community Value.

The Crown Inn provides community facilities that are an essential part of life for the residents of Morland, contributing to the quality of life of the villagers.

It is now widely recognised that having a local pub is linked to improved well being due to social engagement. Frequenting a local pub can directly affect peoples social network size and how engaged they are with their local community. These networks provide us with the single most important buffer against mental and physical illness.

The Crown Inn has its own Community Choir, a thriving quiz night, a darts team, an annual fireworks display and has provided a venue for a local book club and recently a ukulele group. It is also the focal point for Village Christmas and New Year celebrations.

I am also encouraged that Eden District Council have, in their local plan, recognised the important role that local pubs play in maintaining thriving communities and I look forward to a successful reinstatement of The Crown Inn as a Significant Community Asset.

Yours sincerely,



From: [REDACTED]
Sent: 12 September 2019 17:05
To: clerk@morlandparishcouncil.org
Subject: Listing of the Crown Inn, Morland - Asset of Community Value

Dear Andie,

We are pleased that the Parish Council have again decided to apply to list the Crown Inn, Morland as an Asset of Community Value.

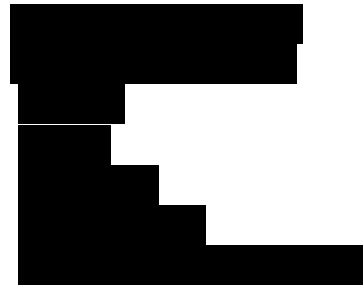
The Crown Inn not only provides community facilities that are an essential part of life for the residents of Morland, but also helps new residents to access a network within their local community.

There are many regular social events held in the pub that may cease to continue if the pub was to close.

We look forward to a successful reinstatement of the Crown Inn as an Asset of Community Value.

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



19th September 2019

FAO Andrea Runkee
Clerk to Morland Parish Council

Dear Andrea,

The Crown Inn, Morland - Significant Community Asset

We were very pleased to hear that Morland Parish Council have again decided to apply for Significant Community Asset status for the Crown Inn, Morland.

We cannot emphasise how important the Crown Inn is to our community. It played a large part in our decision to move here in 2015 and continues to be one of the reasons that we enjoy living here so much, as it has enabled us to socialise and make new friends with many of the residents of Morland and the surrounding areas. Friends that otherwise we probably wouldn't have met, seeing as we do not have children nor do we attend church.

The Crown Inn provides important facilities that enable the people in Morland and the surrounding areas to get together whether it is through the darts and pool teams, pub quizzes, the community choir, book clubs, ukulele group or just plain socialising. There is an annual fireworks display and the main focal point for village Christmas and New Year celebrations. It is a meeting point for all ages and backgrounds and as such is definitely an asset to the community!

We are very encouraged that Eden District Council has recognised the important role that local pubs play in maintaining thriving communities and to this end hope that the application to the District Council for reinstatement of the Crown Inn, Morland as a Significant Community Asset is successful.

Yours sincerely

A black rectangular redaction box covering the signature of the sender.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

19th September 2019

Andrea Runkee
Clerk to Morland Parish Council

Dear Andrea,

Re: Listing of the Crown Inn, Morland as a Significant Community Asset

I was very surprised and concerned to learn that The Crown Inn, Morland, had recently lost its Significant Community Asset status. I am pleased that the Parish Council have again decided to apply for that status.

Having a pub in the village was a very important part of our decision to buy a house in Morland in 2013. Since then, the Crown Inn has enabled us to meet and befriend many other people who live in the village, through pub quizzes, choir, book clubs and general reunions.

As I don't go to church nor have children of primary school age, it is unlikely that I would have met, socialised or made friends with as many of the residents of Morland and surrounding villages. The Crown Inn is a meeting point for people, across all ages (well, over 18), backgrounds and walks of life. As such, the Crown Inn provides community, and a sense of place now rare in our increasingly fragmented world; it is all the more precious for it.

I feel very strongly that the presence of the Crown Inn, and the sociability that it enables, has over the years significantly contributed to my well-being, and that of many other local residents.

I very much hope and expect that the application to Eden District Council for the reinstatement of the Crown Inn, Morland as a Significant Community Asset will be successful.

Yours sincerely,
[REDACTED]

From: Mike Tonkin <Mike.Tonkin@eden.gov.uk>
Sent: 24 September 2019 10:41
To: 'clerk@morlandparishcouncil.org'
Subject: Crown Inn

Hello,
I would like to give my support to the Morland Parish Council in applying for the Crown Inn, Morland to be registered as a community asset. This public house is a valued central point in the village and is well used by locals and many clubs and groups of residents.
Regards
Co. Mike Tonkin (EDC ward councillor for Morland)

Eden District Council

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