

**BRECKLAND COUNCIL**  
**DELEGATED DECISION AUTHORISATION RECORD (Blue Form)**

<b>PORTFOLIO:</b>	Place		
<b>REPORT TITLE:</b>	Community Right to Bid – The Mill, Norwich Road, Yaxham, Dereham, Norfolk, NR19 1RP		
<b>AUTHOR:</b>	Steve James, Communities Manager		
<b>URGENCY -</b> Delete as appropriate:	<i>None</i> – 5-day Scrutiny Delay	<i>URGENT</i> – sign form overleaf	
	<b>CHECKLIST – Please Tick</b>		<b>KEY DECISION – Tick as appropriate</b>
1.	Ward Member Consulted		This <i>IS NOT</i> a Key Decision ✓
2.	Owner Notified	✓	This <i>IS</i> a Key Decision <i>already included in Forward Plan</i>
3.	Parish Council notified	✓	This <i>IS</i> a Key Decision <i>NOT</i> in Forward Plan, <b><i>BUT PUBLICISED FIVE DAYS PREVIOUSLY</i></b> or agreed by Chairman of Overview & Scrutiny Commission – Form over
4.	Within Policy Framework		
5.	Nomination Form and relevant information submitted satisfactorily	✓	
6.	Crime & Disorder, Equalities, Human Rights, S40 Environment and other assessments are addressed in the report		Delegation under:
<b>CONFIDENTIALITY:</b> Delete as appropriate	No confidential or exempt information to be excluded from the Press and Public		Contains exempt information under Schedule 12A paragraph __
<b>Decision: Wording For Decision Record</b>			
<b>ACTION AGREED</b>	The Executive Member endorses Option 2 of the report and agrees to include the Mill, Yaxham on the Breckland Community Asset Register.		
<b>REASON(S)</b> <small>(Continue overleaf if necessary)</small>	<p><b><u>Introduction/ Background</u></b></p> <p>The Localism Act 2011 includes a number of important measures aimed at giving local communities new rights and opportunities to influence what happens in their area, including a new Right to Bid for assets of community value. The Community Right to Bid come into force in September 2012. Breckland Council agreed at its Cabinet meeting on 18<sup>th</sup> June 2013 its procedure for introducing and maintaining the Breckland Asset of Community Value register.</p> <p>The nomination from Norwich and Norfolk Campaign for Real Ale to include the Mill is the eighth nomination received in Breckland under the new Community Right to Bid. The nomination material was submitted by letter and forms received on 20<sup>th</sup> August 2015 and Breckland Council has eight weeks from this date to make a decision on whether to include it or not.</p> <p>There are a number of criteria that need to be satisfied in order for a building to be included on the Asset of Community Value register. In accordance with Section 88 of the Localism Act 2011, one of the fundamental tests is whether the principal use of the asset serves the social well-being and interests of the community. A pub, local shop, community centre or playground would clearly meet this test. Other criteria that need to be addressed include an assessment that there is a realistic likelihood that the same or similar use will continue and exist for at least the next five years.</p>		

The Assets of Community Value (England) Regulations 2012 set out further detail on processing nominations. References to Regulations in this report refer to these Regulations.

### **Current Status of the Mill**

This is the only pub in the village and it closed in July 2015. The pub regularly hosted a breakfast club for local businesses, charity coffee mornings for breast cancer and friends of the school, and meeting spaces for local community groups. Live music events were often hosted at the pub. The pub provided other important local services to the community including access to free local newspapers and employment opportunities for young people.

### **Assessment of the Nomination**

The nomination has been submitted by Norwich and Norfolk Campaign for Real Ale which would lead on Community Right to Bid, if the opportunity arises. It is considered that Norwich and Norfolk Campaign for Real Ale (CAMRA), who is making the nomination, meet the criteria set out in Regulations 4 and 5 as an appropriate body with a local connection. The nomination satisfies Regulation 6 in respect of the contents of the nomination.

The owner and Norwich and Norfolk CAMRA have been notified that a Nomination has been submitted as required by the Regulations on 26<sup>th</sup> October 2015.

Section 88(1)(a) tests whether the asset would further social wellbeing or social interests of the community. As above, pubs would meet this test acting as both a social gathering point for the community, but also where social interests in the form of recreation can be furthered.

Section 88(1)(b) tests whether it is realistic to think that the building would continue to further the social wellbeing or social interests of the community. As the only pub in the village, and one that provided other services such as meeting spaces for community groups and access to free local newspapers, the Mill would meet this requirement.

Section 88(2)(a) requires consideration of whether the proposal has in the 'recent past' furthered the social interests or wellbeing of the community. The Mill shut in July 2015, but before then it was an active hub for the community as local sports teams met there, live music events were often hosted at the pub.

Finally, Section 88(2)(b) requires consideration of whether it is realistic to think that in the next five years, a use that would further the social wellbeing or interests of the community could come forward. The fact that the pub has operated successfully until quite recently indicates that there is no reason why it should not continue to do so in the future.

### **Options Available**

There are essentially two options available. These are as follows:

1. Consider the contents of this report and agree NOT to add the Mill to the register of Assets of Community Value;
2. Consider the contents of this report, and agree to ADD the Mill to the register of Assets of Community Value.

If the option is accepted to add the Mill to the register then the owner would be further notified and would have a right to request that the listing decision is reviewed (up to 8 weeks from the date they are notified).

<b>Chief Officer Comments:</b>	Recommendation: [REDACTED]
	Signature and date ... [REDACTED]

1. **I agree the above decision as a matter falling within my delegated powers.**

Executive Member: [REDACTED] Date: 19/11/2015

2. **Does this have political sensitivity or strategic importance?**  
**If Yes: Leader (Please delete \* as appropriate): \*I agree above decision/\*Refer to Cabinet**

Signed: ..... Date: .....

**Additional Options Considered and/or Reasons for Decision**

See attached report.

**Exceptional Urgency**

I certify that this matter is so urgent that the normal five-day scrutiny delay on action should not apply.

..... Dated: .....

Chief Officer

..... Dated: .....

Executive Member

..... Dated: .....

Leader

<b>KEY DECISION</b> not on the Forward Plan or publicised.	<b>TO BE COMPLETED BY COMMITTEE STAFF:</b>
I agree to the Decision proceeding:	Decision Record Ref No.: .....
.....	Entry on Decision Record:
Chairman of Overview & Scrutiny Commission	Confirmed: .....
Dated: .....	Date of Entry: .....
	For action on: .....
	Passed to: .....

