

Community Services

Nicola Riley – Assistant Director; Wellbeing



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Sibford Gower Parish Council

C/o Kirsty Buttle, Parish Clerk
By Email

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Please ask for:	Kevin Larner	Direct Dial:	01295 221706
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06 October 2021

Dear Ms Buttle

Decision not to Include Blaze-Inn Saddles (formerly The Bishop Blaize), Burdrop Sibford Gower, OX15-5RQ on the Council's List of Assets of Community Value under the Assets of Community Value (England) Regulations 2012

Further to my letter of 12 August which acknowledged your nomination for listing of Blaze-Inn Saddles (formerly The Bishop Blaize), the Council has determined that the property does not meet the criteria specified in the Localism Act 2011 (Please see the attached decision notice).

This nomination will, accordingly, be added to the Council's List of Land Nominated by Unsuccessful Community Nominations.

You may find it helpful if I expand on the decision notice with some explanation of the main consideration that informed the decision.

It was acknowledged by both nominator and owner that current use of Blaze Inn Saddles does not further the social wellbeing or interests of the local community. There was a requirement therefore to demonstrate such use in the 'recent past'. Documentary evidence was provided which showed relevant use up to and including 2006.

Whilst the Localism Act sets a five year window to speculate on possible future uses of an asset, 'Recent Past' is not a defined period. When this property was listed in 2016 there had been a 10 year hiatus in community use but the council considered that to be within the bounds the recent past, given the pub's long history since 1782.

The only formal guidance on the matter was published in a [2011 DCLG policy statement](#). It said: *'With regard to "recent past", our current view is that we will leave it to the local authority to decide, since "recent" might be viewed differently in different circumstances. For example, "recent" might be taken as a longer period for instance for land which was formerly used by the public until the MoD took it over for live ammunition practice, than for a derelict building. Ten or even twenty years might be considered recent for the former but not for the latter.'*

I have examined literature commenting on ACV tribunal outcomes. In each case the judge stated that 'recent past' should be determined by the particular circumstances of the case, but I cannot find reference to any successful listing citing a 'recent past' exceeding 12 years.

The current hiatus in community use of Blaze-Inn Saddles is 15 years, and by the expiration of a listing it might be 20. The nomination did not present a case to persuade the Council that the particular circumstances of this case would justify viewing 15 years ago as 'recent past'.

There is no right to review the decision of the Council not to include the property on the List of Assets and this decision is therefore final. However, re-nomination is not precluded.

Yours sincerely

A handwritten signature in black ink that reads "Kevin Larner". The signature is written in a cursive, flowing style.

Kevin Larner
Healthy Communities Manager

Enc: Decision Notice