

LONDON BOROUGH OF NEWHAM
LOCALISM ACT 2011
THE ASSETS OF COMMUNITY VALUE

NOTICE OF DETERMINATION OF COMMUNITY NOMINATION

1. A Community Right to Bid Nomination was submitted to the Council by Mr Tristan O'Dwyer on behalf of the East London and City branch of CAMRA (Campaign for Real Ale) seeking to have the Earl of Essex, 616 Romford Road, Manor Park, London E12 5AF listed as an asset of community value pursuant to the provisions of the Localism Act 2011.
2. Pursuant to Section 89(2)(b)(iii) of the Localism Act 2011 and Regulations 4 and 5 of the Assets of Community Value (England) Regulations 2012, the East London and City branch of CAMRA (Campaign for Real Ale) are a voluntary or community body being a company limited by guarantee whose members include at least 21 individuals and which does not distribute any surplus it makes to its members. The body has a local connection with land in the Council's area as its activities are wholly or partly concerned with the Council's area. The Community Nomination fulfils the criteria of Regulation 6 of the above-mentioned Regulations, and is accepted as a valid community nomination.
3. The Community Nomination sought the listing as an asset of community value of the Earl of Essex, 616 Romford Road, Manor Park, London E12 5AF as shown edged red on the plan comprising Appendix 1 to this notice. There are a number of parties with freehold or leasehold interests in part of the subject land as listed at Appendix 2 to this notice. Notices under Regulation 8 of the Assets of Community Value (England) Regulations 2012 were served on all the parties listed in Appendix 2 on 28 January 2016.
4. The Community Nomination refers to the grade 2 listed building serving the local community as a public house for over one hundred years up to the date of its closure in late 2012 (approximate). The nomination refers to the recent use of the building, as a public house, being of real community importance

and furthering the social wellbeing and social interests of the local community in that: it was one of the few local venues for hosting live music; it screened sporting events and provided a dart board, quiz machine and pool tables for patrons; it is easily accessible by public transport; it provided meeting space for local community groups and charity use; reference to the Earl of Essex had been included in tourist / local pub guides. The nomination asserts that the building sits on a busy intersection in an area with limited competition from other public houses, the nearest alternative public house being approximately one mile away. The application asserts that under the right management the building could operate again as a viable public House.

5. Section 88(1) of the Localism Act 2011 provides that land is 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 buildings or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community.
6. Section 88(2) of the Localism Act 2011 provides that land which is not of community value under the criteria of Section 88(1) is land of community value if in the opinion of the Authority:
 - a. There is a time in the recent past when an actual use of the building or other land that was not ancillary use furthered the social wellbeing or interests of the local community, and
 - b. It is realistic to expect 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 interest of the local community.

7. The Applicant accepts that section 88(1) of the Act is not applicable in this case as there is no actual current use of the building which furthers the social interests or social wellbeing of the local community. The building has ceased to be used as a public house. Consequently the Applicant relies on Section 88(2) that there was a time in the recent past, i.e. when the public house was in use as such, that such use furthered the social wellbeing or interests of the local community.
8. The building had been in use as a public house for over one hundred up until its closure in late 2012 (approximately). This fulfils the criterion of Section 88(2)(a) that there is a time in the recent past when an actual use of the building furthered the social wellbeing and interest of the local community.
9. The building is currently closed and has not been put to another use since the closure of the public house in late 2012 (approximately). The building sits on a busy intersection in an area with limited competition from other public houses, the nearest alternative public house being (approximately) one mile away. The future of the building is not certain but it could be returned to use as a public house. Accordingly, it is realistic to think that there is a time in the next five years when there could be a use which furthers the social wellbeing or social interests of the local community, which fulfils the criterion of Section 88(2)(b).

10.DECISION

The Earl of Essex, 616 Romford Road, Manor Park, London E12 5AF and show edged red on the plan comprising Appendix 1 to this notice, fulfils the criteria of Section 88(2) of the Localism Act 2011 and is land of community value. It shall be included on the Council's list of assets of community value.

11.Reasons for the Decision

It is accepted that for a period in excess of one hundred years prior to its closure in late 2012 (approximate) the Earl of Essex had been used as community meeting place and place of social interaction providing services to

the local community. In so doing it furthers the social wellbeing and social interests of the local community. Whilst the future of the building is uncertain there is a realistic prospect that within the next five years the building could be returned to use as a public house.

Signed: 

Mark Buttler, Director of Asset Management Services, OneSource
For and on behalf of the London of Borough of Newham

Date: 1 March 2016