



Ribble Valley
Borough Council
www.ribblevalley.gov.uk

Notice under Section 91 of the Localism Act 2011
Dated: 31 March 2014

**INCLUSION ON THE LIST OF ASSETS OF COMMUNITY VALUE OF LAND/BUILDINGS
SITUATED AT THE WHITE BULL, RIBCHESTER ("THE ASSET")**

1. BACKGROUND

On or about the 30th day of January 2014, Ribble Valley Borough Council ("The Council") received a nomination under Section 89 of Localism Act 2011 ("the Act") to list the Asset as an asset of community value. The nomination was made by Ribchester Parish Council. A copy of the nomination, including a plan showing the location of the Asset is attached at Appendix 1.

The owners/occupiers of the Asset have been informed by the Council that a nomination has been received. No response has been made to notification.

Under Section 87 of the Act the Council must maintain a list of land in its area that is of community value.

Section 88 of the Act defines land of community value thus:

1. For the purpose of this chapter but subject to regulations under sub-section (3), a building or other land in a Local Authority's area is land of community value if in the opinion of the Local Authority:
 - (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 same way) the social wellbeing or social interest of the local community;
2. For the purpose of this chapter but subject to regulations under sub-section 3, a building or other land in the Local Authority's area that is not land of community value as a result of sub-section (1) is land of community value if in the opinion of the Local Authority:-
 - (a) there is a time in the recent past when an actual use of the building or land that was not an ancillary use furthered the social wellbeing or interests of the community; and
 - (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.

Under Section 89 of the Act the Council can only include an asset on the list of assets of community value in response to a community nomination (as defined).

2. DECISION-MAKING PROCESS

The Council resolved at Policy and Finance Committee on the 29th day of January 2013 that the determination of applications for nomination of assets be delegated to the Head of Legal and Democratic Services (inter alia).

In accordance with this decision the Council has now fully considered the nomination and having considered the Act and the Assets of Community Value England Regulations 2012 (the Regulations), has decided to enter the property into its list of assets of community value. This decision has been taken because:

- a. the application meets the criteria in that the Asset lies within the administrative boundaries of the Council;
- b. Ribchester Parish Council is entitled to make a community nomination in accordance with the provisions of the Act;
- c. the nomination form submitted by Ribchester Parish Council includes the matters required under Regulation 6 of the Regulations;
- d. the Asset does not fall within the description of land which may not be listed as specified in Schedule 1 of the Regulations;
- e. the nomination form sets out the reasons for nominating the Asset, explaining why the asset meets the definition in the Act;
- f. the landowner has been served with a copy of the application and has an opportunity to comment; no comments have been made.
- g. in the opinion of the Authority the nominated asset is an asset of community value as its actual current primary use namely use as a village pub and restaurant furthers the social wellbeing or social interests of the local community by providing a venue for use for social recreational and cultural interests.

3. NEXT STEPS

The Asset will now be placed on the list of assets of community value which the Council is required to maintain under Section 87 of the Act. In accordance with Section 91 of the Act, the Council will send a copy of this notice to the owners and occupiers of the land and Ribchester Parish Council. The information about how the application has been determined will be published on the Council's website. The Asset will remain on the Council's list of assets of community value for a period of 5 years from the date of this notice unless removed with effect from some earlier time in accordance with the provisions of the regulations.

The Localism Act 2011 requires that the Council draws your attention in particular to the following matters:

- a. The consequences for the land and its owner of the land's inclusion in the list.

b. The right to ask for a review.

4. THE CONSEQUENCES FOR THE LAND AND ITS OWNER OF THE LAND'S INCLUSION IN THE LIST

- Inclusion of assets on the list of community value is a local land charge under the Local Land Charges Act 1975.
- The Council is required under Schedule 4 of the Regulations to apply to the Land Registry for a restriction to be added to the registered title of the land that no transfer or lease is to be registered without a certificate signed by a conveyancer that the transfer or lease did not contravene Section 95(1) of the Localism Act 2011.
- Under Section 95 of the Act an owner must notify the Council at the address shown below when they wish to enter into a relevant disposal (as defined in Section 96 of the Act) of that asset. Some types of disposal of listed assets are exempt and these are set out in full in Annex A of the Non-Statutory Advice Note issued to local authorities about the community right to bid. Annex A also identifies circumstances where, although there is no requirement in the legislation that the owner has to explain to the Local Authority that the disposal is exempt, it would be helpful for them to do so.
- A moratorium period is triggered by notification under Section 95 to allow a community interest group to submit a written request to be treated as a potential bidder for the asset.
- Please note the owner of the asset does not have to sell the asset to the community interest group:
- There is also a "protected period" (18 months from the time that the owner notified the Local Authority of their intention to dispose of the assets) and during this time there can be no further moratoriums on sale and the owner is free to dispose of the property as they see fit.

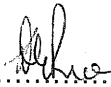
The owner is advised to refer to Part 5, Chapter 3 of the Act and the regulations in full and to seek legal advice if they wish to dispose of the Asset. A disposal of listed land which contravenes the Regulations and Act will be ineffective.

5. THE RIGHT TO ASK FOR A REVIEW (SECTION 92)

Asset owners have the opportunity to request a review of the decision to enter an Asset on the list of assets of community value. The request must be made in writing before the end of the period of eight weeks beginning with the day on which written notice of inclusion of the land in the list was given by the Council. The internal review process in relation to the listing will be undertaken by the Chief Executive or the Head of Legal and Democratic Services where they have not been involved in the initial decision.

Landowners wishing to request a review of the decision should address their request to the Head of Legal and Democratic Services within the timescale set out above setting out the grounds for review and whether or not they wish to request an oral hearing.

Private owners may claim compensation for loss and expense incurred through the Asset being listed including a claim arising from a period of delay in entering into a binding agreement to sell which is wholly caused by the interim or full moratorium period. Regulation 14 is the regulation that contains details about applications for compensation, which must be made before the end of thirteen weeks after the loss or expense was incurred. Part 5, Chapter 3 of the Act and the Regulations referred to above provide further detailed information.

Signed:.....
Head of Legal and Democratic Services

Dated:14/14.....

**ASSETS OF COMMUNITY VALUE
THE COMMUNITY RIGHT TO BID
NOMINATION FORM**

Before completing this form, please read the material at:

<http://mycommunityrights.org.uk/community-right-to-bid/>

When completed the form should be sent to the local authority that covers the area in which the asset is located.

Section 1: The name of your organisation

Name of organisation <i>(full name as written in your constitution or rules (if appropriate))</i> :	RIBCHESTER PARISH COUNCIL
Address including postcode:	11. CHESTERBROOK · RIBCHESTER · PR3 3XT

Section 2: Contact details

Name:	T. A. ORMAND.
Position in the organisation:	CLERK TO COUNCIL
Address including postcode:	11. CHESTERBROOK · RIBCHESTER · PRESTON PR3 3XT
Daytime telephone No:	01254 878453
Mobile telephone No:	07866 784415
Email address:	ribparishcouncil ribparishc@tiscali.co.uk
How and when best to contact you <i>(by email or phone, and days of the week and / or times your prefer)</i> :	by either method at any time

Section 3: Type of organisation

Description	Indicate all that apply	Registration number of charity and / or company if applicable
Neighbourhood forum		
Parish council	✓	
Charity		
Community interest company		
Unincorporated body		
Company limited by guarantee		
Industrial and provident society		

Section 4: Number of members registered to vote locally (unincorporated bodies only)

In the case of an unincorporated body, at least 21 members must be registered to vote locally. If they are registered to vote in the area of a neighbouring local authority, please confirm what this area is.

Section 5: Local connection

In addition, your organisation must have a local connection, which means that its activities are wholly or partly concerned with the administrative area in which the nominated asset is located. Please explain what your organisation's local connection is.

Parish Council for the village and parish of Ribchester.

Section 6: About the land or buildings(s) you are nominating

What it is (e.g. public, local shop, recreation land):

Public house/hotel

Name of the premises (The Volunteer Pub, Jones stores):

The White Bull

Address including postcode (if know):

Church St . Ribchester . PR3 3XP

Section 7: Details of the land

Please include details of the boundaries of the land you are nominating.

Public house and garden to rear

You should supply the following information, if possible. If any information is not known to you, please say so.

	Name (s)	Address (es)
Names of all current occupants of the land	Currently unoccupied	
Name of current and last known addresses of all those owning freehold of the land	Enterprise Zone plc	3. Monkspath Hall Rd. Solihull West Midlands B90 4ST
Names of current or last known addresses of all those having a leasehold interest in the land	Not known	

Section 8: Why you think the building or land has community value?

Note that the following are not able to be assets of community value:-

- A building wholly used as a residence, together with land "connected with" that residence. This means adjoining land in the same ownership. Land is treated as adjoining if it is separated only by a road, railway, river or canal.
- A caravan site.
- Operational land. This is generally land belonging to the former utilities and other statutory operators.

Does it currently further the social wellbeing or social interests* of the local community, or has it done so in the recent past and if so how?

*These could be cultural, recreational and/or sporting interests, so please say which one(s) apply.

See attached.

Could it in future further the social wellbeing or social interests* of the local community? If so, how? (This could be different from its current or past use.)

*These could be cultural, recreational and/or sporting interests, so please say which one(s) apply.

Section 9: Submitting this nomination

What to include

- Evidence that the nominator is eligible to make a community nomination (The rules of your organisation / constitution)
- Names & Addresses of 21 Members who are registered to vote in the local community if the organisation is an unincorporated body

Signature

Alan Ymans.

By signing your name here (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.

Section 8:

Part I

The White Bull is situated in the historic centre of the village at the 'Y' junction where the roman branch road heads up Water Street and Stoneygate lane to join the main route from Chester to Hadrian's Wall. The area of open space to the front of the building is known as 'The hillock' and has been used for leisure and relaxation for nearly two thousand years.

The White Bull dates from 1707, although it is believed that there was an alehouse on the site before the current building. It was also once used as a court house. Over the centuries the i Inn, with its two pillars of roman origin supporting the front porch and fine 18th century architecture has formed a unique backdrop for all manner of processions, fairs, bands and street entertainment.

Alterations to the Inn in the early 1900s involved the opening up of a bow-windowed refreshment room to cater for the increasing number of day trippers. By the 1940s the doorway to the right of the entrance had been blocked in and the refreshment room door had been repositioned centrally - as it is today.

For many years the Inn had received a well deserved reputation for good food and hospitality, being featured in the Borough Council 'good food guide' and 'food trails'. Sadly the Inn began to decline during 2012 and finally closed in 2013. Prior to its closure the Inn had been for many years at the centre of village social life, providing a base for village cultural activities.

The White Bull is currently a Grade II listed building. In the Ribchester Conservation Area Appraisal of 2006 it was described as one of three 'iconic' and focal buildings and of special local interest.

Part II

Ribchester is the only large village in the Ribble Valley. It is a picturesque village with substantial Roman remains, located on the Ribble Valley Way and surrounded by open countryside.

The two mills in the village thrived in the early years following the Second World War and their employees were served by a large number and variety of shops and other enterprises. As cotton manufacturing declined so did the local businesses that depended on them. By the turn of the century more and more residents began to commute to the larger towns and cities further hastening this decline to the extent that only a Spar grocery shop now remains although this now includes a small post office counter.

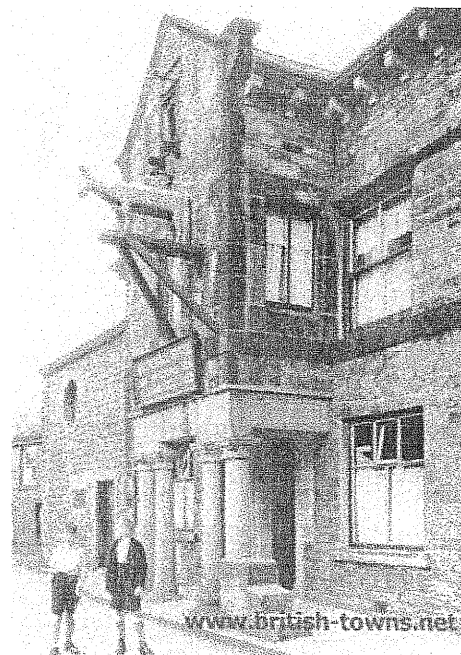
The village cannot be allowed to decline further. The White Bull is of such importance to the appearance of the village that it should not be allowed to be used for other than the purpose for which it was built. If this is genuinely not possible then the Parish Council believes that the building could be used for local recreational and cultural purposes.

Description of Listing

"Public house, probably early C18th. Squared sandstone rubble with slate roof. 2 storeys, 4 bays, with string course, flat floor drip course, shaped stone gutter brackets and 2-storey porch to the 2nd bay. The windows are modern on the ground floor and sashed on the 1st floor, except for the 1st floor porch windows which are also modern. The windows now have plain reveals with fragments of old surrounds. The right-hand ground-floor bay has been reconstructed, with a door and 2 modern shop windows. To their left is a blocked opening with a lintel dated '1707', possibly re-set. The porch is gabled with coping and kneelers and carried on 4 Tuscan columns said to be Roman. Its 1st floor windows, on the front and return walls, have plain stone surrounds. The blocked attic window has an architrave. The door has a moulded surround. There are brick chimney caps on the gables and between the 3rd and 4th bays. The former stable adjoining to the north has a door with plain stone surround to the right. To its left is a door now blocked to form a window with chamfered surround dated '1777' on the lintel. On the 1st floor to the left is a circular pitching hole with plain stone surround."

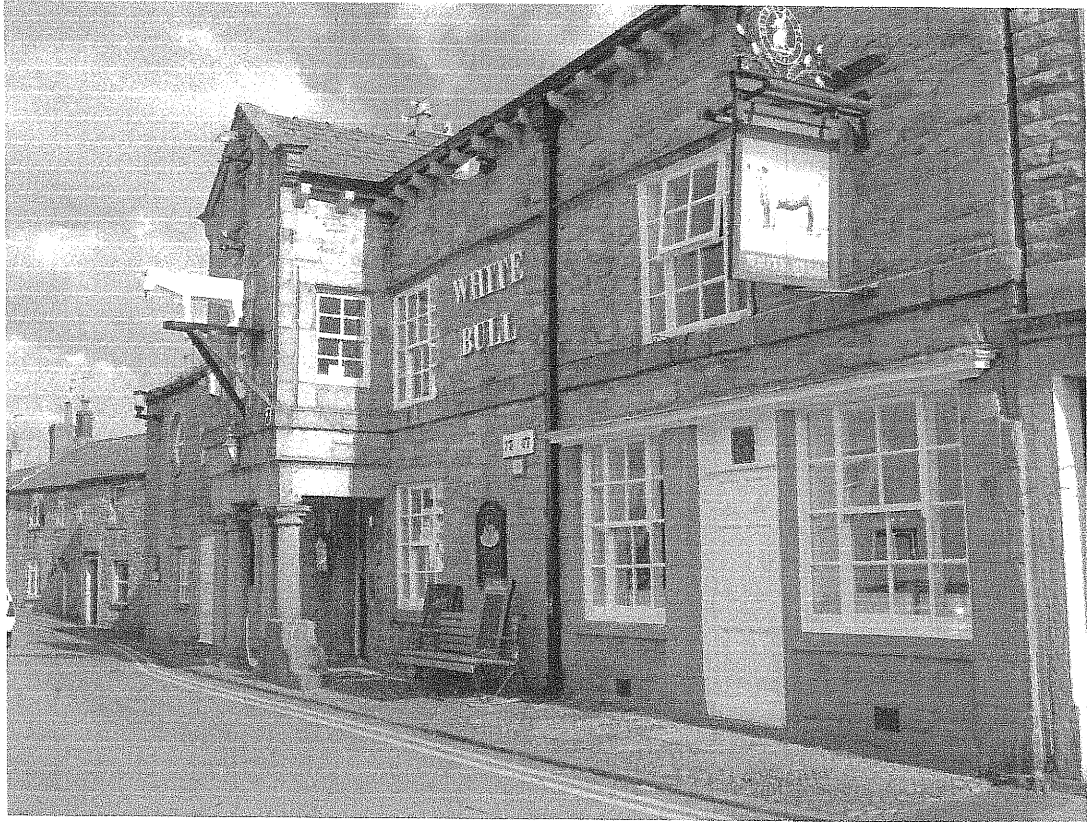


Early 1900s



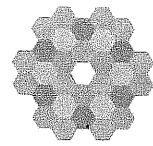
1938

Early prints of the White Bull

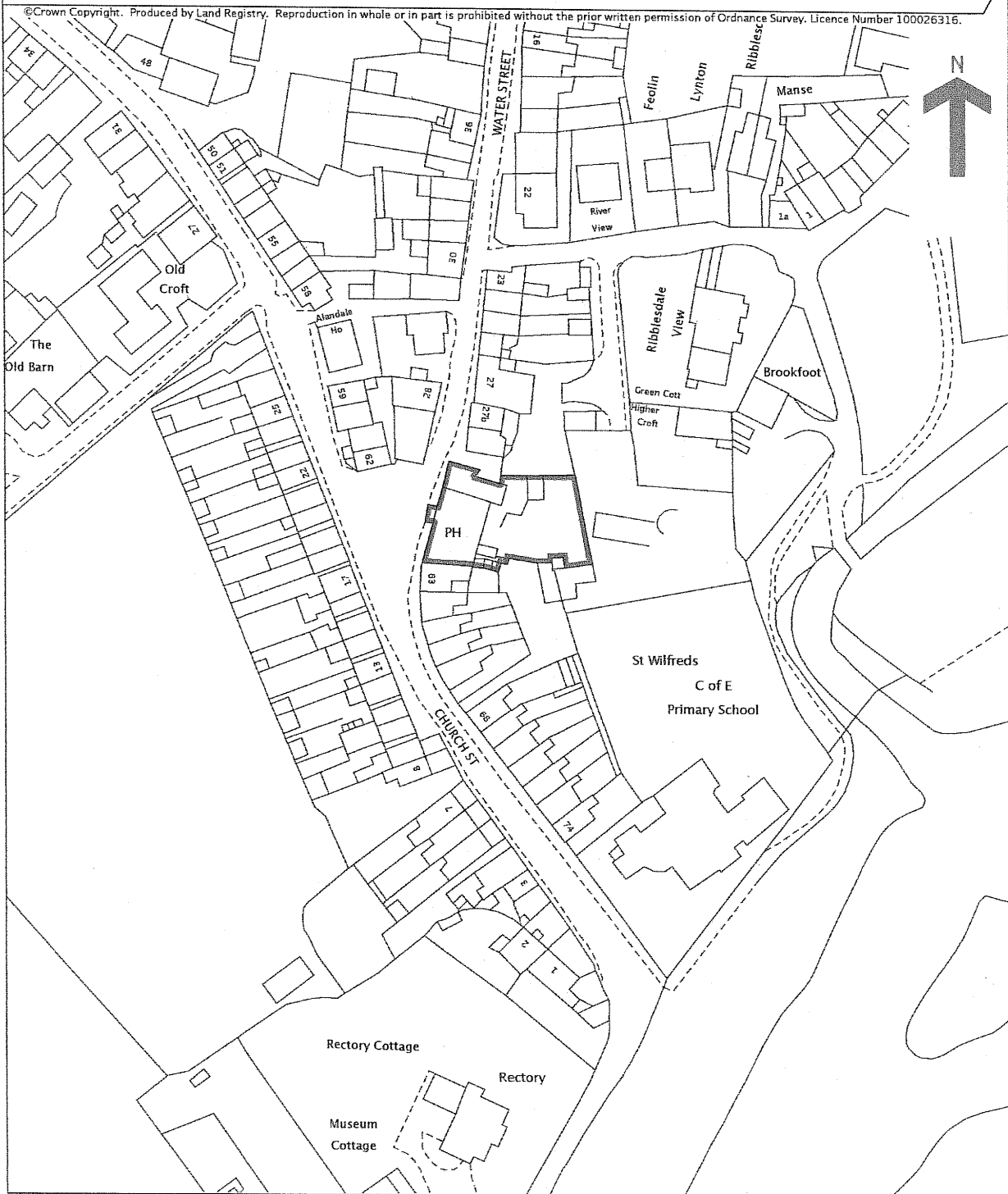


Land Registry Current title plan

Title number **LA893771**
Ordnance Survey map reference **SD6535SW**
Scale **1:1250**
Administrative area **Lancashire : Ribble Valley**



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This is a print of the view of the title plan obtained from Land Registry showing the state of the title plan on 31 January 2014 at 10:58:25. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - Title plans and boundaries.

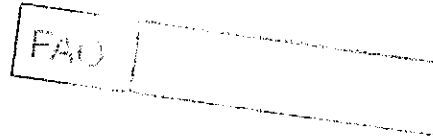
This title is dealt with by Land Registry, Fylde Office.



GOSSCHALKS
SOLICITORS

RECEIVED BY
CHIEF EXECUTIVE

- 8 DEC 2016



FAO. Diane Rice - Head of Legal & Democratic Services
Ribble Valley Borough Council
Council Offices
Church Walk
CLITHEROE
Lancashire
BB7 2RA

Please ask for: Craig Beetham
Direct Tel: 01482 590260
Email: cb@gosschalks.co.uk
Our ref: CB / DC / 098454.22840
#GS1114744
Your ref:
Date: 06 December 2016

Dear Diane,

Re: My Clients: Enterprise Inns Plc
The White Bull, Church Street, Ribchester, PR3 3XP

We act on behalf of Enterprise Inns Plc who are the freehold owners of the aforementioned property. In April 2014 the property was included on the Council's List of Assets of Community Value.

We are writing to hereby give you notice pursuant to the Localism Act 2011 Section 95(2) that our client intends to make a relevant disposal of the property.

Please can we ask you to kindly acknowledge safe receipt of this notice and confirm the date upon which the interim moratorium period will expire.

We shall await hearing from you.

Yours sincerely,

GOSSCHALKS

Enc



Ribble Valley
Borough Council
www.ribbonvalley.gov.uk

RE: THE WHITE BULL HOTEL, RIBCHESTER

TAKE NOTICE that the property referred to above has been included in the list of assets of community value compiled by Ribble Valley Borough Council the Local Authority for the Ribchester area.

On the 6 December 2016 the owner of the property served notice on the Local Authority stating his intention to enter into a relevant disposal.

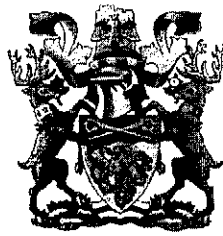
Any community interest group wishing to submit a written request to be treated as a potential bidder for the community asset must do so on or before the 17 January 2017.

Requests must be made in writing and should be addressed to Ribble Valley Borough Council, c/o Diane Rice, Head of Legal and Democratic Services, Legal Services Section, Council Offices, Church Walk, Clitheroe BB7 2RA.

Should any request be received, the property will then be subject to the full moratorium period which will cease on the 6 June 2017 and be protected from further moratorium periods for a period of 18 months ending on the 6 June 2018.

Signed *Marshal Scott*
Marshal Scott – Chief Executive

Date *9th December 2016*



Ribble Valley
Borough Council

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RE: THE WHITE BULL HOTEL, RIBCHESTER

TAKE NOTICE that the property referred to above has been included in the list of assets of community value compiled by Ribble Valley Borough Council the Local Authority for the Ribchester area.

On the 6 December 2016 the owner of the property served notice on the Local Authority stating his intention to enter into a relevant disposal.

On the 13 January 2017 a community interest group, namely Friends of the White Bull, requested to be treated as a potential bidder for the property.

The property will then be subject to the full moratorium period which will cease on the 6 June 2017 and be protected from further moratorium periods for a period of 18 months ending on the 6 June 2018.

Signed *M. H. Scott*
Marshal Scott – Chief Executive

Date *19/1/17*