

List of Unsuccessful Nominations for Assets of Community Value

Name and Address of Property	Nominator	Decision Date	Reason for not listing
Land at Northesk Street, Stone	Stone Town Council	16 July 2014	The Council considers that the current use of the land as a car park does not further the social wellbeing and social interests of the local community and that the land therefore is not of community value. In the opinion of the Council it is not realistic to think that there is a time in the next five years when the use of the land as a car park would further the social wellbeing or social interests of the local community
The Vernon Yonge Arms	The Vernon Yonge Arms Community	-	Application withdrawn
Crown Hotel, Stone	Stone Town Council	29 June 2015	The current use of the property is as a hotel. Schedule 1 of the Assets of Community Value (England) Regulations 2012 Paragraph 2(b)(iii) defines a hotel as a “residence” for the purpose of those Regulations. Paragraph 1 of those Regulations lists “a residence together with land connected with that residence” as land which is not of community value and therefore may not be listed. The Crown Hotel cannot, therefore, lawfully be listed as an asset of community value.
All parks and play areas owned by Stafford Borough Council within the Stone Area	Stone Town Council	12 August 2015	Invalid application
Wedgwood Memorial College, Barlaston	Barlaston Parish Council	15 October 2015	Original application withdrawn

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The Old Library Annexe, Lichfield Road, Stafford	Konnektic Arts	18 February 2016	<ol style="list-style-type: none"> 1. It has not been demonstrated that the building has been operated for community use in the recent past; 2. There is no realistic likelihood of operating the building for community use in the near future; 3. The Annexe comprises only part of a larger building and there is no evidence that it could be severed from the whole building.
The Railway Inn, Station Road, Norton Bridge, ST15 0NT	Friends of Norton Bridge	2 November 2017	<p>Decision of Internal Review</p> <p>Although the nomination would have benefited from more detail regarding its recent community uses, I find that there is sufficient evidence to support a decision of recent community use at the property. However, the Owner has raised valid concerns regarding the prospect of any community use realistically occurring in the next five years. The Nominator has not put forward any evidence to dispel these concerns.</p> <p>I therefore determine that the Railway Inn, and its adjacent field to the west, should be removed from the listing.</p>

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The Green Man Public House, Lea Road, Hixon, Staffordshire ST18 0NR	The Green Man Regulars	23 October 2018	<p>There is sufficient evidence to support a decision of current community use at the property. However, the Owner has raised valid concerns regarding the prospect of any community use realistically occurring in the next five years. The Nominator has not put forward any evidence to dispel these concerns. In addition, the absence of any current restriction on sale of the property and the recent decision to approval planning permission weigh against a realistic prospect of continued community use.</p>
The Green Man Public House, Lea Road, Hixon, Staffordshire ST18 0NR	Hixon Parish Council	6 August 2019	<p>Although the current nomination suggests that a local survey shows that the community would use the pub if it was run by the community, it goes no further and the information within the current nomination does not remove the concerns expressed within the review decision over the future use of the property. It is therefore not realistic to think that there is a time in the next five years when there could be non-ancillary use of the Green Man Public House that would further the social wellbeing or social interest of the local community.</p>
The Labour In Vain Public House, Yarnfield Lane, Yarnfield, Staffordshire ST15 0MJ Appendix 1 Appendix 2	Yarnfield and Cold Meece Parish council	6 January 2023	<p>The nomination states that “the Labour in Vain is located in the centre of Yarnfield and is a significant part of the village”. It also states that “In the past the Labour in Vain was popular with residents and provided a place for social gathering and was seen by the community as a significant asset”. Without further supportive evidence, these statements do not provide sufficient evidence to show that there is an actual current use of the pub that</p>

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			<p>further the social interests of the local community, or that there was such a use in the recent past.</p> <p>The pub's Facebook page appears to show that it was most recently opened on 15 July 2022. At the date of this decision there do not appear to be any further entries, to suggest community use of the pub, and the pub appears to again be closed.</p> <p>If sufficient evidence could be provided to show an actual current, or recent, community use, the Council would need to consider whether it is realistic to think that there can continue to be non-ancillary use of the land which will further the social wellbeing or social interests of the local community.</p> <p>The nomination acknowledges that there have been extended periods over the last 5 years during which the pub has been closed. It is also acknowledged that this led to a decline in maintenance of the property over that time. However, other than the fact that the building is currently closed, there do not appear to be any specific impediments to the building being used for a community use in future if sufficient demand was indicated. In the face of clear evidence that use of the pub has declined over the last 5 years, the nomination does not contain any evidence to enable me to establish whether future use would be realistic or not.</p> <p>For the reasons set out above, the nomination of this land is unsuccessful, and the land will not be listed on the register of community assets.</p>

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Land off Grange Road, Stoke on Trent ST3 7BH	Fulford Parish Council	4 September 2023	<p>The Land off Grange Road lies within the Borough of Stafford. The nomination also refers to neighbouring land that falls within the boundaries of Stoke on Trent City Council. However, I can only determine the nomination so far as it relates to the land within Stafford Borough (identified as Plot 2 within the nomination). Any nomination of the neighbouring land would need to be made to Stoke on Trent City Council. An aerial photograph of the land appears to show it as a grassed area with trees and footpaths running across it. There do not appear to be any built structures on the land.</p> <p>Fulford Parish Council is a body eligible to make the application under section 89 of the Act.</p> <p>The land does not appear to fall within a description of land which may not be included in the list as specified in Schedule 1 of the Regulations.</p> <p>In order for a listing to be successful, a nomination must show that the land is of community value. This can be achieved by showing evidence of an actual, non-ancillary, use of the land that furthers the social wellbeing or social interests of the local community, currently, or that furthered such interests in the recent past.</p> <p>The nomination states that <i>“the Land has been used or as long as everyone can remember as it furthers the social wellbeing and social interests of the local community. The interests include recreation and wildlife, social interaction and engagement. It is a sense of involvement with other people and their communities.”</i></p>

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			<p>Although the nomination states that the land has been used to further social wellbeing and social interests of the local community it does not state what this use is or was. It merely states that the use furthers social interests such as recreation/wildlife/social interaction/engagement.</p> <p>While I can see that the land is made up of green fields, I cannot make assumptions as to how it has been used by the local community. It is the nominators responsibility to provide sufficient evidence of what uses have actually taken place on the land, to what extent, for how long and who by. If the recreational use has been dog walking, ball games, jogging or other recreational activities, for example, then the nominator would need to expressly state that those uses had taken place, whether they encompassed the whole land (or merely the footpaths running through), how long those activities had taken place and whether these activities were for the benefit of the local community (e.g. is the land open to the public? Are they activities which benefit the local community? Have any community events taken place on the land?).</p> <p>I do not need to consider whether it is realistic to think that there can continue to be a community use of the land as the case for an actual current community use has not been made out.</p> <p>For the reasons set out above, the current nomination of this land is unsuccessful, and the land will not be listed on the register of community assets.</p>

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The Windmill, Hilderstone Road, Meir Heath, Staffordshire ST3 7PB	Meir Heath and Rough Close Community Action Group		<p>1 The Grade II Windmill lies within the Borough of Stafford. An aerial photograph of the land appears to show it as a Windmill structure surrounded by a circular grassed area and a small area of hardstanding. This area is currently leased from the owners of a wider surrounding area consisting of the Windmill public house and adjoining car park. The nomination relates solely to the land leased with the Grade II Windmill structure.</p> <p>2 Meir Heath and Rough Close Community Action Group is a body eligible to make the application under section 89 of the Act.</p> <p>3 The land does not appear to fall within a description of land which may not be included in the list as specified in Schedule 1 of the Regulations.</p> <p>4 In order for a listing to be successful, a nomination must show that the land is of community value. This can be achieved by showing evidence of an actual, non-ancillary, use of the land that furthers the social wellbeing or social interests of the local community, currently, or that furthered such interests in the recent past.</p> <p>5 The nomination explains that the Windmill structure has been in position since c.1775 and has been grade II listed since c.1980. It started off as a windmill and was used as a central base for the Home Guard during WWII. Due to its</p>

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			<p data-bbox="1420 173 2063 245">prominent location, it is passed by many cars each day and dominates the local skyline.</p> <p data-bbox="1323 284 2123 592">6 The process for listing community assets is not concerned with the protection of historic buildings themselves. It is purely concerned with the use of land or property by the local community. The historic importance of the structure to the local skyline is not, therefore, relevant to my consideration of whether to list the property as a community asset.</p> <p data-bbox="1323 630 2123 1417">7 The nomination states that <i>“the windmill structure has been leased to the Meir Heath Windmill Preservation Group for several years but due to the pandemic and other factors the group has broken away leaving only 2 people responsible for the windmill. Meir Heath windmill has always been in some form of use since it was built. As the uses moved from industry to defence and more recently community use it has always served a purpose. For at least 10 years the Windmill has opened for events such as Easter events, open days, Halloween, Remembrance Day and Christmas to name a few....Community groups regularly ask for access whether it be to view the structure or hold meetings and events, people have even asked if they can have their wedding ceremony there” and “the community ...still continue to support its lifeline through various types of visits which in turn has several positive impacts such as community</i></p>

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			<p data-bbox="1420 173 2011 284"><i>togetherness, educational benefits, social cohesion and assisting in social welfare activities”.</i></p> <p data-bbox="1328 323 2107 831">8 The listing process is purely concerned with evaluating whether there is a current, or recent, physical use of the property that constitutes a community use. A community use must be a use that furthers the cultural, recreational or sporting interests of the local community or a use that furthers the social wellbeing of the local community. While the nomination states that, for at least 10 years, the building has opened for events at Easter, open days, Halloween, Remembrance Day and Christmas, it does not expand on what the purpose of these visits are and when these openings last occurred.</p> <p data-bbox="1328 871 2107 1098">9 In the absence of any evidence elaborating on how and when the building is currently used by the community, or explaining how and when the most recent community uses have taken place, I am unable to list the property as a community asset.</p> <p data-bbox="1328 1137 2107 1286">10 For the reasons set out above, the current nomination of this land is unsuccessful, and the land will not be listed on the register of community assets.</p>

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Castlefields Balancing Pond and Surrounding Area	Friends of Castlefield Pond	12 February 2024	<ol style="list-style-type: none"> <li data-bbox="1328 169 2143 368">1. The Castlefields Balancing Pond lies within the Borough of Stafford. An aerial photograph of the land shows a pond surrounded by a narrow grassed area and a public footpath that loops round the pond. <li data-bbox="1328 400 2143 600">2. Friends of Castlefield Pond is a body eligible to make the application under section 89 of the Act. It is an unincorporated body and has submitted evidence of at least 21 local members who are registered electors for the area. <li data-bbox="1328 632 2143 783">3. The land does not appear to fall within a description of land which may not be included in the list as specified in Schedule 1 of the Regulations. <li data-bbox="1328 815 2143 1086">4. In order for a listing to be successful, a nomination must show that the land is of community value. This can be achieved by showing evidence of an actual, non-ancillary, use of the land that furthers the social wellbeing or social interests of the local community, currently, or that furthered such interests in the recent past. <li data-bbox="1328 1118 2143 1350">5. The Council is the freehold owner of the land. It describes its use as a balancing pond with surrounding formal footpath. There is no formal seating around the pond, other than one bench adjacent to the nearby roundabout, which falls outside this nomination.

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			<p>6. The nomination describes the land as “a rich habitat for wildlife, an area for local anglers, a walkway and a cycleway”. The nomination also states that people will “sit under the trees when it is sunny”, “feed the ducks” and “forage for produce”. The nomination expresses concern about the environmental impact of potential development on the pond area and its wildlife.</p> <p>7. In deciding whether to list land as a community asset, the Council must consider its actual physical use by the local community, and whether that amounts to a community use. The physical attractiveness of land is not in itself a relevant reason to list. Nor is its use by local wildlife. Concerns about redevelopment of land are also irrelevant and would need to be considered as part of any planning application.</p> <p>8. The use of public footpaths for walking cannot be regarded as a community use of the wider area. Use of public footpaths are protected by other statutory regimes.</p> <p>9. Taking these factors into account, the Council has to determine whether there has been any physical use of the land (outside of normal public footpath use) by the local community that furthers social wellbeing or social interests. Social interests include cultural, recreational and sporting interests. If such use exists, then they</p>

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			<p data-bbox="1420 173 2107 245">must not be ancillary to the main use of the land as a balancing pond and footpath.</p> <p data-bbox="1328 280 2128 512">10. The majority of comments supporting the nomination suggest that the main use by the local community is for walking along the footpaths and viewing the pond and its wildlife. As explained above, this would not be sufficient to qualify the land for listing.</p> <p data-bbox="1328 547 2128 900">11. The nomination also states that the pool area itself is used by local anglers for fishing and that many local residents will sit and meet on the green spaces surrounding the pool. Fishing can be viewed as a recreational or sporting interest. It is also reasonable to argue that use of the green areas, outside of the footpaths, for sitting, relaxing and meeting others, could further the social wellbeing of the community.</p> <p data-bbox="1328 935 2128 1406">12. However, in addition to identifying community uses of the land, I also need to consider whether such uses are significant in their own right, or whether they are subsidiary or ancillary to a main use of the land. The primary use of the land is as a balancing pond and formal walkway. Most of the greenspace adjacent to the walkway appears to consist of trees, shrubbery and vegetation, with minimal grassed area available. The only formal infrastructure available for sitting is a single bench that is situated just outside the nominated area, near to the road. Similarly any fishing</p>

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			<p>appears take place informally from the existing banks of the pond.</p> <p>13. The carrying out of fishing in the pond, and sitting to the side of the public walkway, can be seen as incidental activities to the primary use of the land, rather than significant uses in their own right. They are, therefore, ancillary activities and are not sufficient to warrant listing of the land as a community asset.</p> <p>14. The land is within a wider area of land identified within the Strategic Regeneration Framework (SRF) for the Stafford Station Gateway development. The Strategic Regeneration Framework states on p53, <i>“The site benefits from having the balancing pond at its centre, and by enhancing this with an engaging, connected public realm - one which is interactive, playful, unique, and attractive to a diverse range of citizens - will have both direct and indirect benefits. This will be an important Lakeside feature within the proposed development.”</i>. The SRF also states on p89 that, “Development adjacent to the Lake should respect its setting and character”. The plans set out in the SRF do not include any measures restricting access to the pond area, and propose enhancement to this amenity, ensuring that it can be enjoyed by all.</p> <p>15. There is, therefore, no evidence to suggest that the land cannot continue to be used as it is</p>

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			<p>currently. However, I do not need to consider future use of the land at this stage as any current community use is purely incidental to the established use of the land as a balancing pond and public pathway.</p> <p>16. For the reasons set out above, the current nomination of this land is unsuccessful, and the land will not be listed on the register of community assets.</p>
<p>Landmark Windmill and Car Park, Hilderstone Road, Meir Heath, ST3 7PB (pdf 762kb)</p>	<p>Fulford Parish Council</p>	<p>5 April 2024</p>	<ol style="list-style-type: none"> 1. The Windmill lies within the Borough of Stafford. An aerial photograph of the land appears to show it as a Windmill structure surrounded by a circular grassed area and a small area of hardstanding. This area is currently leased from the owners of a wider surrounding area consisting of the Windmill public house and adjoining car park. The nomination relates solely to the land leased with the Windmill structure. 2. Fulford Parish Council is a body eligible to make the application under section 89 of the Act. 3. The land does not appear to fall within a description of land which may not be included in the list as specified in Schedule 1 of the Regulations. 4. In order for a listing to be successful, a nomination must show that the land is of community value. This can be achieved by showing evidence of an actual, non-ancillary, use

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			<p>of the land that furthers the social wellbeing or social interests of the local community, currently, or that furthered such interests in the recent past.</p> <p>5. The land has already been the subject of a previous nomination by the Meir Heath and Rough Close Community Action Group, dated 11 October 2023.</p> <p>6. The previous nomination was refused and a copy of the reasons can be found on the Councils List of Unsuccessful Nominations on its website. In the refusal decision it was pointed out that the process for listing community assets is not concerned with the protection of historic buildings themselves. It is purely concerned with the use of land or property by the local community. The historic importance of the structure itself, or issues such as its impact on the local skyline, are not, therefore, relevant to my consideration of whether to list the property as a community asset.</p> <p>7. The listing process is purely concerned with evaluating whether there is a current, or recent, physical use of the property that constitutes a community use. A community use must be a use that furthers the cultural, recreational or sporting interests of the local community or a use that furthers the social wellbeing of the local community. While the previous nomination stated that, for at least 10 years, the building had opened for events at Easter, open days,</p>

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			<p>Halloween, Remembrance Day and Christmas, it did not expand on what the purpose of these visits were and when these openings last occurred.</p> <p>8. In the absence of any evidence elaborating on how and when the building had been used by the community, or explaining how and when the most recent community uses had taken place, I was unable to list the property as a community asset.</p> <p>9. The current nomination reiterates the historical importance of the structure. Its only reference to a community use is that “it is used for various historical talks, santas grotto which bring the community together”. This sentence is insufficient to prove that the structure is currently used for community purposes, or that it has been used for such purposes recently, or to show that such uses are more than an ancillary use of the land.</p> <p>10. On the evidence submitted it appears that the main use of the land is for the siting and preservation of a historic monument. The use of that monument for occasional historical talks would not appear to amount to a significant physical community use of the land in its own right and appears subsidiary, or secondary, to the main use.</p> <p>11. For the reasons set out above, the current nomination of this land is unsuccessful, and the</p>

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