

# Notice under Section 91 of the Localism Act 2011

**12<sup>th</sup> January 2021**

Entry of **The Ring O Bells, The Street, Compton Martin BS40 6JE** into Bath & North East Somerset Council's List of Assets of Community Value

## **1. Background**

On **24<sup>th</sup> November 2020**, Bath & North East Somerset Council received a nomination under Section 89 of the Localism Act 2011 ("the Act") to list **The Ring O Bells, The Street, Compton Martin BS40 6JE** as an Asset of Community Value.

**Compton Martin Parish Council** made the nomination. A map setting out the boundaries of the asset nominated to be listed ("The Asset") has been provided.

Under Section 87 of the Act the Council must maintain a list of assets of community value.

Section 88 of the Act states that

(1) For the purposes of this Chapter but subject to regulations under subsection (3), a building or other land in a local authority's 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 interests of the local community.

(2) For the purposes of this Chapter but subject to regulations under subsection (3), a building or other land in a local authority's area that is not land of community value as a result of subsection (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 other land that was not an ancillary use furthered the social wellbeing or interests of the local 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 enter assets into the list of Assets of Community Value in response to community nomination.

## **2. Decision-Making Process**

The Council's Cabinet on 10<sup>th</sup> October 2012 resolved to agree that:

2.1 Decision-making in response to nominations for entry into the List of Assets of Community Value under the Localism Act 2011 be delegated to the Director for Partnerships and Corporate Services (and, in the event of this Director having a conflict of interest, to a director nominated by the Corporate Director), drawing on the decision-making guidance as set out in Appendix One (of the report)

2.2 The Director for Partnerships and Corporate Services be delegated decision-making with regard to updating this guidance, in consultation with the Council Leader, in response to experience of implementing the provisions, new regulations and emerging case law.

2.3 The internal review process in relation to listing be undertaken by a director not involved in the initial decision.

2.4 The Director for Property Services be delegated to make arrangements relating to the procedures following listing, including moratorium and compensation provisions, as set out in Appendix Two (of the report).

This decision has been taken because:

(1)

a) The Asset lies within the administrative boundaries of **Bath & North East Somerset Council and Chew Valley Ward**

b) **Compton Martin Parish Council** is entitled under 89(2)b(iii) of the Act to make a community nomination in respect of the Asset

c) The nomination from **Compton Martin Parish Council** includes the matters required under Regulation 6 of the Regulations

(d) The Asset does not fall within a description of land which may not be listed as specified in Schedule 1 of the Regulations

and

(2) In the opinion of the Authority,

(a) The actual current use of the Asset that is not an ancillary use furthers the social wellbeing and interests of the local community.

(b) Given that the Asset remains fit for purpose to further the social interest and social wellbeing of the local community, and considering also that there are examples of similar and comparable assets serving these interests, it is realistic to think that the current non-ancillary use of the Asset will continue to further (whether or not in the same way as before) the social wellbeing or social interests of the local community.

The detailed assessment on which this decision is based, following the criteria adopted by the Council Cabinet on 10th October 2012, and fully considering information supplied by the nominee and other parties (including the owner), is set out in 4 below.

### **3. What Happens Next**

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 Localism Act the Council will send this notice to:

**The owners and the occupiers of the property**

and

**Compton Martin Parish Council**

The information will also 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 five 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 draw particular attention to the following:

- (a) the consequences for the land and its owner of the land's inclusion in the list, and
- (b) the right to ask for review

**The consequences for the land and its owner of the land's inclusion in the list**

Inclusion of assets on the List of Assets 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 following address: Director of Property Services, Lewis House, Manvers Street, Bath BA1 1JG) if 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 document Community Right to Bid: Non-statutory advice note for local authorities. 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. 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.

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 asset) 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 right to ask for review.**

Asset owners have the opportunity to request a review of the decision to enter an asset on the List of Assets of Community Value, within 8 weeks of listing. The internal review process in relation to listing will be undertaken by a director not involved in the initial decision.

Landowners wishing to request a review of the decision should do so in writing to the above address or to [assets@bathnes.gov.uk](mailto:assets@bathnes.gov.uk) by **9<sup>th</sup> March 2021**, setting out the grounds for review and whether they are requesting 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 of the Regulations contains more detail on this.

Part 5, Chapter 3 of the Localism Act 2011, and the Assets of Community Value (England) Regulations provide further detailed information.

**4. Detailed Assessment of the Nomination of The Ring O Bells, The Street, Compton Martin BS40 6JE, as an Asset of Community Value**

**Assets of Community Value Nomination – Assessment**

DATE OF SUBMISSION:

**24<sup>th</sup> November 2020**

DATE DECISION TO BE MADE BY:

**12<sup>th</sup> January 2021**

NOMINATED ASSET:

**The Ring O Bells, The Street, Compton Martin BS40 6JE**

**The boundary of the asset is set out in the boundary map is included.**

NOMINATION SUBMITTED BY:

**Compton Martin Parish Council**

**STEP A:** This section considers the eligibility of the nominating body to make a nomination and of the asset to be an Asset of Community Value. It does this through a series of YES/NO ANSWERS

**A1.** Is the nominating organisation an eligible body to nominate?

Evidence supplied by nominee:

**Compton Martin Parish Council is a valid body in accordance with Regulation 5(1)(c) of the Regulations and complies with section 89(2)(b)(iii) of the Act.**

Feedback from other parties and other information gained in relation to this criterion:

**None**

Score (YES/NO) and any comments:

**YES - The Council is satisfied that the nominating body is an eligible body to nominate.**

**A2.** Does the nominating body have a local connection to the asset nominated?

Evidence supplied by nominee:

**In accordance with Regulation 4 of the Assets of Community Value (England) Regulations 2012:**

**the nominating body's activities are wholly concerned with the Bath & North East Somerset area (specifically the nominated asset)**

**The submitted map shows that the Asset is sited wholly within the boundaries of Bath and North East Somerset.**

Feedback from other parties and other information gained in relation to this criterion.

**None**

Score (YES/NO) and any comments:

**YES- The Council is satisfied that the nominating organisation has a local connection to the nominated asset.**

**A3.** Does the nomination include the required information about the asset?

- Description of the nominated land including its proposed boundaries
- Names of current occupants of the land
- Names and current or last-known addresses of all those holding a freehold or leasehold estate in the land.

Evidence supplied by nominee:

**A plan of the nominated land including proposed boundaries.**

**The name and address of the current owners and occupants of the nominated asset have been provided.**

Feedback from other parties and other information gained in relation to this criterion:

**None**

Score (YES/NO) and any comments:

**YES- the Council is satisfied that the nomination has included the required information about the asset.**

**A4.** Is the nominated asset outside of one of the categories that cannot be assets of community value (as set out in Schedule 1 of the Assets of Community Value (England) Regulations 2012):

- A residence together with land connected with that residence.
- Land in respect of which a site licence is required under Part 1 of the Caravan Sites and Control of Development Act 1960.
- Operational land as defined in section 263 of the Town and Country Planning Act 1990.

Evidence supplied by nominee:

**Nomination and supporting evidence sufficiently demonstrates that the asset is outside of the categories of assets within Schedule 1 of the Regulations**

Feedback from other parties and other information gained in relation to this criterion:

**None**

Score (YES/NO) and any comments.

**YES- the Council is satisfied that the nomination is outside of one of the categories that cannot be assets of community value.**

If YES to all of Part A, move on to Step B. If NO to one or more parts, please inform the nominator that the nomination is ineligible. Place nomination on list of unsuccessful nominations.

**STEP B:** This section considers the current or recent usage of the asset. It does this through a YES/NO answer and an identification as to whether the use is current or in the “recent past.”

**B1.** Is the current or recent usage which is the subject of the nomination an actual and non-ancillary usage?

NOTE 1: A working definition of “recent past” is “within the past three years”.

NOTE 2: A working definition of “non-ancillary” is that the usage is not providing necessary support (e.g. cleaning) to the primary activities carried out in the asset, but is itself a primary, additional, or complementary use.

Evidence supplied by nominee:

**The Ring O Bells, Compton Martin is a traditional English public house, and has been in operation since at least 1897. It provides a vital meeting point for locals and visitors alike, plus a venue for a number of village organisations. It has been under the most recent management for approximately 9 years and has successfully become an integral part of our community and used by the parishioners of Compton Martin in many different ways.**

**Some of the local groups using the Ring O Bells are:**

- **The monthly luncheon club**
- **The Church and village fete Committee**
- **The 1982 Harvest Supper Committee**
- **The Compton Martin Players**
- **The Parish Council and associated working parties**
- **MG Car Club**
- **Badminton Club Meetings**
- **Ubley School PTA**
- **The Ramblers Association**
- **Pick up and drop off point for the Ubley Primary School Bus**

Feedback from other parties and other information gained in relation to this criterion:

**None**

Score (YES/NO) and any comments.

**YES- the current usage which is the subject of the nomination is an actual and non-ancillary usage.**

If the current or recent usage that is the subject of the nomination is actual and non-ancillary, go to Step C. If not, place on the list of unsuccessful nominations.

**STEP C:** This section considers whether the use furthers (for current uses) or furthered (for uses in the recent past) the social interests or social wellbeing of the local community. It does this through a series of questions scored on the basis of evidence.

**C1.** Who benefits from the use?

- Does it meet the social interests of the community as a whole and not simply the users/customers of the specific service?
- Who will lose if the usage ceases?

Evidence supplied by nominee:

**The Ring O Bells, Compton Martin (ROB) is situated in the centre of our village community and is known throughout the Chew Valley and further afield. The ROB offers more than the normal facilities one would expect from a local pub, i.e. drinks, snacks, main meals etc as you will see from the list below.**

- **They host the monthly luncheon club, organised by the Church, which has always provided a subsidised meal for the elderly of the village, as well as an opportunity to meet fellow villagers. This is very well attended and much appreciated by the elderly of the village. The ROB not only host the monthly event but assist in producing a menu allowing the costs to remain at a reasonable rate.**
- **The ROB allow the Ubley School bus to pick up children and drop off children from their car park, allowing a safe haven from a very busy main road for children to board and alight from the bus.**
- **The pub hosts the combined village and church fete in the pub garden and car park on an annual basis which provides much needed funds for the church and nominated village charities.**
- **The current occupants also organise well attended regular live music events, often highlighting local talent.**
- **The annual cider and cheese fair, which is well attended by the village and surrounding areas and beyond has been a great success and asset to the village.**
- **The ROB also provides a professionally organised local firework display, carols at Christmas, Santa's Grotto.**



- The village defibrillator, whilst looked after by the parish council, is situated at the ROB.
- The ROB has assisted the Parish Council with the annual Footpath Walk, offering an end point to the 2 – 3 hour walk plus a free soup lunch.
- The ROB assists the 1982 Harvest Supper Committee, who meet there regularly, with the annual Harvest Supper which is held in the Village Hall. Their chef provides the starter of the Harvest meal.
- The MGB Club meet on a regular basis at the ROB.
- Compton Martin Players hold meetings and play readings in the ROB.
- The local Ramblers and Ramblers from far afield will often either meet at the Ring O Bells before and/or after a walk.
- There is a play area for children, and the facility is offered to children in the village
- It is worth mentioning that during the Covid 19 pandemic and whilst the pub was not able to be open for its usual activities, a local shop was set up and provided a much-needed lifeline for those parishioners unable to travel to supermarkets. It also provided takeaways, including Sunday lunches and offered a delivery service.
- A local radio station was set up, called “The Ringers Radio Station” and broadcast to the local population. The Benefice of Blagdon, Compton Martin, Ubley, and Charterhouse accepted the Ringers Radio Station’s offer to broadcast church services during lockdown.
- When the ROB was able to open for business in the summer of 2020 it provided bell tents in the garden for those wishing to eat out safely along with socially distanced tables in the main building.
- As can be seen, The ROB provides a significant hub for the activities of Compton Martin and indeed, further afield.
- In addition to the social aspect, the pub has become a hub for local business for meetings and more recently allowing individuals to use its facilities for home working.

Evidence gained from other relevant sources (owner, Ward member, Parish Council, B&NES Council)

**Ward Councillor - I would like to support the PC in this ACV as they are at the heart of the community.**

**BBC Website Article: <https://www.bbc.co.uk/news/uk-england-somerset-54896913>**

**Somerset County Gazette Article:  
<https://www.somersetcountygazette.co.uk/news/18873157.ring-obells-compton-martin-managedbutcombe-brewery/>**

**Somerset Live Article: <https://www.somersetlive.co.uk/news/somerset-news/thousands-rally-defence-village-pub-4690560>**

Enter score out of 25 and rationale.

**25/25**

**The case that is set out shows a good level of support that is provided by the pub to the community across the parish and the surrounding area.**

**Support is provided from local councillors**

**C2. Is any aspect of the usage actively discouraged by the Council's Policy and Budget Framework?**

Evidence supplied by nominee:

**There is no evidence that the usage is actively discouraged by the Council's Policy and Budget framework, and it is not contrary to existing planning policies.**

Evidence gained from other relevant sources (owner, Ward member, Parish Council, B&NES Council):

**None**

Enter score out of 25 and rationale.

**25/25**

**No active discouragement by the Council's Policy and Budget Framework has been identified.**

**C3. Why is the usage seen as having social value in the context of the community on whose behalf the nomination is being made?**

Evidence supplied by nominee:

**As can be seen in C1 above, the community of Compton Martin and adjoining villages use this facility in many different ways, from the elderly to the very young. It is felt to be a very safe welcoming facility which is accessible and happily hosts a number of a community events. The ROB is situated in the centre of the Village of Compton Martin**

**• Compton Martin residents took over the lease from Butcombe Brewery in 2011 and has worked tirelessly to ensure it became the hub of the community. Their hard work has paid off.**

**• Not only is the ROB able to offer quality wines and ale, but a menu also which supports local producers and farmers it is passionate about providing facilities to enhance the community spirit.**

**It was recently shortlisted for the Great British Pub Award, “Lockdown Heroes” the only pub in the South West to be on the short list**

**• The Ring O Bells is a key employer in the area, where there is low employment opportunities. It employs on average 12 -15 people per week directly and many more through**

**the local suppliers that it supports**

Evidence gained from other relevant sources (owner, Ward member, Parish Council, B&NES Council)

**None**

Enter score out of 25 and rationale.

**15/25**

**C4. How strongly does the local community feel about the usage as furthering their social interests?**

Evidence provided by nominee.

**There has been a recent petition on the changes which are about to take place, entitled Keep our pub local and it has gained in excess of 2000 signatures.**

**The Local Community support Compton Martin Parish Council in their wish to nominate the ROB as an asset of community value.**

Evidence gained from other relevant sources (owner, Ward member, Parish Council, B&NES Council)

**Testimony 1**

**Having moved to Compton Martin in 1981, and having in part, been attracted to choose to live in this village because of the great atmosphere and facilities of its pub, I feel obliged to speak up in support of it remaining such.**

**It was the first pub that Butcombe Brewery owned and has for most of the period since, been one of the breweries best run and I am sure most profitable establishments, due in part to the original owner of the brewery and, some of the best landlord/managers you could possibly have employed. I say this with authority as for a time I had personal experience of working behind the bar for some of them and others, at the pub.**

**In the past it was endowed with a great family room, where many a happy hour was spent by my family, friends, and neighbours amidst, babies crying, children crawling and running about amongst flying straws, rolling baby bottles and peas and chips falling off tables and onto the floor and the**

wonderment of the young looking up to see a ceiling painted in Disney film characters,

which I believe are still there above the false ceilings of what are now two bed and breakfast rooms.

The pub had a great reputation in the whole of the old Avon area, so much so that there were two ways to explain to Greater Bristolians where Compton Martin was, those who knew where the ROB was, and those who thought we were near Compton Dando!!!!....all before satnavs of course. It also won CAMERA best Family Pub of the year in Avon one year.

It was home to The Compton Martin Cricket Club which for about 10 years was a substantial contributor to pub and bar profits, and at one point was on the verge of trying to put cricket nets up in part of the garden. It would have been very convenient if we had managed it, as we kept the match day cricket kit in one of the pub's outbuildings, not to mention the proximity of the bar. The memories of a Captain's round of "Fluffy Ducks" on top of several pints of cider or beer certainly sorted the men from the boys. "Fear Nought" and God save" The Compton Martini's!!"

The luncheon club was another time each month that the pub, served the community well and involved the less boisterous villagers. Probably due to personal computers, and Netflix the good old pub games and games teams are unlikely to really see a revival though there are still some leagues of darts, table skittles, and shove ha'penny, not to mention the odd crib, dominoes and quiz teams. The ROB even just ten to fifteen years ago had shove ha'penny on a Monday darts on Tuesday and Thursday and table skittles on a Wednesday, a godsend for wet sales early and mid-week in November, January, February and March and welcome social interaction outside of Christmas during the winters dark evenings, without having to spend a fortune.

Latterly the tenants have opened the pub and garden up for The Church Fete to raise its profile and attract more custom, along with the great efforts and commitment they themselves put into The Cider and Cheese Fayre and the evening entertainment all of which has been a great addition to the enjoyment of the whole village community. These are just a few of the very positive commitments they have made to the pub and community.

I would like to place on record my support for the Ring O Bells as along with The Church, and The Village Hall it is the most important community asset Compton Martin possesses.

### **Testimony 2**

**I am writing to you to express the news I have heard around the Ring O Bells. I feel that this pub is so important for our community. It is a hub for locals to meet, not just for individuals but for groups such as the Players, PTA for Ubley, 1982 committee , fete committee, the luncheon club just to name a few.**

**During lockdown past and present it has served the community endlessly. I feel Butcombe will see it as just another Pub within their chain of pubs and the profit that it will bring in.**

**I am keen for the Parish Council to act and support in any way they can to try7 and ensure it stays as a community asset**

### **Testimony 3**

**We are writing to wholeheartedly support Compton Martin Parish Council's intention to register the Ring O Bells as an Asset of Community Value.**

**Butcombe Brewery and Liberation's decision not to renew the current tenancy and to more than double the annual rent with no apparent justification I believe is an astonishing decision and extremely short sighted. Butcombe and Liberation say they put community pubs at the heart of their business, but this action clearly demonstrates, in my opinion, a wilful disregard to the principle and given the overwhelming support that has been received for the tenants of the pub and the wish for them to continue.**

**Although we live in Ubley, the Ring o Bells has been at the heart of the broader Chew Valley community for many years.**

**The current tenants have worked tirelessly to successfully improve the business and to promote and support exceptional family events that have been extremely well attended and raised tens of thousands of pounds for local charities. Their work during the first lock down in providing a takeaway and delivery service and opening a shop leading them to being considered for a national community award deserves the highest recognition, commendation and our collective applause.**

**Registering the Ring O Bells as an Asset of Community Value will protect it against future decisions by the owners and give both the Parish Council and the wider community options to ensure its continuation as a much-loved local community pub.**

Enter score out of 25 and rationale.

**20/25**

Total score:

**85/100**

If STEP C meets a minimum scoring of 55%, go to Step D

**STEP D:** This section considers 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.

For assets such as this where the actual non-ancillary usage is a current one (see Step B above), 88(1) (b) of the Localism Act requires the Council to consider whether in the opinion of the local authority it is realistic to think that there can continue to be non-ancillary use of the building or other land that will further (whether or not in the same way) the social wellbeing or social interests of the local community.

**D1.** Has the building/land-take/space/legal requirement for this usage changed significantly since its initial use so that the asset is not fit for purpose?

Evidence supplied by nominee:

**The Ring O Bells, Compton Martin has been a traditional village public house since at least 1897, when it was owned by a local farming family. It has since changed hands but continues to be a traditional village pub with no significant changes, offering a wide variety of services to the community.**

Feedback from other parties and other information gained in relation to this criterion:

**None**

Score (YES/NO) and rationale.

**NO- the asset is considered to be fit for purpose.**

If No to D1, place on register of Assets of Community Value, and do not go to D2. If yes to D1, go to D2.

**D2.** Could the asset be made fit for purpose practically and within reasonable resource requirements and within timescales?

Evidence supplied by nominee:

**Not applicable**

Feedback from other parties and other information gained in relation to this criteria.

**Not applicable**

Score (YES/NO) and Rationale:

**Not scored as NO answer to D1 above**

If yes to D2, place on register of Assets of Community Value. If no to D2, place on list of unsuccessful nominations.

RECOMMENDATION:

**THAT THIS ASSET BE PLACED ON THE ASSETS OF COMMUNITY VALUE**

**REASON FOR DECISION**

**(1)**

a) The Asset lies within the administrative boundaries of Bath & North East Somerset and Bathavon South Ward.

b) Compton Martin Parish Council is entitled under 89(2)b(iii) of the Act to make a community nomination in respect of the Asset

c) The nomination from Freshford Parish Council includes the matters required under regulation 6 of the Regulations

(d) The Asset does not fall within a description of land which may not be listed as specified in Schedule 1 of the Regulations

And

**(2)** in the opinion of the authority,

(a) The current and recent use of the Asset that is not an ancillary use furthers the social wellbeing and interests of the local community

(b) Given that the Asset remains fit for purpose to further the social interest and social wellbeing of the local community and considering that there are examples of similar and comparable assets serving these uses, it is realistic to think that the current non-ancillary use of the Asset will continue to further (whether or not in the same way as before) the social wellbeing or social interests of the local community.

Decision Taken by



**David Trethewey**  
**Director Partnerships and Corporate Services**  
**Bath & North East Somerset Council**

Date

**12<sup>th</sup> January 2021**

## Asset Location Map

HM Land Registry  
Current title plan

Title number **ST215849**  
Ordnance Survey map reference **ST5457SW**  
Scale **1:1250 enlarged from 1:2500**  
Administrative area **Bath and North East Somerset**

