

# Wittersham Parish Council

13 MAY 2021

wittersham.org

Clerk: Mrs Yvonne Osborne

23 Hilltop Drive, Rye, TN31 7HT

Tel: 07944 183798

Email: [wittershampc@googlemail.com](mailto:wittershampc@googlemail.com)

8th May 2019

Legal & Democratic Services

Ashford Borough Council

Civic Centre, Tannery Lane

Ashford, TN23 1PL.

Dear Team

Wittersham Parish Council resolved to ask the Borough Council to renew its registration of the Oxney Pie and Burger Bar (formerly known as The Swan, 1 Swan Street, Wittersham) as an Asset of Community Value registration number PR86-012 and I enclose duly completed the Borough Council's form of request for that purpose.

Yours faithfully



Yvonne Osborne

Clerk to the Council

## Community Nomination Form

### FOR OFFICE USE ONLY

Reference Number	
Date of Validation	



### ASSETS OF COMMUNITY VALUE

### COMMUNITY NOMINATION FORM

#### Section A: About your organisation

##### A1 Organisation's name and address

Name of organisation	Wittersham Parish Council
Registered, main or head office address including postcode	23 Hilltop Drive Rye, East Sussex TN31 7HT

##### A2 Contact details

Name	Yvonne Osborne
Position in organisation	Clerk to the Council
Address including postcode	23 Hilltop Drive, Rye, East Sussex, TN31 7HT.

Daytime telephone no. 07944 183798

Email address [wlttershampc@googlemail.com](mailto:wlttershampc@googlemail.com)

### A3 Type of organisation

Description (pursuant to Regulation 5)	Put a tick against that which applies	Registration number (if applicable)
(a) Designated Neighbourhood Forum pursuant to s.61F of the Town and Country Planning Act 1990		
(b) Parish Council	Yes	
(c) Unincorporated body with at least 21 members which does not distribute any surplus it makes to its members		
(d) Charity		
(e) Company limited by guarantee which does not distribute any surplus it makes to its members		
(f) Industrial and Provident Society which does not distribute any surplus it makes to its members		
(g) Community Interest Company		

### A4 Local Connection (pursuant of Regulation 4)

Unless you are a Parish Council (see below), your organisation must have a local connection, which means that its activities are wholly or partly concerned with the administrative area of Ashford Borough Council or a neighbouring local authority (Reg 4(1)(a)). Please explain what your association's local connection is.

Please note the following in relation to Community Nominations from Parish Councils (Reg 5(b)) –

A Parish Council making a Community Nomination in respect of land in its parish does not need to show a local connection (s.89(2)(b)(i)).

A Parish Council making a Community Nomination in relation to land in another parish has a local connection if the two parishes share a common boundary at any point. (Reg 4(2)(a)).

A Parish Council making a Community Nomination in relation to land which is not within a parish has a local connection if the parish is in the borough of Ashford or (if the parish council is outside the borough, it shares a common boundary with the borough of Ashford) (Reg 4(2)(b)).

(If you ticked (c ) at Q.A3 please fill out the next question)

**A5 Membership of Unincorporated Bodies** (Reg 5 (c ) (pursuant to Regulation 4(1)(c ) and Reg 4(3 ))

In the case of an unincorporated body at least 21 of its members must be registered to vote in local government elections in the borough of Ashford or in a neighbouring authority's area. Please include a list of the current members of the body and their addresses. If they are registered to vote in the area of a neighbouring local authority, rather than in Ashford, please confirm which area this is.

(if you ticked (c ), (e) or (f) in Q.A3 please answer the question below)

**A6 Distribution of surplus funds** (Unincorporated Bodies (Reg 5(1)(c )), companies limited by guarantee (Reg 5(1)(e)) and Industrial and Provident Societies (IReg 5(1)(f) (pursuant to Reg 4(b))

If your organisation is an Unincorporated Body, a Company Limited by Guarantee, or an Industrial and Provident Society then any surplus that it makes must be wholly or partly applied for the benefit of the administrative area of Ashford or a neighbouring local authority. Please confirm this and provide evidence by referring to the relevant part of the document provided pursuant to part A7.

**A7 Required Documentation for your organisation (not required if a Parish Council)**

Please provide us with an up-to-date copy of the following as relevant to your organisation	Please put a tick against the document provided
Memorandum and Articles of Association	
Trust Deed	
Constitution	
Interest Statement if a Community Interest Company	
Companies House Return	
List of Members	
Minute / authority authorising your organisation to make this Community Nomination	

**Part B: Information concerning the land / building(s) which is subject to the Community Nomination**

**B1 Description and address**

Name of land / building(s) The Oxney Gourmet Pie and Burger Bar (formerly Swan Inn)
Address including postcode 1 Swan Street, Wittersham, Kent TN30 7PH

\*please note that we can only accept nominations for land within the borough of Ashford. If the land you wish to nominate is partly in and partly outside of the borough, then you should nominate that part which is outside of the borough to the appropriate local council in whose are it falls

## **B2 Detailed plan**

Please include (here or on a separate sheet) a detailed plan of the land.

The plan must:

- be drawn to scale
- be a copy of an extract from the Ordnance Survey map on the largest scale published (generally 1/1250 for urban properties and 1/2500 for rural properties), showing the land to which the application relates
- indicate the scale and orientation
- show the precise extent of the property by suitable edging (0.4mm max), and
- show the position of the land in relation to nearby roads and other relevant features.

See attached Field Plan K341975 of Land Registry edged in red.

\*Please note that by submitting the plan, you authorise us to copy and publish as may be necessary



**B3 Owners and others with an interest in the land / building(s)** (Reg 8)

*Please provide the following information to the best that you are able. If any information is not known to you, please say so.*

	<b>Name(s)</b>	<b>Address(es)</b>
Names of all current occupants of the land / building(s) (if there are different occupiers for different parts please provide details)	Fairoaks Estates Ltd  Reg. No. 089037C	7 Hill Street Douglas Isle of Man
Names and current or last known addresses of all those owning a freehold interest in the land / buildings (s)	As above	As above
Names and current or last known addresses of all those owning a leasehold interest in the land / building(s)	None known	None known

**Please answer wither B4 or B5 below -**

**B4 For Land / building(s) currently in use for community benefit – why you think the land / building(s) is of community value**

1. What is the current main use of the land / building(s)

2. How does that current main use of the land / building(s) further the social wellbeing or social interests of the local community (defined in s.88(6) of the Act)

3. Why do you consider that this, or some other main use to which the land / building(s) will be put which will further the social wellbeing or social interests of the local community, will continue and over what period (defined in s.88(6) of the Act)

**B5 For Land / building(s) not currently in use for community benefit (s.88 (2) of the act)**

Please answer the questions below

1. If the land / building(s) main use in the recent past furthered the social wellbeing or social interests of the local community please confirm that use and explain how it did that (including dates for when this was) (defined in s.88(6) of the Act)

Public House and Restaurant until 2018, then shut awaiting sale as a going concern.

2. How do you anticipate that the land / building(s) will be returned to that use or put to some other main use which will further the social wellbeing or social interests of the local community and when do you consider this will happen

Great enthusiasm to see The Swan reopened as a Public House and Restaurant either within a Community Benefit Society or within more confident commercial ownership. The Community Benefit Society was registered and a sale agreed before COVID-19 halted fundraising.

## Section C: Submitting this nomination

### C1 Signature

*By signing your name here you are confirming that the contents of this form and the documents enclosed are correct, to the best of your knowledge and belief.*

I am duly authorised to sign on behalf of the nominating organisation -

Signature

*U. Osborne*

### C2 Where to send this form

You can submit this Community Nomination Form:-

#### By post to:

Legal and Democratic Services  
Ashford Borough Council  
Civic Centre  
Tannery Lane  
Ashford  
TN23 1PL

If any further information is required the Council will contact you by writing to you or emailing you at the contact details you have provided in the Nomination Form

Any Reference to "Regulation" or "Reg" is to the Assets of Community Value (England) Regulations 2012 and any reference to the "Act" is to the Localism Act 2011

# H. M. LAND REGISTRY

NATIONAL GRID PLAN

LXXIX 12

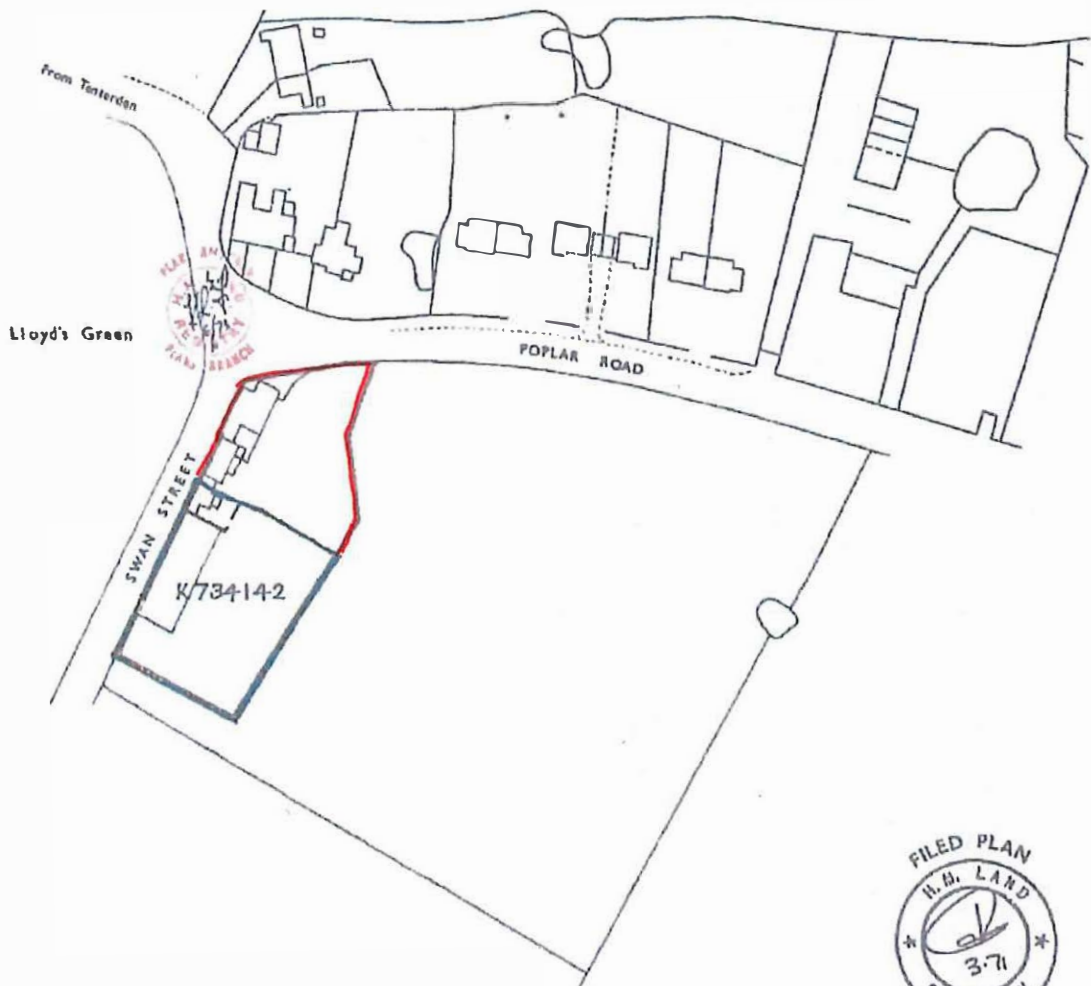
KENT

Scale 1/1250

Enlarged from 1/2500

WITTESSHAM PARISH

THE BOUNDARIES SHOWN BY DOTTED LINES HAVE BEEN DERIVED FROM THE PLANS ON THE DEEDS AND ARE SUBJECT TO REVISION ON SURVEY.



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