



## **Buckinghamshire Council Community nomination in respect of**

**Memorial Centre, 8 East Common, Gerrards Cross, SL9 7AD**

Notice under section 91 of the Localism Act 2011 ('the Act')

### **1. The Nomination**

On 11 December 2023, Buckinghamshire Council received a nomination under section 89 of the Act to list the land as an asset of community value ("the Nomination"). The Nomination was made by Gerrards Cross Town Council. A copy of the Nomination is attached at Appendix 1, the plan showing the boundaries of the nominated land is attached at Appendix 3.

A summary of the nomination is set out below:

- (a) The property is located at 8 East Common, Gerrards Cross SL9 7AD
- (b) The site currently comprises of Memorial Centre, 8 East Common, Gerrards Cross, SL9 7AD
- (c) The nominating group note that the Memorial Centre is used as a community venue to further the social wellbeing and interests of local residents. The venue is also the base of Gerrards Cross Community Association. The nomination is attached.

### **2. The Law and Statutory Guidance**

Under section 87 of the Act the Council must maintain a list of land of community value in its area. A building or other land is of community value if in the Council's opinion an actual current use of the building or other land that is not 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.

Under section 89 the Council can only include land or buildings in its list of assets of community value in response to a community nomination or where permitted by regulations. A community nomination in England can only be made by either a Parish Council in respect of land or buildings within its area or by a person that is a voluntary or community body with a local connection. Where a valid community nomination is made the Council must consider it and must accept the nomination if the land or buildings is within its area and is of community value.

### **3. Decision and Reasons**

- (I) The property comprising the Memorial Centre, 8 East Common, Gerrards Cross, SL9 7AD lies within the administrative area of Buckinghamshire Council within the Parish of Gerrards Cross.
- (II) Gerrards Cross Town Council are eligible under section 89(2) b) (i) to make a community nomination in respect of Memorial Centre, 8 East Common, Gerrards Cross, SL9 7AD. The community nomination

made by Gerrards Cross Town Council includes the matters required under regulation 6 of the Assets of Community Value (England) Regulations 2012

- (III) The Property does not fall within a description of a property which may not be listed as specified in Schedule 1 of the Assets of Community Value (England) Regulations 2012 (the Regulations).
- (IV) The Council considers that the current use of the land is not an ancillary use, and that this use furthers the social wellbeing and social interests of the local community and that the land is of community value.

The Council **ACCEPTS** the nomination by Gerrards Cross Town Council and includes Memorial Centre, 8 East Common, Gerrards Cross, SL9 7AD in its list of assets of community value.

The reasons for this decision are as follows:

The Community Centre is (1) currently being actually used to further the social wellbeing or social interests of the local community (“community benefit”) and this use is not an ancillary use; and (2) it is realistic to think that there can continue to be use of the land which is not ancillary and which will further community benefit.

#### **4. Next Steps**

Memorial Centre, 8 East Common, Gerrards Cross, SL9 7AD will be included in the list of assets of community value maintained by the Council under section 87 of the Act.

In accordance with section 91 of the Act the Council will send this notice to:-

- (a) the owner of the land/property
- (b) the occupier of the land if the occupier is not also the owner
- (c) Gerrards Cross Town Council as the nominee body

#### **5. Consequences of Listing**

The land or buildings will remain on the list of assets of community value for a period of 5 years from the date of this notice unless removed with effect from some earlier time in accordance with the provision of the Regulations.

Inclusion of the land or buildings in the list of community assets is a local land charge under the Local Land Charges Act 1975.

The Council is required under Schedule 4 of the Regulations to apply to the Land Registry for a restriction to be added to the registered title of the land or buildings that “No transfer or lease is to be registered without a certificate signed by a conveyancer that the transfer or lease did not contravene section 95(1) of the Localism Act 2011”.

Under section 95 of the Act an owner must notify the Council by writing to the Service Director of Legal and Democratic Services at Buckinghamshire Council, The Gateway, Gatehouse Road, Aylesbury, Bucks HP19 8FF if they wish to enter into a relevant disposal of the land or buildings. Relevant disposal is defined in section 96 and (subject to exemptions in section 95(5) and Schedule 3 of the Regulations) means, a freehold disposal or the grant or assignment of a qualifying leasehold interest, with vacant possession.

A moratorium period is triggered by notification under section 95 to allow any community interest group to submit a written request to be treated as a potential bidder for the land or buildings.

Owners are advised to refer to the Part 5 Chapter 3 of the Act and the Regulations in full and to seek legal advice if they wish to dispose of the land or buildings. **A disposal of listed land or buildings which contravenes the requirements of Act and Regulations will be ineffective.**

## 6. Right of Review

In accordance with section 92 of the Act the owner of the land or buildings is entitled to request a review of this decision. The review will be carried out by a senior officer of the Council nominated by the Chief Executive. A request must be made in writing and received by the Council within 56 days of the date of this notice or such longer period as the Council may agree in writing. Please ensure that the request explains on what grounds the decision should be reviewed.

If a request is made the Council will complete the review within 56 days of receiving the request or such longer period as is agreed with the owner in writing. A request must be addressed to the Service Director of Legal and Democratic Services, Buckinghamshire Council, The Gateway, Gatehouse Road, Aylesbury, Bucks HP19 8FF

## 7. Right to Compensation

In accordance with paragraph 14 of the Regulations an owner or former owner of the land or buildings is entitled to claim compensation from the Council of such amount as the Council may determine, where they have incurred loss or expense in relation to the land or buildings which would be likely not to have been incurred if the land or buildings had not been listed.

A claim for compensation must be made in writing within 91 days of the loss or expense being incurred (or as the case may be) finish being incurred; must state the amount of compensation sought for each part of the claim and be accompanied by supporting evidence for each part of the claim.

If a claim is made the Council will consider the claim as expeditiously as possible. A request must be addressed to the Director of Finance at Buckinghamshire Council, The Gateway, Gatehouse Road, Aylesbury, Bucks HP19 8FF

## 8. Additional Help

Further information about assets of community value is available from the website <http://mycommunityrights.org.uk/community-right-to-bid/> If you need any additional support in relation disposal of the land, the right of review or right to compensation you are advised to seek independent legal advice.

Signed



Leslie Ashton

Principal Committee and Governance Services Officer on behalf of the Asset of Community Value  
Member Panel  
Legal and Democratic Services, Deputy Chief Executive Directorate

4 January 2024

**ACV Nomination Form**

Organisation name: Gerrards Cross Town Council

Organisation address: South Lodge, East Common, Gerrards Cross, Bucks SL9 7AD

Type of organisation: Parish/Town Council

Name: Jaspal Chhokar

Address: South Lodge, East Common, Gerrards Cross, Bucks SL9 7AD

Email address: [jaspal.chhokar@gerrardscross.gov.uk](mailto:jaspal.chhokar@gerrardscross.gov.uk)

Name of the property you would like to nominate: The Memorial Centre

Address of the property: 8 East Common, Gerrards Cross SL9 7AD

Name of property owner: Gerrards Cross Community Association

Address of the property owner: 8 East Common, Gerrards Cross SL9 7AD

Telephone number: 01753 883759

Current occupier's name (if different from property owner): N/A

Is this nomination for a new listing or re-listing a property?: New listing

Why do you feel the property is an asset of community value?: It is a widely used community venue for clubs, organisations, meetings, social events, birthday parties etc and the base of Gerrards Cross Community Association - please refer to the following link:

<https://www.gxca.org.uk/>

What do you consider to be the boundary of the property? Please give as much detail as you can and include a plan if possible: See attached title plan of site

Attached to the nomination: Gerrards Cross Town Council Standing Orders, Title Register and Plan, Site Plan, Copy of the town council resolution/minute which proposes the nomination

I can confirm that to the best of my knowledge the information contained in this nomination form is complete and accurate: I can confirm that to the best of my knowledge the information contained in this nomination form is complete and accurate, I confirm that I have read the FAQs and guidance for making a nomination and/or have spoken to a member of staff about this application.



Search for land and property information

## Title register for:

**Memorial Centre, 8 East Common, Gerrards Cross, SL9 7AD (Freehold)**

**Title number: BM369470**

Accessed on 08 November 2023 at 08:00:50

This information can change if we receive an application. This service can not tell you if HM Land Registry are dealing with an application.



**This is not an official copy. It does not take into account if there's a pending application with HM Land Registry. If you need to prove property ownership, for example, for a court case, you'll need to order an official copy of the register.**

## Register summary

**Title number** BM369470

**Registered owners** Christopher Richard Norman

Frances Madeleine May

Joanne Elisabeth Lester

John Rennie

**Value stated** £100,000 on 11 November 2019

**A: Property Register**

This register describes the land and estates comprised in this title.

Entry number	Entry date	
1	2012-04-12	BUCKINGHAMSHIRE  The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Memorial Centre, 8 East Common, Gerrards Cross (SL9 7AD).

**B: Proprietorship Register**

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

**Class of Title:** Title possessory

Entry number	Entry date	
1	2019-11-11	PROPRIETOR: CHRISTOPHER RICHARD NORMAN of [REDACTED] and FRANCES MADELEINE MAY of [REDACTED] and JOANNE ELISABETH LESTER of [REDACTED] and JOHN RENNIE of [REDACTED] as trustees of the World War Two Memorial Trust dated 10 October 1946.
2	2018-04-18	RESTRICTION: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court.
3	2019-11-11	The value stated as at 11 November 2019 was

£100,000.

**C: Charges Register**

This register contains any charges and other matters that affect the land.

**Class of Title:** Title possessory

**Entry number    Entry date**

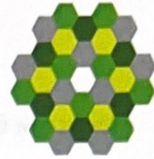
---

1	2012-04-12	<p>The land is subject to the following rights reserved by a Conveyance of the land in this title dated 21 June 1946 made between (1) The Reverend John Holland Pain (the Incumbent) (2) The Governors Of The Bounty Of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy (the Governors) and (3) Eric Laurence Colston (Purchaser):-</p> <p>"subject to all rights of way water light and other easements (if any) and to all duties and payments ecclesiastical or civil affecting the same"</p>
---	------------	--

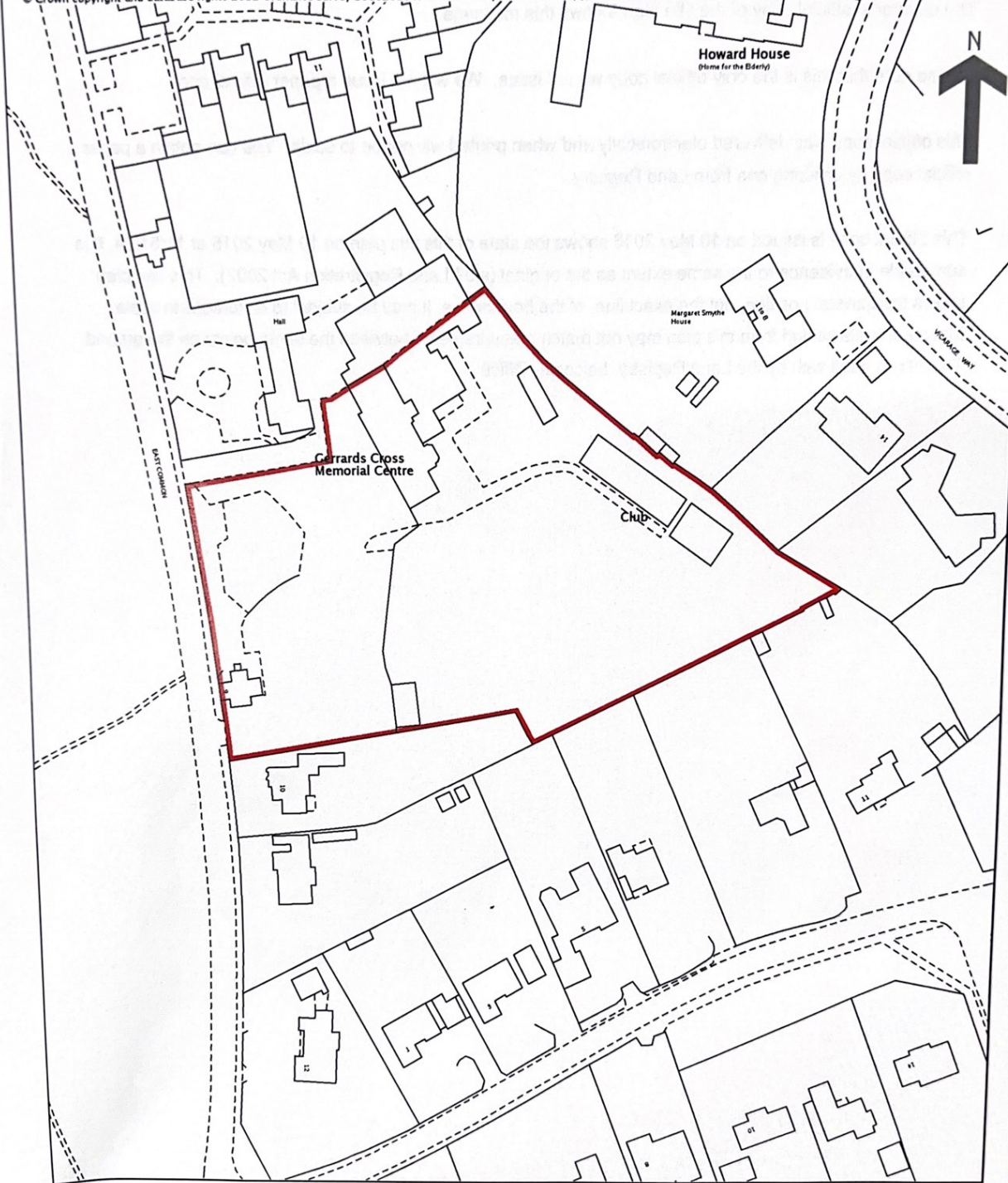


Land Registry  
Official copy of  
title plan

Title number **BM369470**  
Ordnance Survey map reference **TQ0088SW**  
Scale **1:1250**  
Administrative area **Buckinghamshire : South  
Bucks**



© Crown copyright and database rights 2012 Ordnance Survey 100026316. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.



This official copy is incomplete without the preceding notes page.

