

DECISION NOTICE
THE LOCALISM ACT 2011 Section 88
Decision on the nomination of an asset of Community value.
The Old School House, Sway

I, John Mascall, Executive Director of The District Council of New Forest, pursuant to delegated powers, have considered an application made by Sway Parish Council to nominate The Old School House, Sway, as an asset of community value. Having considered the application I have decided that the application should be rejected for the following reasons:

The actual use of the land neither now nor in the recent past furthers the social wellbeing or cultural, recreational or sporting interests of the local community in that:

- The actual current use of the Property does not further the social wellbeing or social interests of the local community, as is conceded by the Applicant;
- The Property has not been used as a village school for 30 years and the Property has been used for the owner's business for the display, supply and fitting of wood burners and associated equipment since 1987. Hence there is not a time "in the recent past" when an actual use of the land furthered the social wellbeing or social interests of the local community.
- No evidence of proposals has been provided to demonstrate that it is realistic to think there is a time in the next 5 years there could be a use of the Property that would further the social wellbeing or social interests of the local community. No timescales have been provided as to when any proposals might be put into effect, since they depend on the current occupier leaving the premises. No evidence has been presented of any agreement or discussions with the present owner or with other groups concerning the future use of the Property.
- The Applicant has provided comments about the historic nature and quality of the buildings but the law on whether land is of community value does not include these as tests.

The application does not therefore meet the criteria set out in the Localism Act 2011 to be eligible for listing.

Signed J F MASCALL
John Mascall
Executive Director

Dated: 31.05.15

For further information please contact:
Andrew Smith
andrew.smith@nfdc.gov.uk