

**Committee:** Assets of Community value and Local Heritage List Committee  
**Date:** Monday 21 June 2021  
**Title:** Nomination of The Stag public house, Little Easton, as an Asset of Community Value  
**Report Author:** Joanna Hill, Planning Officer  
jhill@uttlesford.gov.uk

---

## Summary

1. The Localism Act 2011 introduces a concept of an 'Asset of Community Value' (ACV). Section 87 of the Localism Act places a duty of Local Authorities to 'maintain a list of land in its area that is land of community value'.
2. An Asset is of community value if (in the opinion of the local authority) either:
  - 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
  - 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;or
  - there is a time in the recent past when an actual use of the building or other land that was not an ancillary use furthered the social wellbeing or social interests of the local community; and
  - it is realistic to think 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 interests of the local community.
3. The Act states that "social interests" "includes (in particular) each of the following – (a) cultural interests, (b) recreational interests and (c) sporting interests.
4. Assets of Community Value are buildings or land which involve the physical use by the community and include for example a village shop, pub, community centre, allotment or recreation ground.
5. The purpose of this report is to enable members to determine:
  - a) whether there is a valid nomination;

- b) whether the use of the building (current or recent past) furthers the social wellbeing or social interests of the community;
- c) whether it is realistic to think that in the next 5 years the building could be used to further the social wellbeing or social interests of the community.

In considering these questions, members need to consider principal, rather than ancillary, uses of the building.

If members conclude that the answers to these questions are “yes”, the building should be included in the list of ACV’s.

### Recommendation

- 6. Recommended for listing: On the basis that there is a valid nomination and the current use of, or there is a time in the recent past when **The Stag public house** furthered the interests of the community, and it is realistic to think that in the next 5 years the building/land could further the interest of the community, it is recommended that the site be listed as an Asset of Community Value.

### Financial Implications

- 7. There are direct financial implications arising at this stage which relate to the formal process of identifying and contacting asset owners, time of Planning Policy and Legal Officers and, if relevant, registering an asset as a Land Charge. These costs can be met from existing budget and staff resources.
- 8. There is also an unquantifiable financial risk to the Council, if there was a claim for compensation. This needs to be kept under review and at an appropriate time consideration should be given to establishing a contingency reserve to mitigate the risk to the Council’s budget. However, the potential liability should not be taken into account in deciding whether or not this is an asset of community value.

### Background Papers

- 9. The nomination form is appended and can be viewed by the public on the website under [currently nominated assets](#)

### Impact

- 10. Consideration of possible impact:

Communication/Consultation	In line with regulation 8 of The Assets of Community Value (England) Regulations 2012 the Council have taken all practicable steps to give information that it is considering listing the land to the owner of
----------------------------	--

	the land, freeholder and occupant. This has taken the form of letters.
Community Safety	No impact.
Equalities	The duty will affect all equally.
Health and Safety	No impact.
Human Rights/Legal Implications	Pursuant to s.19 Human Rights Act 1998 the Secretary of State has certified that in his opinion the Localism Act is compatible with the Convention rights.
Sustainability	If the land is included on the list of Community Assets it will form a Land Charge.
Ward-specific impacts	Located in Great Easton.
Workforce/Workplace	No impact

## Situation

### a) Is this a valid nomination?

11. S.89 of the Localism Act states that land in a local authority area which is of community value may be included in its list of assets of community value only in response to a “community nomination”, or where permitted by regulations made by the Secretary of State. A community nomination means a nomination by a parish council in respect of land in the parish council’s area or “by a person that is a voluntary or community body with a local connection”.

12. The nomination has been made by Little Easton Parish Council, including:

- A map outlining the site and boundary has been submitted
- Address of the owners of The Stag – David and Karen Scott
- Reasons for nominating (see points 10-12 and 15).

13. A nomination must include:

- i. A description of the nominated land including its proposed boundaries.
- ii. Any information the nominator has about the freeholders, leaseholders and current occupants of the site.
- iii. The reasons for nominating the asset, with an explanation of why the nominator believes the asset meets the definition in the Act.
- iv. Evidence of the nominator’s eligibility to make the nomination.

14. If it meets these requirements, it is a valid nomination under Localism Act S.89(2) and ACV Regulations 2012 regulation 6. This nomination meets those requirements.

**b) Does the use of the building (current or recent past) further the social wellbeing or social interests of the local community?**

15. The nomination includes the following facilities:

- The public bars and tables set aside for eating
- The outside tables at the front of the Pub
- The Garden to the rear of the pub
- The car park to the rear of the pub

The website describes the venue as a public house and restaurant

<https://www.thestaglittleeaston.co.uk/>

16. Little Easton Parish Council believe that The Stag furthers the interests of the local community offering the following activities and events including:

- Ladies darts team
- Pool competitions
- Meeting point for local football teams
- Quiz nights
- Live music nights and music events
- Regular meetings of 'knit and knatter' referred to as crafty & knatter on their website, meeting every 2 weeks
- Christmas events
- Annual race for the local running club
- Free board games

17. During the pandemic the pub has been offering takeaway food and the last Thursday of each month has been designated neighbours night.

18. The nomination refers to the large field to the rear of the pub, which is used for camping and caravans and extension of the pub garden, where children play. However, this site is not included in the nomination.

19. The pub landlord has confirmed that all the activities listed in the nomination form are correct (pre-covid pandemic), with the exception of the gymkhanas. About 50% of the public house is used as pub or bar and 50% restaurant. He confirmed that the campers camp in the field behind the pub and use the facilities in the public house.

20. The letter from the land owner and pub landlord, dated 2 June (see Appendix 3) states that there are no formal or regular arrangements for any wider social groups to use the pub's facilities. The field to the rear of the pub is not owned by the pub and any activities are allowed by kind permission of the owners. The pub does not provide the camping facilities and has no rights to use the field to promote its business.

21. The field to the rear of the pub, which is used for camping, has a proposal for development – UTT/21/1495/FUL - *Erection of 44 residential units and 3 commercial units (flexible space); inclusion of 3 additional plots for self-build homes; together with associated access, carparking and landscaping* (5 May 2021). The land occupied by the pub and the field are owned by the same owner. The planning application, can be viewed in full [here](#), by entering the planning application reference into the search function. The location plan, proposed masterplan and car parking diagram, including provision for the public house, are shown in Appendix 4. The application will be decided by the Planning Committee (determination date 4 August 2021). The planning application proposal includes:

- Development on the site of the existing public house car park
- Provision of 12 parking spaces for the public house, behind the employment units for the Public House (with main vehicle access towards the south east of the site) and pedestrian link to the village, alongside the public house

22. It is not for this nomination to review the merits of planning application UTT/21/1495/FUL. However, for this nomination, it is relevant to consider whether it is realistic to think that in the next 5 years the building or land could be used to further the social wellbeing or social interests of the community.

23. Members may wish to consider the role, position and access to parking for the future viability of the Asset; whether parking provision for the pub can be secure, if not included in the listing; and whether or not to list the site as nominated or request a change to the nominated site boundary.

24. **Non-ancillary use:** To be listed, an actual current use of the nominated asset that furthers the social wellbeing or social interests of the local community, must be a main or principal use, it must not be an ancillary use. The activities listed in the nomination are considered to be non-ancillary use.

25. **The 'local community':** To be listed, an Asset must benefit the 'local community'. The nomination states that the public house is used by:

- Families and groups
- Ramblers, dog walkers, cyclists
- Clubs and associations
- Campers and caravaners

26. The pub is a part of the history and tradition of the village, it supports local rural traditions/way of life. It is used by local shoots and the Essex Hunt meets there annually. The pub also supports the Country Show held annually at the village church by providing food and camping facilities.

27. **'Furthers the social wellbeing or social interests of the community':** Pubs are by definition sociable venues, a place to meet, and in this case offering refreshment, food and accommodation. There is a need to consider whether 'an actual current use of the building, that is not an ancillary use, furthers the social wellbeing or social interests of the local community'. What

makes this pub special and of particular value to the local community, beyond its commercial function as a public house?

28. The Stag is the only pub or inn in Little Easton. The nearest alternative pubs are over two miles away in Takeley and Great Dunmow. From the range of activities and events detailed in the nomination, the public house is considered to further the social wellbeing or social interests of the community.

**c) Is it realistic to think that in the next 5 years the use of the building could further the social wellbeing or social interests of the community?**

29. Little Easton Parish Council consider that there is strong support in the village for the pub and there is opportunity to do more e.g. More use of the field by campers potentially (licences allowing), exploring more fully the village shop idea and potentially B&B type accommodation. [Please note that the field is not included in the nomination and its use may change, dependent on the outcome of the planning application for development].

### **Representations**

30. Letters received from the owner and/or proprietor are shown in Appendix 3. The letter dated 1 June refers to planning application UTT/21/1495/FUL and states that 'the public house and associated rear garden are under no threat' from the planning application; and that the 'potential increased trade resulting from new incoming residents and the creation of local employment opportunities would only serve to enhance and strengthen its position within the community'.

### **The role of Assets of Community Value**

31. The legislation seeks to protect buildings and land which furthers the social wellbeing and social interests of the local community; and allow the community the right and time to bid for that property or land should it be put up for sale. There is no obligation for an owner to sell the asset to a community group.

32. It is not the role of ACV to stop or interrupt the sale of property or land, or stop development. The planning application process is in place for the management of development control and protection of heritage and the environment.

33. Change of use of a public house to a different use is protected by the need for planning applications to submit the results of 6-12 months marketing to prove that a venue is no longer viable; Current permitted development does not allow change of use from A4 pubs to residential.

34. Regarding the criteria for listing public houses as ACV's, the Committee may wish to consider what supporting evidence should be required with a view to

providing a guide to ensure high quality and robust assessment of ACV nominations in future.

## Conclusion

35. This is a valid nomination.
36. Members need to consider whether the evidence provided shows that the property, current or in the recent past, furthers the social wellbeing or interests of the community.
37. Members need to consider whether it is realistic to think that the public house can continue to be used in a manner that furthers the social wellbeing and interests of the local community.
38. Members need to consider the site to be nominated. The site outlined in the nomination i.e. Public house, garden and car park or the site of the pub and garden.
39. Consideration of these issues will lead the Committee to determine whether The Stag public house should be listed as assets of community value for a period of five years.

## Risk Analysis

40.

Risk	Likelihood	Impact	Mitigating actions
The nominating body or the owner is unhappy with the decision reached.	High risk that one of the bodies will be unhappy with the decision.	<p>The owner has rights of internal review and appeal and can claim for compensation.</p> <p>The nominating body does not have rights of review or appeal. A new nomination can be made with additional information.</p> <p>If it felt the Council had acted unlawfully, it could seek to challenge by way of judicial review.</p>	Carefully scrutinise submissions for inclusion on the Asset List so as to ensure only those which comply with the criteria are included.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

## **Appendices**

Appendix 1: Extracts from the Nomination Form

The full nomination form can be found here:

<https://www.uttlesford.gov.uk/article/4955/Currently-nominated-Assets>

Appendix 2: Revised plan of site nominated

Appendix 3: Letter from the owner 1 June 2021. Letter from the land owner and the pub landlord, dated 2 June 2021

Appendix 4: Proposed site plans from planning application UTT/21/1495/FUL

## Appendix 1: Extracts from the Nomination Form

### **Section 3 DEMONSTRATING THE COMMUNITY VALUE OF THE ASSET**

#### **Q5a Why do you feel the property is an asset of community value?**

Please give as much information as possible about the current use of the asset i.e. what activities take place, what groups use the facility currently or in the recent past etc. Continue on a separate sheet if necessary. Definition of an asset of community value can be found in the guidance notes.

The pub is situated at the heart of the village on the main through road.  
The current landlords take an active role in village life.

The facilities to be included in the nomination are :

- The Public House, including the public bars and any tables set aside for eating
- The outside tables at the front of the Pub
- The Garden to the rear of the pub
- The car park to the rear of the pub.

The nomination excludes the camping field to the rear of the pub.

The asset is primarily a public house. The pub does serve food and some tables are set aside for eating but the asset is not a restaurant. The main activities are as a public House.

During the Covid-19 lockdown and when allowed by government regulations the pub has remained open – crucially introducing a takeaway option on four days of the week and ensuring that the prices were affordable and realistic for the local community.

In 'normal' times the pub is a community hub

- An initiative has been running for some time now whereby the last Thursday of each month is designated as 'neighbours' night' – this is publicised locally, not only in Little Easton but to the neighbouring villages and hamlets as well – *"On the last Thursday of each month why not pop in to the pub in the evening. There will be people there, i.e. your neighbours both from Little Easton and elsewhere, and we can all have a bit of a social evening. The pool table is now available if you fancy that, there are even some board games or just quiet drink and a chat. Come along and meet existing acquaintances and make some new. Please do share with friends and neighbours especially those who might not be "online" - why not pop a note through a neighbours door and come along together?! Look forward to seeing you."* This has been extremely popular and successful.
- The pub has a ladies darts team; has hosted pool competitions; is the meeting point for the local adults football team who play at the village Laundry Lane pitch; is used by the parents and children from the youth teams that play on the same pitch; has plans to organise golf days, race days and other social events.
- Monthly meetings are held by the local ladies 'knit and knatter' group; a village book club set up online during the pandemic plans to meet there too
- Every year the pub hosts a popular Christmas Carol evening, opens on Christmas Day and is the collection point for the annual donations to the local Round Table and is host for the visit from Santa organised by them
- The younger members of the community are welcomed in the pub – the pool table and darts being a real attraction for the older ones, the large field to the

back for the younger - it acts as an unofficial extension to the pub garden where children can play safely and still be supervised by adults in the pub garden.

- There are board games freely available in the pub.
- The field to the rear of the pub has a licence for camping and is very popular. It is also used a great deal by local dog walkers/ramblers. In the past it has been used for village firework events, by local stables for gymkhanas, for a boot sale, for music events etc
- The pub hosts an annual race for a local running club
- Activities such as quiz nights, live music nights, fund raising events, beer and food festivals take place.
- It is a real focal point of the village, at one stage the landlord was looking in to also operating a small shop for 'essentials'
- The pub website states "Our landlord Glen Miller is a keen musician and there is often live music in the evenings, as well as other events such as quiz nights and curry nights " it also mentions that they welcome
  - Families and groups
  - Ramblers, dog walkers, cyclists
  - Clubs and associations
  - Campers and caravaners
- The pub supports local rural traditions/way of life – it is used by local shoots and the Essex Hunt meets there annually
- The local farming community are regular supporters of the pub
- The pub is used as an affordable and friendly venue for local parties, weddings and wakes
- The landlord is the licence holder for the local village hall and supports events held there
- The pub also supports the Country Show held annually at the village church by providing food and camping facilities
- The pub is a part of the history and tradition of the village – there has been a pub in the village on/near this site for many many years - the original building is The Old Stag Cottage – close by and a protected Grade II listed thatched property – Wikipedia notes that the Parish population in 1882 included the publican of The Stag Inn!

**Q5b How could the building or land be acquired and used in future?**

If it is listed as an asset of community value, community interest groups (not limited to your organisation) will get the opportunity to bid for it if it comes up for sale. Please set out how you think such a group could fund the purchase of the building or land, and how they could run it for the benefit of the community. Continue on a separate sheet if necessary.

There is strong support in the village for the pub and all it brings to the community. If there was a danger of losing that then it would be probable that the community would want to come together to find a way to fund the purchase and keep the pub open – there are funds available that could be applied for in that event.

With the strong community support already in place the group would want to build on that and encourage even more use by local people and organisations. Several people in the village have experience of running and financing businesses – whilst the pub is well supported now there is still opportunity to do more. More use of the field by campers potentially (licences allowing), exploring more fully the village shop idea and potentially B&B type accommodation.

**Q6 What do you consider to be the boundary of the property?**

Please give as much detail as you can, including an Ordnance Survey plan outlining the site.

The red outline on the map below indicates the boundary of the nomination. The Boundary Includes:

- The Public House
- The outside tables at the front
- The Garden to the rear
- The car park to the rear

The Boundary nomination excludes the camping field to the rear. Camping does currently take place on the camping field but this aspect is excluded from the nomination.



Picture of The Stag from the front



The Pub Garden to the rear



The Pub Garden to the rear



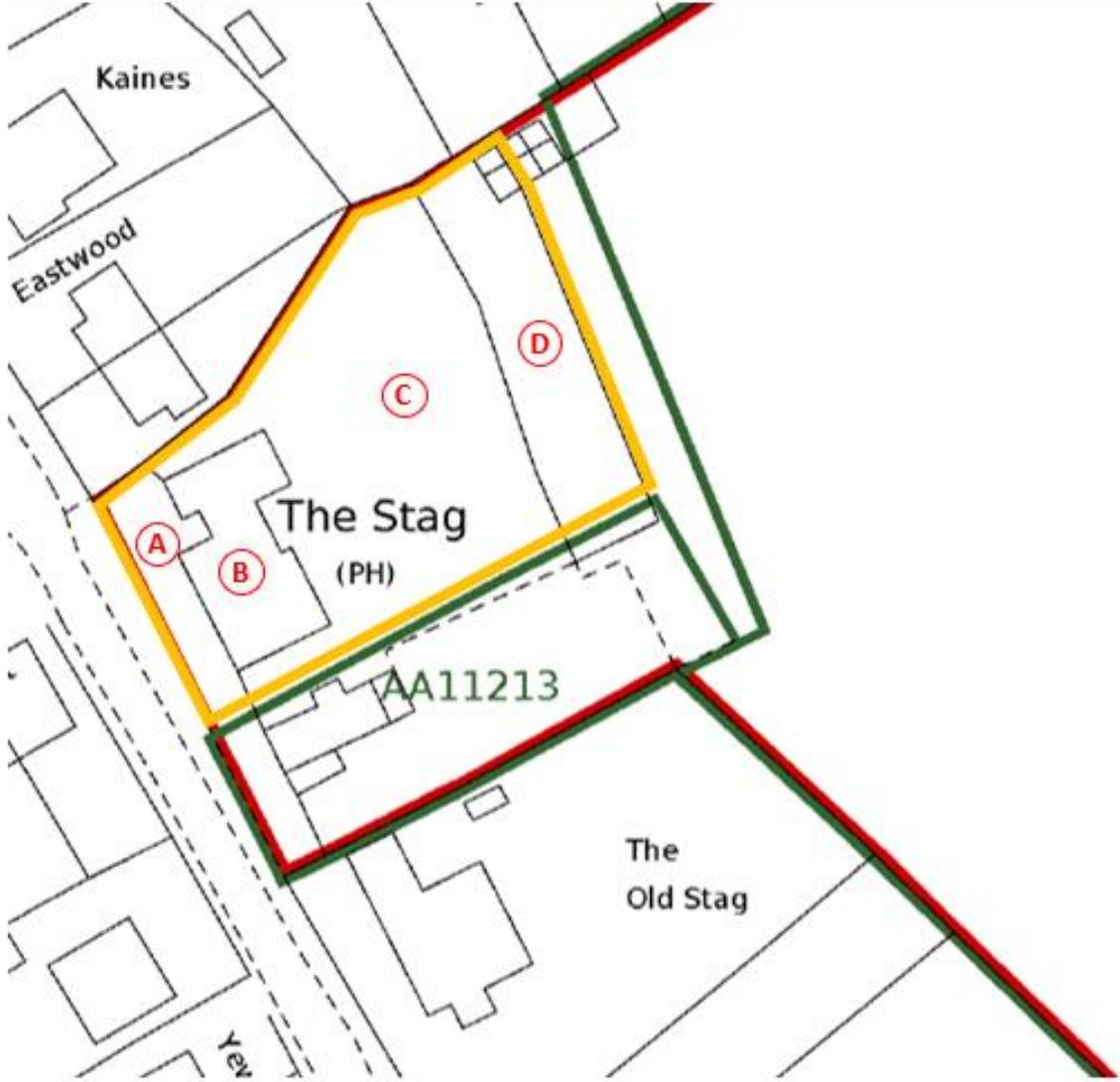
The car park to the rear



Camping Field to the rear  
(Not included in Nomination)

Appendix 2: Revised plan of site nominated

The Stag, Little Easton – Asset of Community Value Nomination – Boundary Clarification



-  = Area Included in AOCV Nomination
-  = Pub Frontage (included in nomination)
-  = Pub Building (included in nomination)
-  = Pub Garden (included in nomination)
-  = Pub Car Park (included in nomination)

Appendix 3:  
Letter from the owner 1 June 2021

Mr Gordon Glenday  
Assistant Director Planning  
Uttlesford District Council  
Council Offices, London Road  
Saffron Waldon  
Essex CB11 4ER

1<sup>st</sup> June 2021

Dear Mr. Glenday,

**Nomination of The Stag as an Asset of Community Value (ACV)**  
**Reference UTT/21/1531/ACV**

Further to your letter of 5<sup>th</sup> May, we wish to raise the following points: -

The timing of this nomination by the Parish Council (PC) is extremely difficult to understand as it appears to have been triggered by the recent submission of a planning application (ref UTT/21/1495/FUL) for a residential led mixed-use development; a primary objective of that submission being to help underpin the on going viability of the public house and secure its long-term sustainable future.

Notwithstanding the above, the red line boundary of the application site does not even include the public house building; rather, only an adjacent narrow strip of land (required for connectivity of the proposed development to the village) and its rear car park (required to facilitate an improved, more efficient car parking layout).

It is therefore a matter of fact that the public house and its associated rear garden area are under no threat whatsoever from the current planning application proposals. Rather, the potential increased trade resulting from new incoming residents and creation of local employment opportunities would only serve to enhance and strengthen its position within the community; perhaps the PC have misunderstood the plans and/or the intention behind them?

We are however pleased that the PC recognises the socially valuable role that the pub plays in our local village community, albeit their appreciation is not necessarily reflected in the trade or custom received.

There are a number of factual errors included in their response to Question 5a; as long established stewards of the public house we are the best placed to provide an accurate commentary of its associated events and activities. It is therefore surprising that the PC has not consulted with us; our door is always open to them.

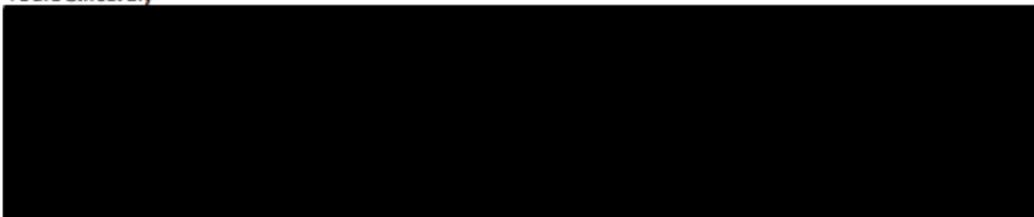
Furthermore, we understand that Regulation 14 of the ACV can have a potential (negative) impact on value due to its onerous covenants and are taking advice in this matter, who in the council would deal with such matters or would this fall upon the Parish.

We also note that the Parish are willing to accept responsibility for any compensation and that they want to purchase the asset from their purse although we have not received any formal offer which we do find a little strange. Can you please confirm the position on the above.

Ultimately, our view that this nomination for an ACV is unnecessary to safeguard the interests of the pub and the service we offer to the public.

We trust that you will take these comments on board and look forward to hearing from you in due course.

Yours Sincerely



## Letter from the landowner and pub landlord – 2 June 2021

Mr Gordon Glenday  
Assistant Director Planning  
Uttlesford District Council  
Council Offices, London Road  
Saffron Waldon  
Essex CB11 4ER

2<sup>nd</sup> June 2021

Dear Mr Glenday

### Nomination of The Stag as an Asset of Community Value - Ref UTT/21/1532/ACV

Further to the correspondence regarding the nomination of The Stag as an ACV. As the freehold owner and pub landlord, we would like to take the opportunity to correct some of the misleading and incorrect information within Lt Easton Parish Council's application.

The business, similar to many other traditional country pubs, operates as much as a restaurant as a pub probably 50/50. We try to take an innovative approach to our business and are constantly looking for ways to encourage more custom with the focus on our core trade of selling food and drink.

All the special events that we put on are for the purpose of encouraging more trade and we recognise that our business, along with many others only thrives with the regular patronage of the local population. We are sure we do not need to point out the basic principle that any additional expense to attract new custom must be outweighed by additional sales. In a similar vein, having people come into the pub is great and the first step, but this must be combined with them putting money over the bar.

The ladies' darts night did run on Mondays but when the landlord reluctantly made the decision to no longer open on Mondays due to lack of customers (no support) it changed to Tuesday night. Again, due to lack of customers, the pub is now closed on Tuesdays. In fact, due to the lack of support the pub now only opens from 4pm on Wednesdays until Sunday night.

There are no formal or regular arrangements for any wider social groups to use the pub's facilities although any regular custom would be welcome. The meeting of the members of Crafty and Natter Group is most welcome. However, the use of a venue by certain community groups is probably more appropriate for the village hall or a social club.

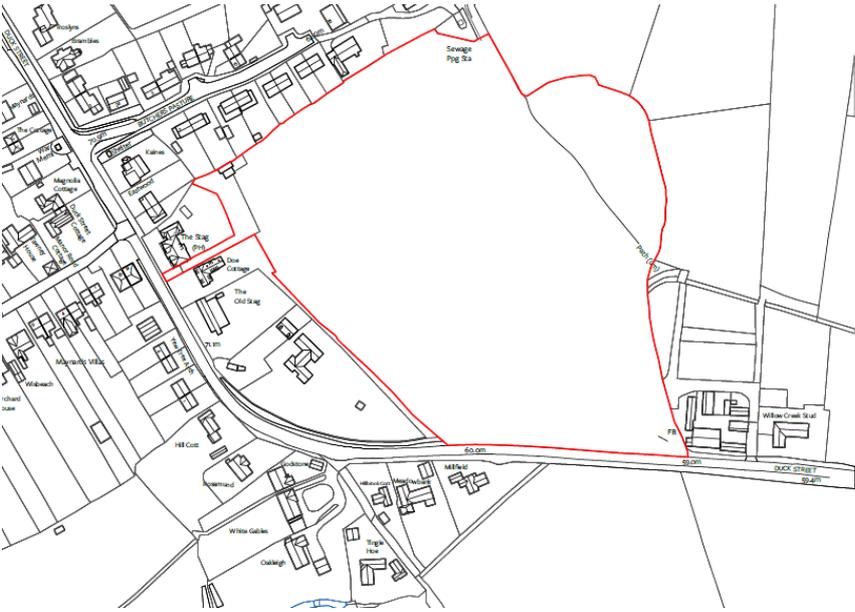
The field to the rear of the pub is not within the pub's curtilage and has never been used as a playground for children. Furthermore, the field is not owned by the pub and any activities are allowed by kind permission of the owners. Please be clear, the pub does not provide the camping facilities, these are permitted by the landowner as they see fit.

The pub has no rights to use the field to promote its business and any use of it has only been made possible with kind permission of the owners of the field. There have been no golf or race days nor are any planned for the future. Furthermore, no gymkhanas have taken place on the field for at least the past 10 years.

As for fireworks, there has not been a gathering on 5<sup>th</sup> Nov for 6 years. The previous landlord, George Weston, did host them but once the fireworks had finished, most of the villagers just went home. This lack of patronage obviously made the event unviable for the business. And once again, the use of the field was only possible by kind permission of the field's owners.

Appendix 4: Proposed site plans from planning application UTT/21/1495/FUL

Location Plan



Proposed Masterplan



Car parking diagram

Public house provision: 12 parking spaces provided behind the employment units for the Public House.



Car parking Diagram