

Dear Nailstone Parish Council,

I am writing to you to provide more detail on the council's decision statement for the nomination of the Bulls Head (The Property) as an Asset of Community Value (ACV). I will send you the official decision letter later today, however, this email contains more information on why we took the decision and what we may require if you would like to submit another application.

The decision was not to list the Property as an ACV as the nomination did not satisfy Sub-section 2, test A nor test B:

- **Part A requires that there is a time in the recent past when an actual use of the building or other land that was not an ancillary use furthered the social wellbeing or interests of the local community.**

There is no statutory definition or clear guidance of what can be considered 'recent past'. Hinckley and Bosworth Borough Council's Community Right to Bid Policy 2015 states as a working test that "The principal use of the asset within the last two years has been for furthering the social wellbeing or cultural, recreational or sporting interests of the local community" (p.6). While this is only a working test, and it is not for the Council to make a definite definition of the recent past. Previously, you have been advised by a colleague that the longer the period of use furthering a community benefit, the longer the period which will constitute the recent past. You were also advised, because the public house has not been open for approximately 4 years, that you needed to place a much higher emphasis on your evidence (especially of the most recent evidence of community use and also the length of time of historic community use) to make your case to support a successful listing.

We found that the evidence submitted to us that could prove community use in the recent past that wasn't ancillary was from 2017 to 2020 which were the Darts team, The Knit and Natter Group and the Pudding Club. We couldn't accept the anecdotal evidence from the interviews, the pictures of the pub from the 19th century did not prove a community use and the old news articles only provided information on one-off events that are ancillary use. Non-ancillary would be events or meetings that happened frequently, e.g. once a week or fortnightly. Therefore, because the evidence of community use was from 2017 to 2020, part A was not satisfied.

- **Part B of test 2 requires that 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.**

Crucial questions in the council's ACV nominations form such as "How do you think community interest groups could fund the purchase of the building or land?" and "How do you think community interest groups could run the building or land for the benefit of the community?" have not been answered in the cover letter. Therefore, because there was no information, part B was not satisfied.

Sub-section 2, test A and B, both would need to be satisfied for the Property to be listed by the Council, and thus the property has not been listed on the Council's list of assets of community value at this time.

If you would like to submit a new application, you are able to, however you would need to submit further evidence so that the application is different from your previous application.

The evidence that you would need to satisfy part A is of events that happened on a regular basis before 2017 which could be evidenced by photographs, conversation transcripts such as via Facebook groups, booking's diary or dates, posters, newspaper/articles, emails, advertisement of events. This evidence could also include more formal evidence such as awards won, reviews from reputable websites, lists of members and their evidential statements, parish council meeting minutes, or documentation such as a signed/dated list of attendees who attended a community event or meeting. If you still wish to use the information you gathered from the interviews, those individuals will need to contact us directly with the information which would be documented as support for the nomination.

To satisfy part B, you would need to answer the questions: "How do you think community interest groups could fund the purchase of the building or land?" and "How do you think community interest groups could run the building or land for the benefit of the community?". I have attached an ACV nomination form if you would like to fill it out and return to us.

If you have any further questions, please feel free to get in touch.

Best wishes,

Yoanna Gardner

Planning Officer (Policy)

Planning Policy - Development Services

Tel: +441455255685

Mob: 07795508728

Email: yoanna.gardner@hinckley-bosworth.gov.uk

Hinckley & Bosworth Borough Council, Hinckley Hub, Rugby Rd, Hinckley, Leicestershire,
LE10 0FR