

**Date of Nomination Application:** 17/06/2019  
**Application Number:** ACV13/2019

**Listed Asset:** The Albert Tavern  
65 Harrington Road, SE25 4LX  
**Ward:** South Norwood  
**Nominator:** South Norwood Tourist Board

**1. Outcome of Listing Decision:** Yvonne Gaye, Senior Community and Voluntary Sector officer as the decision making officer, having regard to the relevant statutory provisions within the Localism Act 2011 (“The Act”), the Assets of Community Value (England) Regulations 2012 (“The Regulations”) and in so far as is relevant, the non-statutory guidance (“Community Right to Bid: Non-Statutory advice note for local authorities”, October 2012), has considered the nomination application, the supporting documentation and the nomination report and concluded, for the reasons set out in the decision notice below that:

a). The premises (ground floor, including outdoor front and rear gardens) should be listed as Asset of Community Value as sufficient evidence has been provided to show that it furthers the social wellbeing or social interests of the local community.

b). The nomination satisfies the requirements of a community nomination and provides ample evidence of;

- Substantial existing community use that further the social wellbeing or social interests of the local community.
- Current, past and future activities and events.

c). The nominator satisfies the requirements of a nominating body and has provided evidence of wider community support. The applicant has provided the required 21 signatures of local residents who are registered as local voters.

d). Instructs that the asset should be listed on the list of successful Community Nominations and that interested parties (and local land charges where relevant) be notified accordingly.

**2. Background to Decision:**

1. The Localism Act 2011 and the Assets of Community Value (England) Regulations 2012 set out the opportunities and procedures to follow for communities wishing to identify assets of community value and have them listed.
2. The Council is required to list an asset only in response to a valid community nomination and provided that the land is of community value.
3. Land is land of community value if, in the opinion of the Council:
  - an actual current use (not an ancillary use) of the building or other land is one that furthers the social wellbeing or social interests of the local community; AND
  - it is realistic to think that there can continue to be non-ancillary use of the building or other land that will further the social wellbeing or social interests of the local

community (whether or not in the same way as the current use). [Section 88(1)(a) & (b)]

**OR**

- there was a time in the recent past when an actual use (not an ancillary use) of the building or other land is one that furthered the social wellbeing or interests of the local community; AND
- it is realistic to think that there is a time in the next 5 years when there could be non-ancillary use of the building or other land that would further the social wellbeing or social interests of the local community (whether or not in the same way as before). [Section 88(2)(a) & (b) of the Act]

**3. Nominator:**

The Statutory requirements which the Nominator must meet in order to be eligible to make a community nomination within the meaning of the Act are set out below with the listing officers' assessment of each requirement. If the Nominator does not meet the statutory requirements, there is not a valid application before the Council.

a. Is the nominator a voluntary or community body within the meaning of Regulation 5?

**Assessment:** The nomination has provided the required signed evidence of 21 local voters who support this nomination.

b. Does the nominator have a local connection within the meaning of Regulation 4 of the Regulations and Section 89(2)(b)(ii) of the Act?

(i) Are the body's activities wholly or partly concerned with the local area or with a neighbouring authorities' area?

**Assessment:** Yes. The nominator are South Norwood Tourist Board, a local group that promotes the South Norwood locality in terms of businesses and the wider community causes.

(ii) For a nominator within the meaning of Regulation 5(1)(c) (e) or (f) – is any surplus it makes wholly or partly applied for the benefit of the local authority area or for the benefit of a neighbouring authority area?

**Assessment:** No. The nominator has stated that they do not distribute a surplus, this is not set out in a governing document as they do not have a constitution.

(iii) For a nominator within the meaning of Regulation 5(1)(c) – does it have "Local Members"? Local members are defined by Regulation 4(3) as meaning a member who is registered, at an address in the local authority's area or in a neighbouring authority's area, as a local government elector in the register of local government electors kept in accordance with the provisions of the Representation of the People Acts.

**Assessment:** The applicant has provided the required 21 signatures of local residents who are registered as local voters. In addition, the nominator has also provided wider evidence of wider community support in the form of a separate petition which has been signed by people who use the pub, and there is also an online petition which has also been signed by over 500 people.

**Decision:**

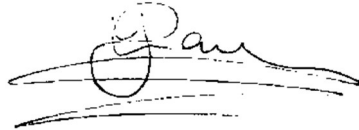
**I confirm that:** The Albert Tavern  
Should be included as an Asset of Community Value and included on the Council's  
Register of Assets of Community Value and placed on the Local Land Charge  
Register.

Date: August 2019

Name: Yvonne Gaye

Title: Senior Community and Voluntary Sector officer

Signature:

A handwritten signature in black ink, appearing to read 'Yvonne Gaye', is written over a set of three horizontal lines. The signature is fluid and cursive.