



### List of Unsuccessful Nominations for Assets of Community Value

Name and Address of Property	Nominator	Decision Date	Reason for Not Listing
Lea Hall Miner Welfare Centre, Sandy Lane, Rugeley, WS15 2LB	Lea Hall Tennis Club	12 February 2021	Set out overleaf

The reasons for the decision to not list the land at the Lea Hall Miners Welfare Centre are as follows:

1. The Welfare Centre lies within the District of Cannock Chase. The nomination covers an area of land shown as edged red in a plan associated with a planning application reference: CH/20/292. The area of land is currently shown in the plan as consisting of two areas of tennis courts and an immediately adjacent building.
2. Lea Hall Tennis Club is an Unincorporated Community Group, with at least 21 local members, and is therefore a body eligible to make the application under section 89 of the Act.
3. The Nomination made by Lea Hall Tennis Club meets the requirements of the Assets of Community Value (England) Regulations 2012 (“the Regulations”).
4. The land does not fall within a description of land which may not be included in the list as specified in Schedule 1 of the Regulations.
5. The land currently appears to consist of four separate tennis courts, and an adjacent small building. Planning Application reference: CH/20/292, in respect of the land, was considered by the Council’s Planning Control Committee on 3<sup>rd</sup> February 2021. The officer report contains information from Sport England, based upon their discussions with the planning applicant. It is stated that two of the four courts had not been used in over 10 years and are in a state of disrepair. The applicant also considered that there were currently no more than 25 users of the remaining courts and that it was unlikely that the Tennis Club would be able to obtain sufficient funding to bring the two redundant courts back into use.
6. The nomination states that the tennis club currently has 15 members using the available courts regularly 3 days a week, and a further 14 members using the facilities another day. It states that the club has taken part in the local tennis league, holds regular coaching sessions with school pupils during term time and that it serves the local areas of Rugeley and Brereton.
7. The use of the land as tennis courts is not an ancillary use and is a use that furthers the social interests of the local community. At the time of the nomination, therefore, it could be considered as having a community use.
8. Notwithstanding its current community use, in deciding whether the land should be listed, I am required to consider whether it is realistic to think that there can continue to be non-ancillary use of the land which will further the social wellbeing or social interests of the local community.
9. It should be noted that the community asset listing process is not a mechanism designed to regulate the planning use of land. That aspect is determined under the separate statutory planning process. The listing process is merely a mechanism whereby community organisations may be informed of a landowner’s intention to dispose of a community asset, and whereby any such disposal can be delayed for a limited time to enable community groups to consider and offer their own bids to purchase the land. The landowner is not required to sell their land to a community group and is not prevented from submitting a planning application to change the use of the land.

10. In this case, the landowner has already submitted a planning application for change of use of the land. Application reference: CH/20/292 proposes the development of 14 residential units on the land. The application was determined by the Council's Planning Control Committee on 3<sup>rd</sup> February 2021. The Committee decided that the application should be approved.
11. In light of the fact that permission is to be granted for change of use of the land to enable development of residential units, I do not consider that it is realistic to think that the land can continue to serve a community use under the terms of s.88 of the Localism Act 2011.