

**Oldham Council
Community Asset Listing
Assessment Form**

The Localism Act's Community Right to Bid legislation states the following:

If a local authority receives a valid nomination, it must determine whether the land or building nominated meets the definition of an asset of community value as set out in section 88 of the Act. 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.*
(Section 88(1) Localism Act 2011)

Section 88(2) of the Act extends this definition to land which has furthered the social wellbeing or social interests of the local community in the recent past, and which it is realistic to consider will do so again during the next five years.

What this means:

- The use of the building or land must not be deemed 'ancillary', i.e. of secondary purpose. This means that the use of the land or building to further social well-being or interests of the community must be its *principal* use.
- The use of the land or building currently, or in the recent past, furthers the social well-being or cultural, recreational or sporting interests of the local community.
- This use (as described above) of the building will continue to further the social well-being or social interests of the local community.

Stage One – Eligibility Criteria

All criteria must be met before moving to stage 2

Criteria	Information requirements	Comments / Criteria met?
<p>A. Is the nominating organisation eligible?</p> <p>Nomination must be received by a qualifying community organisation, as set out in government regulations:</p> <ul style="list-style-type: none"> • Parish Councils • Neighbouring Parish Councils • Unincorporated groups. • Neighbourhood forums • Community interest groups with a local connection (charity, community interest company, company limited by guarantee that is not profit making, industrial and provident society that is non-profit distributing) 	<p>In the case of an unincorporated group, evidence of the membership of at least 21 people who appear on electoral roll.</p> <p>In the case of community interest groups, the constitution, memorandum and articles of association or governing document.</p>	<p>CRITERIA MET:</p> <p><i>The nominating organisation is an unincorporated group of more than 21 people who have been confirmed as appearing on the electoral roll.</i></p>
<p>B. Can the nominating organisation demonstrate a local connection to the asset?</p> <p>The organisation must demonstrate that its activities are concerned with the local authority area where the asset is located or with a neighbouring authority.</p>	<p>Any evidence demonstrating local connection e.g. website, map, publications etc.</p>	<p>CRITERIA MET:</p> <p><i>Nominations have been received from the local community group and attendees of the pub. The majority of the members live within the Oldham borough and are on the electoral roll within Oldham. The Facebook group promotes the local benefit the pub provides and</i></p>

Criteria	Information requirements	Comments / Criteria met?
		<i>currently has 436 members.</i>
<p>C. Does the nomination include the information requested on the nomination form?</p> <p>This should include:</p> <ul style="list-style-type: none"> • a description of the land and proposed boundaries • details of any information the nominating organisation has regarding ownership, occupancy freeholders and leaseholders 	Nomination form to be checked for this information	<p>CRITERIA MET:</p> <p><i>The group has presented all of the required information including an official title plan of the property.</i></p>
<p>D. Is the asset outside one of the categories of exempt assets, as set out in schedule 1 of the regulations?</p> <p>Some categories of assets are excluded from listing; principally residential property though there is an exception to this where an asset which could otherwise be listed contains integral residential quarters e.g. a caretaker's flat. Other exclusions include land licensed for use as a residential caravan site and operational land of statutory undertaker.</p>		<p>NOT APPLICABLE:</p> <p><i>The asset is not exempt under the regulations.</i></p>

Stage 2 – Assessment

Criteria	Information requirements	Comments / Criteria met?
<p>E. Is there evidence of the use being described in the nomination, and that this is the main and non ancillary use of the land or building, or this has been its use within the last 12 months?</p>		<p>CRITERIA MET:</p> <p><i>The pub opened in 1825 and is one of Oldham’s oldest pubs. The pub closed on the 24th November 2023, following it’s sale to a third party. There is no definition of “recent past” in statute or regulation and is therefore for local authorities to conclude on the facts. Consideration should be given to the nature of the asset, the use to which it has been put, the length of time for which the asset was used and (by comparison to that) the length of time since that use ceased. The pub has a long history of use as a public house and the closure relates to only a short period of time. As such, it is likely that the Royal Oak satisfies the definition of “in the recent past”.</i></p>
<p>F. Does this use further the social wellbeing and social interests of the local community?</p> <p>In particular:</p>	<p>A broad variety of evidence, including:</p> <p>Evidence of community involvement in managing the asset, individual or group usage, data, policies and management plans relating</p>	<p>CRITERIA MET:</p> <p><i>The nomination form sets out the community uses for the</i></p>

<ul style="list-style-type: none"> • What is the current level of use of the asset and who uses it? • Is it used by particular communities of interest or need? • What do communities gain from their use of the asset and what would be the impact if it were lost? 	<p>to the asset, reports from users of the asset, contribution to health and well being outcomes.</p>	<p><i>community.</i></p> <p><i>There were a number of groups that that used the pub as a meeting point (as detailed in the nomination form).</i></p> <p><i>Whilst social wellbeing and social interests is not defined, the purpose of the pub is to support and provide a social venue for the community and groups that use the facilities.</i></p>
<p>G. What is the nature of social wellbeing and social interest which the asset particularly supports?</p>	<p>Does the use of the asset?</p> <ul style="list-style-type: none"> • reduce social isolation • address the needs of disadvantaged members of the community • reach vulnerable people • support community cohesion or community involvement • enable communities to be self supporting • increase access to positive activities • provide opportunities for volunteering 	<p><i>Please note the contents of the nomination form however, it's value to the community's wellbeing lies in what it offers to the local community and the space it provides them.</i></p>
<p>H. Does the local community feel strongly that the asset should be retained as a community asset</p>	<p>Any evidence of surveys, petitions, awareness raising, publicity, evidence from parish plans, neighbourhood plans or other local document to support the case</p>	<p>CRITERIA MET:</p> <p><i>The application is supported by the local community and has attracted press interest.</i></p>
<p>I. Could the asset realistically continue to be used for this, or another qualifying</p>	<p>Evidence that there has been no significant change to the asset, which</p>	<p>CRITERIA MET:</p>

<p>community purpose (or could this be achieved within the next five years)</p>	<p>might impact on its fitness for purpose for proposed use or any business plans available for the asset.</p> <p>Condition of the asset and likelihood of funds being raised to remedy any defects to ensure it is fit for purpose.</p> <p>Evidence of a suitable organisation in a position to take this on.</p> <p>Market intelligence to support the case for sustainable community use of the asset.</p>	<p><i>The threshold for realistic to think is low, it does not mean that it must be more likely than not to happen. A use may be realistic even though it is one of a number of possibilities. The pub is Grade II listed and therefore any future uses needs to satisfy this.</i></p>
<p>J. Is there any additional input and information relevant to the nomination from any of the following:</p> <ul style="list-style-type: none"> • Input from ward members • Input from the local police • Input from Voluntary Action Oldham • Input from licensing (as a pub) • Input from the district co-ordinator • Input from local housing association nearby 	<p>Examples of supporting information could include; information on whether there have been any instances of crime that could impact on the assessment or whether there are any additional local assets in the community nearby that would provide similar services</p>	<p><i>None provided prior to meeting.</i></p>