

RIBBLE VALLEY BOROUGH COUNCIL



NOTICE UNDER SECTION 91 AND 93 OF THE LOCALISM ACT 2011 IN RESPECT OF COMMUNITY NOMINATION OF LAND ADJACENT TO BUSTARDS FARM, RIMINGTON

The Nomination

On or about the 14 February 2013, Ribble Valley Borough Council received a Nomination under Section 89 of the Localism Act 2011 (the Act) to list land adjacent to Bustards Farm, Rimington as an Asset of Community Value (the Asset).

The Nomination was made by Rimington Parish Council. A copy of the Nomination which includes a plan showing the boundaries of the nominated land is attached at Appendix 1. The owners/occupiers of the land have been informed by the Council that a nomination has been received.

A summary of the request for nomination is set out below.

- a) The land is an area used by Lancashire County Council for dumping of top dressing stone chips and for parking by visitors and as a waiting space for children/parents for school buses.
- b) The land is adjacent to the highway and is owned and/or occupied by Lancashire County Council.

The Law and Statutory Guidance

Under Section 87 of the Act, the Council must maintain a list of Land of Community Value in its area. The Council must also, pursuant to Section 93, maintain a list of land which is the subject of an unsuccessful community nomination.

A community nomination in England can only be made by either a Parish Council in respect of land within its area, or by a person that is a voluntary or community body with a local connection. Where a voluntary community nomination is made, the Council must consider it and must accept the nomination if the land is within its area and is of community value.

Decision and Reasons

The Council resolved at its Policy and Finance Committee on 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).

The nomination by Rimington Parish Council is unsuccessful. The land will therefore be placed on the list of land which is the subject of an unsuccessful Community Nomination. The reasons for this decision are as follows:

a) The Council is satisfied that the nomination was validly made for the following reasons:

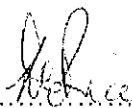
1. The land falls within the administrative areas of Ribble Valley Borough Council and Rimington Parish Council.
2. Rimington Parish Council is eligible under Section 89(2)(b)(i) to make a Community Nomination in respect of the land.
3. The Community Nomination made by Rimington Parish Council includes the matters required under Regulation 6 of the Assets of Community Value (England) Regulations 2012.

b) However, the nomination is rejected by the Council for the following reasons:

1. land in a local authority area is land of community value if in the opinion of the 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 the same way) the social wellbeing or social interest of the local community.

In the opinion of the local authority based on the information provided, the asset located near to Bustards Farm, Rimington has as its primary use, a use for operational purposes by the local highway authority, Lancashire County Council. The current use of the land as a parking/waiting area is and was in the recent past an ancillary use. No information has been provided which refers to a non-ancillary use in the next five years.

Signed



Date

10th April 2013

Further information about Assets of Community Value is available from the website:

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

Details of this decision will be placed on the Council's website.

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

14. Feb 2013

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 (full name as written in your constitution or rules (if appropriate)):

Rimington & Middles Parish Council

Address including postcode:

902 Can's Cof R'ton BB7 4EN

Section 2: Contact details

Name:

David King

Position in the organisation:

Clerk to the Council

Address including postcode:

2 Can's Cof R'ton BB7 4EN

Daytime telephone No:

01200 445554

Mobile telephone No:

—

Email address:

d.king112@btinternet.com

How and when best to contact you (by email or phone, and days of the week and / or times your prefer):

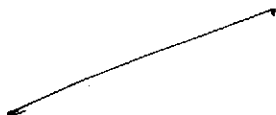
phone or email

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.

Panov Council

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

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

Land opp Station Rd used by LCC for rare dumping
of top dressing stone chips

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

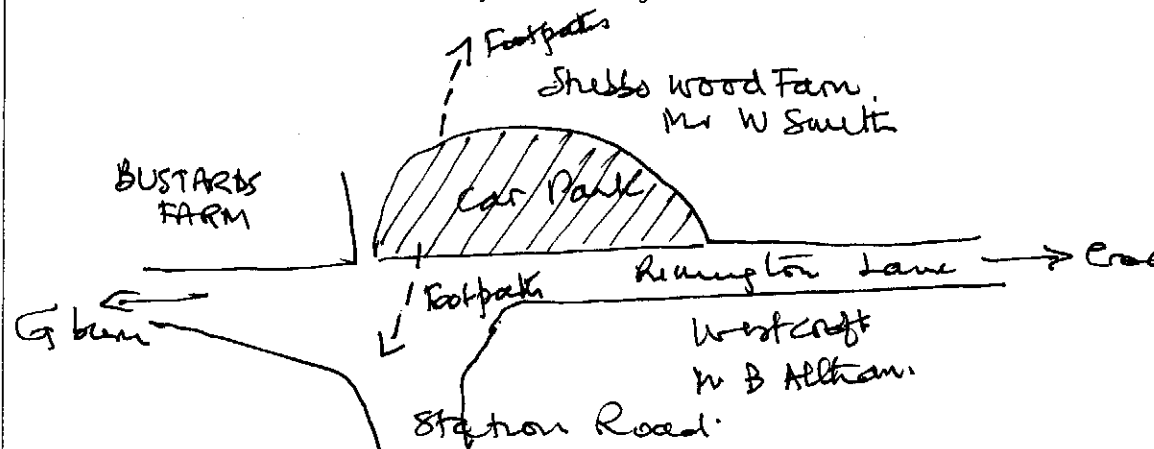
Station Rd End Car Park. (Bustards Car Park)

Address including postcode (if know):

Next Bustards Farm Main Street BB7 4DS

Section 7: Details of the land

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



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	L. C. C.	County Hall Barton
Name of current and last known addresses of all those owning freehold of the land		
Names of current or last known addresses of all those having a leasehold interest in the land		

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.

Car Park for mothers esp trucks. (Access to Footpaths)
Waiting space for children/parents for school buses

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.


Needs permanent surface.

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

 Remington & Muddles Parish
Council with approval

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.

Development Department

Council Offices, Church Walk, Clitheroe, Lancs., BB7 2RA

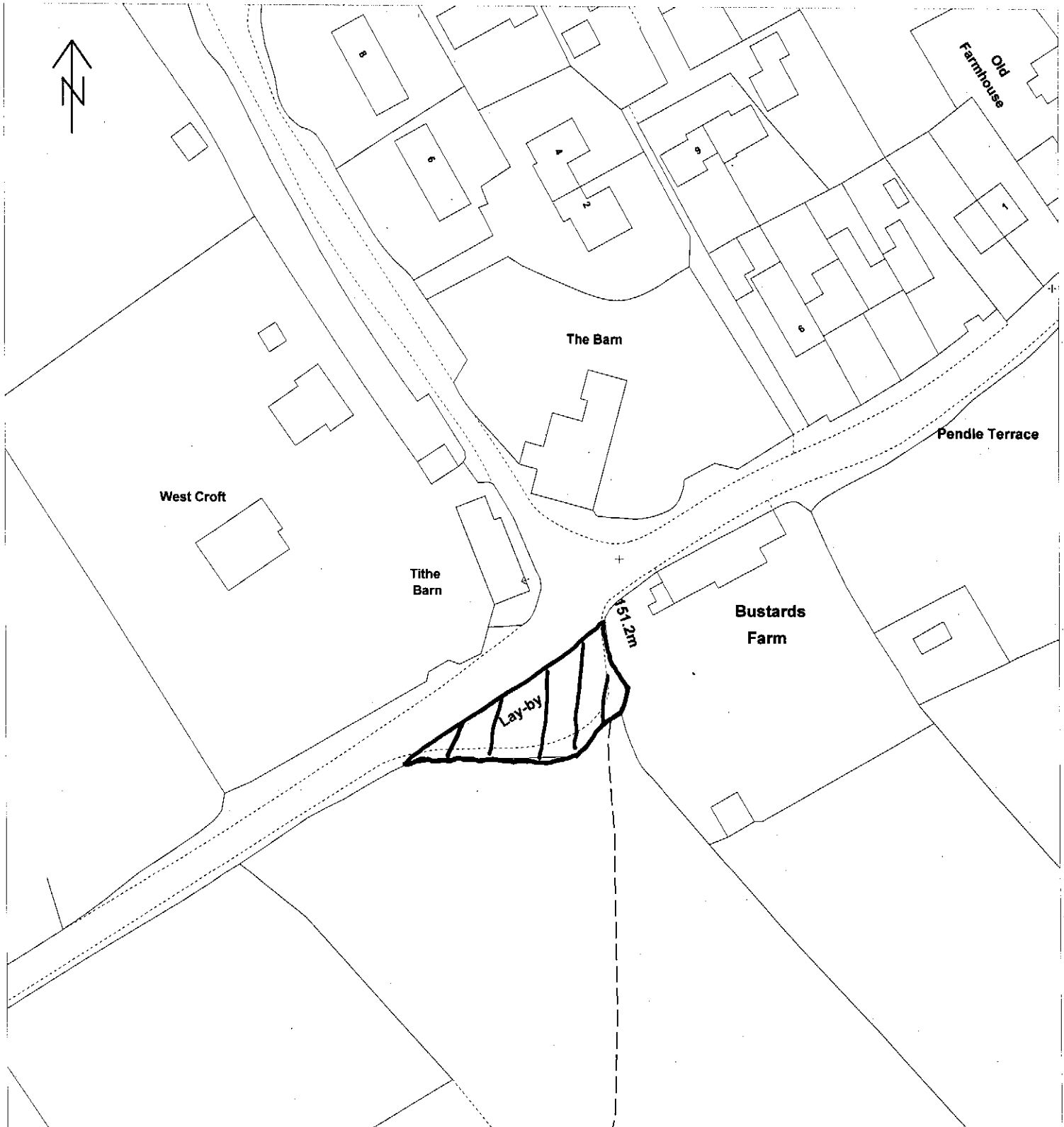
Tel: (01200) 425111 Fax: (01200) 414487 DX: Clitheroe 15157



**RIBBLE VALLEY
BOROUGH COUNCIL**

Location Plan

Map Ref: SD8045NW Scale: 1:958



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