

ASSETS OF COMMUNITY VALUE PANEL

Decision taken by the Director of Housing and Community Services following a meeting of the Assets of Community Value Panel (*the Panel*) held on 16th July 2015 to consider an application submitted by "Protect the Selkirk" Group (*the Group*) to list "The Selkirk" PH, 60 Selkirk Road, SW17 (*the Premises*) on the Council's list of assets of community value.

The Panel, Brian Reilly (Director of Housing and Community Services); Dave Andrews representing the Assistant Director of Housing and Community Services (Planning and Development) and Tunde Ogbe (Head of Valuation and Asset Management Services) had before them the nomination submitted by the Group.

The Clerk to the Panel confirmed that the nomination conformed to the required statutory criteria; the membership of the Group (an unincorporated body) comprised of at least 21 individuals registered to vote in the London Borough of Wandsworth; included details of the Premises; the details of the current owner and the reasons why the Premises should be listed. The freehold owners, leaseholders and premises manager had been notified of the nomination and had not made any comments. There was no evidence to suggest the Premises was currently under any threat of closure, being sold or redeveloped.

The Panel had read through the submitted material.

Dave Andrews reminded the Panel of the recent decision made by the Council to introduce an Article 4 Direction for certain public houses across the Borough (Paper 15-24). Criterion are applied for identifying suitable public houses to be included in an Article 4 Direction and The Selkirk is on the list recommended for the making of an Article 4 Direction, having met the various criterion including three out of the four community value criteria (only failing on the lack of its own sports club/team).

The Panel confirmed that the Premises did not fall within any of the categories exempt from listing.

The Panel considered whether the Premises should be listed under Section 88(1) of the Localism Act 2011 (*the Act*), in that:

- (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 interests of the local community.*

"Social interests" is defined in the Act to include cultural interests, recreational interests and sporting interests.

The Panel agreed that the provisions of sections 88(1)(a) of the Act are met because the current use of the Premises currently furthers the social wellbeing of the local community.

The Panel then considered the provisions of section 88(1)(b) of the Act, whether 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.

There being no evidence to the contrary, it was realistic and reasonable to think that there could continue to be non-ancillary use of the Premises which will further (whether or not in the same way as before) the social wellbeing of the local community.

In making their decision, the Panel considered the merits of the matter before them, the Localism Act 2011 and the Assets of Community Value (England) Regulations 2012.

After taking account of all relevant material before the Panel, the Panel agreed unanimously that "The Selkirk", 60 Selkirk Road, SW17, should be added to the list of assets of community value.

DECISION - On 16th July 2015, the Director of Housing and Community Services decided that "The Selkirk", 60 Selkirk Road, SW17, be added to the list of assets of community value. The nominator's submission having met the criteria for nominating the Premises, the land in question is not land falling within Schedule 1 of the Assets of Community Value (England) Regulations 2012; and under Section 88 (1) of the Act it was in the opinion of the Council that:

- a) an actual current use of the building or other land that is not an ancillary use furthers the social wellbeing 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.

Signed 
Director of Housing and Community Services

Dated 27/7/15