

WHITE HORSE, 16 KEYHAVEN ROAD MILFORD ON SEA, LYMINGTON SO41 0QY – REVIEW OF LISTING AS AN ASSET OF COMMUNITY VALUE

1.0 INTRODUCTION

- 1.1 The Localism Act 2011 (“the Act”) gives local groups a right to nominate a building or land for listing by the local authority as an “asset of community value”. An asset can be listed if a principal (“non-ancillary”) use of the asset furthers or has recently furthered the local community’s social wellbeing or social interests (which include cultural, sporting or recreational interests) and is likely to do so in the future.
- 1.2 The White Horse, 16 Keyhaven Road, Milford on Sea (“the property”) was nominated as an asset of community value by The Campaign For Real Ale - Southern Hampshire branch (“CAMRA”). On 20 January 2016 Colin Read, an Executive Head of Service, acting under delegated powers from the Council, accepted the property as an asset of community value pursuant to Section 88 of the Act.
- 1.3 The owner of the property, Enterprise Inns PLC, has requested a review, by written representations, of the Council’s decision to include within the listing a part of the property which is shown edged blue. A copy of the plan is at **Appendix 1** (“the blue land”). The Council’s Chief Executive, Bob Jackson, will undertake the review. He was not involved in the original decision and has delegated authority from the Council to determine such matters.

2.0 BACKGROUND

- 2.1 On 12 November 2015, the Council received an application from CAMRA to nominate the property as an Asset of Community Value. A copy of the nomination is at **Appendix 2**. At the time of the original listing, CAMRA were accepted as being entitled to make the nomination.
- 2.2 The owners are the freehold owners of the property. The property is presently used as a public house, including a car park and garden.
- 2.3 The report prepared for the Executive Head of Service when he decided to accept the nomination for listing is attached at **Appendix 3**.
- 2.4 The decision to list the property (including the blue land) as an asset of community value was made on 20 January 2016. On 26 February 2016 the owners submitted a request for a review of the inclusion of the blue land as part of the listing of the property. The owners confirmed the review could be made by written representations and they did not request an oral hearing.
- 2.5 The owners submitted a witness statement dated 10 March 2016 by Mr Jonathan Stewart, asset manager for the owners, including photographs. The nominators were asked to provide their comments on the representations made by the owners and they did so on 25 March 2016.
- 2.6 Finally the owners were asked to provide their final comments on the remarks made by the nominators, which they did on 6 April 2016.

3.0 SUMMARY OF RELEVANT LEGISLATION

- 3.1 Under the Act, an asset is of community value if, in the opinion of the local authority, 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 (Section 88 of the Act). "Social interests" include cultural interests, recreational interests and sporting interests (section 88(6)(b) of the Act).
- 3.2 The land can also be nominated as land of community value which has furthered the social wellbeing or social interests of the local community in the recent past and it is realistic to consider will do so again during the next five years.
- 3.3 Neither the Act nor The Assets of Community Value (England) Regulations give an express definition of what use "furthers the social wellbeing or social interests of the local community". It is for the local authority to decide depending on all the circumstances of a particular case.
- 3.4 If the Council is satisfied the nomination is valid and the nominated asset is land of community value, then the Council must add the land to its list of assets of community value.
- 3.5 The owner is entitled to seek a review of the decision pursuant to Section 92 of the Act provided the request is made within 8 weeks of notification of the decision. The request for the review was made within this time limit and is valid.
- 3.6 The review comprises a review of written representations made by both the owner and the nominators by the Chief Executive of the Council, who is an independent senior officer of the Council not involved in the original decision.

4.0 SUMMARY OF THE REVIEW

- 4.1 The review will consider a number of matters, set out in headings A – D below.
 - A. Is the property within the local authority's area?**
 - 4.2 The Council can only list assets of community value in its area. There is no dispute that the property is within the area of New Forest District Council. .
 - B. Is the Nomination valid?**
 - 4.3 The Council was satisfied that the original nomination was valid for the reasons explained in the report prepared for the Executive Head of Service. The owner has made no complaint about the validity of the nomination and the view of the Council remains that the nomination was valid.
 - C. Is the property of community value?**
 - 4.4 The Council must list the property as an asset of community value if, in the opinion of the local authority, 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 (section 88 of the Act).
- 4.5 “social interests” can include cultural, sporting or recreational interests (Section 88(6) (b) of the Act).
- 4.6 Neither the Act nor the Regulations give an express definition of what use “furthers the social wellbeing or social interests of the local community”. It is for the local authority to decide depending on all the circumstances of a particular case. Examples of possible uses could include a village shop, pub, community centre or allotments.
- 4.7 The Council accepted that the property, that is to say the pub including its gardens and car park, should be listed as an asset of community value for the reasons set out in the report to the Head of Service. The owners have not sought a review of that decision save in respect of the blue land. The Council’s view remains that the property is an asset of community value.
- D. Should the blue land be excluded from listing?**
- 4.8 The owners have not sought a review on the basis that the property (i.e. the pub, its garden and its car park) be removed from the list of assets of community value. However the owners do argue that the blue land does not form part of the property, in the sense of its function as a pub, at all. The owners make the point that since the blue land forms no part of the operation of the pub, is disused and is not required for the pub’s effective operation, the blue land is not land of community value within the scope of the Act.
- 4.9 The owners have submitted a witness statement from Mr Jonathan Stewart, on behalf of the owners arguing that the blue land should be excluded from listing. The witness statement is attached as **Appendix 4**.
- 4.10 The owner made a number of representations in support of the proposition that the blue land should have been excluded from the listing of the property as an asset of community value:
- a). the blue land does form part of the property;
 - b). the blue land is not used for any of the functions of the property; it is disused by the owner at the present time and is not used for car parking for the property nor does it form part of the pub’s garden.
 - c). the blue land is rough ground, with no surfacing or even hard standing. The owner’s representative suggests the blue land probably formed the foundations or flooring of a previous building;
 - d). the blue land has been disused by the owner for at least 6 years;
 - e). the blue land is not presently used by the owners or their tenants of the property;
 - f). the pub gardens are fenced off and clearly delineated; the pub car park has an asphalt surface and (poorly) marked out for use by patrons of the property.
- 4.11 The witness statement makes reference to several photographs in support.
- 4.12 In essence the owners maintain the present “use” of the blue land (unused except for illegal parking) cannot constitute an actual current use that furthers the social activities or social wellbeing of the local community as required by the Act.

- 4.13 The nominators of the property as an asset of community value were asked to comment on the owner's witness statement and these are attached as **Appendix 5**. In short, the nominators provided no objection to the proposition that the blue land be removed from the listing of the property as an asset of community value. The nominators made these points:
- a). they agreed the blue land probably did once form part of an old industrial building
 - b). although the nominators expressed the view that the whole of the car park (excluding the blue land) needed to be available for patrons of the property, they indicated that so long as this was the case there was no objection to excluding the blue land from the listing of the property.
 - c). the nominators believed it would be helpful for the car park to be more clearly marked out and for a delineation to be made making clear where the car park was .
- 4.14 In response to the nominator's comments, the owners confirmed:
- a). the present car park is of a sufficient size to accommodate the reasonable requirements of the property;
 - b). the car park is available for patrons of the property only;
 - c). the owners are currently undertaking improvement works to the property and envisage resurfacing the car park to provide 30 spaces.

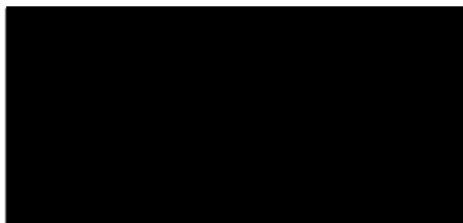
5.0 DECISION

- 5.1 When considering whether to include the blue land within the listing of the property, the Council should consider the physical and the functional relationship of the blue land to the remainder of the property. The owners have provided additional evidence, not provided before the original decision, to the effect that the blue land is disused and is not part of the physical or functional operation of the property.
- 5.2 On the owner's evidence, not challenged by the nominators, it is now clear that the blue land is presently disused and does not form part of the pub garden nor the pub car park. The owners have confirmed the pub car park is sufficient to meet the needs of its patrons, that the car park is for the use of pub patrons only and there are plans to improve the present car park.
- 5.3 I am therefore satisfied that the actual current use of the blue land does not further the social interests or social wellbeing of the local community as required by the Act. In addition there is no evidence to suggest the blue land has furthered the social wellbeing or social interests of the local community in the recent past and that it is realistic to consider it will do so again during the next five years. The Council's original decision is therefore to be reviewed to the extent necessary to remove the blue land from the listing of the property as an asset of community value.

R JACKSON

ACV Review Chairman: Mr R Jackson, Chief executive NFDC

Date: 20/4/16



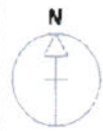
List of documents attached to this report

- Appendix 1: Plan to show the blue land
- Appendix 2: Copy original nomination
- Appendix 3: Report to Executive Head of Service
- Appendix 4: Witness statement
- Appendix 5: Nominators comments.



TITLE NUMBER
HP604460

HAMPSHIRE : NEW FOREST



ORDNANCE SURVEY MAP REFERENCE: S22991NW

SCALE: 1:1250

©CROWN COPYRIGHT Produced by HMSL. Further reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number GD27272A.



APPENDIX 2

21 Homer Park
West Common
Langley
Hampshire
SO45 1XN

Andrew Smith
Solicitor
Legal and Democratic Services
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA

11 November 2015

Dear Sir,

Application to List the White Horse, Milford on Sea, Lymington as an Asset of Community Value

I am enclosing various documents in respect of an application to list The White Horse, 16 Keyhaven Road, Milford on Sea, Lymington, Hampshire SO41 0QY as an Asset of Community Value.

Main Assets of Community Value Nomination Form

Appendix A - reasons

Appendix B – additional information

Appendix C – Supplementary form for Assets of Community Value

Extracts from Find My Pub, Enjoy Milford on Sea and All Saintly

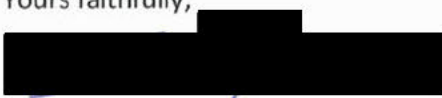
Index Map Plan and Register Entry Copy

Assets of Community Value – Unincorporated Body Nomination Forms containing over 100 signatures (in excess of 21 with full particulars as required).

I will be grateful to receive an acknowledgment of receipt at your earliest convenience. This may be sent by email to deric.payne@shantscamra.org.uk and please copy to peterrsimpson@freeuk.com and fluff147@hotmail.co.uk (Mark Cummings).

Thank you in anticipation.

Yours faithfully,


Deric Payne

Encs.



New Forest

DISTRICT COUNCIL

Community Right to Bid

Assets of Community Value Nomination form

Part A - About the group making the nomination

A1. Organisation's name and address

Name of organisation *CAMPAIGN FOR REAL ALE*
- SOUTHERN HAMPSHIRE BRANCH

Address including post code [REDACTED]

A2. Contact details

Name *DEAN PAYNE*

Position in organisation
PUBS PRESERVATION OFFICER

Address including postcode [REDACTED]

Daytime telephone number [REDACTED]

Email address
copy to [REDACTED]

Fax number *-*

A3. Type of organisation

| Description | Please tick all that apply | Registration number (if applicable) |
|---|----------------------------|-------------------------------------|
| Town or Parish council | | |
| Body designated as a neighbourhood forum under the Town and Country Planning Act | | |
| Unincorporated bodies with at least 21 individual members and which does not distribute any surplus it makes to its members | | |
| Charity | | |
| Company limited by guarantee which does not distribute any surplus it makes to its members | ✓ | |
| Industrial and provident society which does not distribute any surplus it makes to its members | | |
| Community interest company | | |
| Other – please detail COMMUNITY INTEREST GROUP WITH A LOCAL CONNECTION SATISFYING REGULATION 5(1)(c)(ii) | ✓ | |

A4. Local Connection

For groups other than town and parish councils, please confirm and provide evidence (see A7) that the group is wholly or partly concerned with the area covered by New forest District Council or a neighbouring local authority area

1679 MEMBERS IN SOUTHERN HAMPSHIRE BRANCH AREA WHICH INCLUDES THE NEW FOREST.

A5. Distribution of surplus funds

For groups other than town and parish councils, please confirm and provide evidence (see A7) that any surplus made by the group is wholly or partly applied for the benefit of the area covered by New Forest District Council or a neighbouring local authority area

SURPLUS FUNDS APPLIED TO CAMPAIGN ARMS BOTH NATIONALLY AND LOCALLY.

A6. Membership of unincorporated bodies

For unincorporated bodies please confirm that at least 21 members are included on New Forest District Council's register of electors and provide their names and addresses below

N/A - BUT SIGNATURES OF SUPPORT FROM
OVER 100 PEOPLE ATTACHED

A7. Your organisation

| Please provide a copy of the following as relevant to your organisation | Please tick documents provided |
|---|--------------------------------|
| Memorandum of Association | |
| Articles of Association | |
| Companies House return | |
| Trust Deed | |
| Constitution / Terms of reference 1) CAMRA 2) SOUTH HANTS CAMRA | ✓ |
| Standing Orders | |
| Interest Statement for Community Interest Company | |

Part B - About the asset being nomination for inclusion in the list of assets of community value

B1. Name and address of asset being nominated

Name THE WHITE HORSE

Address including post code
16 KEYMAVEN ROAD MCFORDONSEA
LYMINGTON HAMPSHIRE SO41 0QY

B2. Maps and drawings

Please provide information which helps to clarify the exact location and extent of the asset being nominated. This could include:

- Where the land is registered, the Land Registry Title Information document and map with boundaries clearly marked in red (less than one month old). Provision of Land Registry information is not essential but it may help us to reach a decision on the nomination more quickly. **ENCLOSED**
- a written description with ordinance survey location, and explaining where the boundaries lie, the approximate size and location of any building/s on the land and details of any roads bordering the site
- a drawing or sketch map with boundaries clearly marked in red – websites which might help you in plotting boundaries include: <http://maps.google.co.uk/>

B2. Current use of asset

What is the current main use of the asset? **CURRENTLY CLOSED WITH NOTICE FROM PUBCO OUTSIDE. BEING ADVERTISED TO LET BY ENTERPRISE IONS. (FIND MY PUB.COM EXTRACT ENCLOSED)**

Do you consider that the current and main use of the asset furthers the social wellbeing or cultural, recreational or sporting interests of the local community?

| | | | |
|-----|--|----|---|
| Yes | | No | ✓ |
|-----|--|----|---|

If yes, please provide explain how it does so. If not, go to B3

CLOSURE AND DEPARTURE OF FORMER LANDLORD IS NOT IN THE INTERESTS OF THE LOCAL COMMUNITY AS THIS HAS CAUSED DISRUPTION TO REGULAR EVENTS.

Over what period is this main use of the asset anticipated to continue?

EXTENDED CLOSURE DEPENDS ON SUITABLE LAND/LOT BEING OFFERED RELEVANT TERMS.

Does the local community have legal and authorised use of the land or property?

YES

B3. Questions for assets not currently used for community benefit

If the main use of the asset does not currently further the social wellbeing or cultural, recreational or sporting interests of the local community, did it do so at some stage in the recent past?

Yes

✓

No

Please provide details of how the asset was used in the past and dates of this usage

SEE APPENDIX - USE OF ASSET OF COMMUNITY VALUE UNTIL CLOSURE IN SEPTEMBER 2015. ALSO EVIDENCE FROM 'ENJOY MILDONSSEA' AND 'ALL SKINTY'.

How do you anticipate that the asset would return to furthering the social wellbeing or cultural, recreational or sporting interests of the local community?

THIS IS THE PREFERRED VILLAGE LOCAL OF A LARGE PROPORTION OF THE VILLAGE POPULATION AND WOULD RETURN IMMEDIATELY TO APPROPRIATE FURTHERANCE UPON REOPENING.

When do you consider that the asset could realistically return to furthering the social wellbeing or cultural, recreational or sporting interests of the local community (please include timescales)?

IMMEDIATELY UPON REOPENING.

B4. Optional information to help us consider the nomination (it is not essential to answer these questions but they reflect part of the criteria we which will be used to consider the nomination. Any information you can supply will help to speed up this process.

Is the asset used wholly or partly as a residence? Please provide details.

RESIDENCE ONLY TO ACCOMMODATE LANDLORD AND FAMILY

Is the asset covered by the Caravan Sites and Control of Development Act 1960? Please provide details.

NO

Is the asset defined as operational land under section 263 of the Town and Country Planning Act 1990, owned by statutory undertakers such as utility companies? Please provide details.

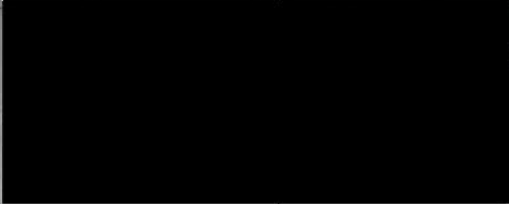
No

B5. Further information

Please provide any further information to support why you feel that New Forest District Council should conclude that the asset is of 'community value'

SEE APPENDIX B

B6. Owner and occupier details (Please provide all information available to you)

| | Name | Address | Please delete as appropriate |
|--|---|--|---|
| Owner/s | ENTERPRISE ROADS PLC (CO. NO. 6 2562308) | 3 BRACKSPATH HALL ROAD SOUTHWELL WEST M. GLAUCES B90 4SS | Current/ Last known/ Not known/ Not applicable |
| Lawful occupiers |  | | Current/ Last known/ Not known/ Not applicable |
| Holder/s of freehold estate (if not the owner) | NA | | Current/ Last known/ Not known/ Not applicable |
| Holder/s of any leasehold estate | SEE LAWFUL OCCUPIERS ABOVE | | Current/ Last known/ Not known/ Not applicable |

By signing your name here (if submitting by post) or typing it (if submitting electronically) you are confirming that the contents of this form are correct, to the best of your knowledge.

Name DERIC PAYNE

Title MR.

Signature 

Date 11-11-15

Please send your completed form to:

**Community Right to Bid,
Head of Legal and Democratic Services
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA**

Email: grainne.orourke@nfdc.gov.uk



COMPANY LIMITED BY GUARANTEE

**MEMORANDUM AND ARTICLES OF
ASSOCIATION OF THE CAMPAIGN
FOR REAL ALE LIMITED**

Registered Number: 1270286

Articles of Association are amended by Special Resolutions at the AGM from time to time

**THE COMPANIES ACT 2006
PRIVATE COMPANY LIMITED
BY GUARANTEE
ARTICLES OF ASSOCIATION OF
CAMPAIGN FOR REAL ALE
LIMITED**

1. In these Articles:-

"The Act" means the Companies Act 2006.

"Articles" means these Articles of Association.

"Auditors" means the auditors or (as the case may be) the reporting accountants of CAMRA.

"CAMRA" means The Campaign for Real Ale Limited.

"Committee" means any committee appointed by the National Executive and/or the Members.

"Member" means a member of CAMRA.

"National Executive" means the Directors of CAMRA.

"Secretary" means any person appointed to perform the duties of the Secretary of CAMRA.

"United Kingdom" means Great Britain and Northern Ireland.

Expressions referring to writing shall, unless the contrary intention appears, be construed as including references to printing, lithography, photography, and other modes of representing or reproducing words in visible form.

Unless the context otherwise requires, words or

expressions contained in these Articles shall bear the same meaning as in the Act or any statutory modification thereof in force at the date at which these Articles become binding.

2. The objects for which CAMRA is established are:

(a) to protect the interests of all those who wish to drink real ale;

(b) to campaign for an improvement in the quality and variety of British real ale;

(c) to draw to the attention of Members and the general public those places where real ale can be found;

(d) to promote and foster activities concerned with the consumption of real ale;

(e) to campaign for the retention and reinstatement of the facilities of the traditional British pub including the public bar;

(f) to ensure in every manner possible that producers and retailers of beer act in the best interests of the customer;

(g) to ensure that the knowledge and expertise of brewing real ale is kept alive;

(h) to improve the standards in all premises licensed to sell alcohol in the United Kingdom;

(i) to publish and issue to Members magazines or newsletters;

(j) to publish or sponsor the publication of books, articles, magazines, photographs, films, radio, television programmes and internet content or any similar material connected in any way with the

items mentioned above, and to market them and otherwise assist in the collection and dissemination of information.

3. CAMRA is formed as a non-political body to pursue these aims.

4. In furtherance of the above objects but not otherwise CAMRA shall have power:


(a) to purchase, acquire, sell, exchange and otherwise deal in any way, whatsoever with freehold, leasehold or other property, chattels and effects;

(b) to borrow or raise or secure the payment of money in such manner and on such terms as may seem expedient;

(c) to co-operate with and assist in any way, including the investment of monies, by way of purchase of shares or the making of loans, whether secured or unsecured, or in any other manner whatsoever, any other organisation or corporation or company which is sympathetic to the objects of CAMRA;

(d) to participate in bank direct debiting schemes as an originator for the purpose of collecting membership subscriptions and any other amounts due to CAMRA; in furtherance of this, CAMRA may enter into any indemnity required by the banks upon whom direct debits are to be originated, and any such indemnity may be executed on behalf of CAMRA by its authorised company account signatories;

(e) to invest in shares or otherwise in any organisation, company or corporation;



(f) to undertake, encourage and provide finance for research or experimental work connected with the said objects or any of them;

(g) to manufacture, sell, treat and deal in all kinds of services, commodities, substances, materials, articles and things;

(h) to establish and support branches, acting individually or jointly in voluntary association, whose objects are the same as the objects of CAMRA and to supply or aid in the establishment and support of clubs or associations whose objects are sympathetic to the objects of CAMRA;

(i) to carry out all or any of the foregoing objects as principals or agents or in partnership, co-operation or conjunction with any person, firm, organisation, company or corporation and in any part of the world;

(j) to do all such other things as may be incidental or conducive to the attainment of the said objects or any of them.

5. The income and property of CAMRA whencesoever derived shall be applied solely towards the promotion of the objects of CAMRA as set forth in these Articles, and no portion thereof shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise howsoever by way of profit to the Members, providing that nothing herein contained shall prevent the payment of reasonable remuneration to any of the National Executive or other Members for services actually rendered.

6. The liability of the Members is limited.

7. Every Member undertakes to contribute to the assets of CAMRA in the event of its being wound up while they are a Member, or within one year after they cease to be a Member, in respect of the payment of the debts and liabilities of CAMRA contracted before they cease to be a Member, and of the costs, charges and expenses of winding up, and for the adjustment of the rights of the contributors amongst themselves, such amount as may be required not exceeding £1.

8. If upon winding up or dissolution of CAMRA there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the Members, but shall be given or transferred to some other institution or institutions having objects similar to the objects of CAMRA and which shall prohibit the distribution of its or their income and property amongst its or their members to an extent at least as great as is imposed on CAMRA under or by virtue of Article 5 hereof, such institution or institutions to be determined by the Members at or before the time of dissolution or in default thereof by a Judge of the High Court of Justice having jurisdiction in regard to charitable funds and if and so far as effect cannot be given to the aforesaid provision then to some charitable object.

MEMBERS

9. The number of Members with which CAMRA has been registered is unlimited.

10. No corporation may be a Member, but clubs, associations and other organisations whose objectives are in keeping with the objectives of


CAMRA may be deemed "affiliated bodies" by decision of the National Executive on payment of the fee from time to time set by the National Executive for affiliation and on registration of a representative Member.

11. Such persons as the National Executive shall admit to membership shall be Members on payment of a subscription of such sum as the Members may approve by motion at the Conference in any year. The Members may by motion at the Conference in any year stipulate types of membership and the payment appropriate to each type. Any Member in arrears with payment of such subscription shall not be entitled to any of the benefits of membership, and after being in arrears for one month shall be deemed to have resigned. Any Member may resign at any time by notice in writing to the registered office of CAMRA, but shall not be entitled to repayment of any part of their subscription for any type of membership.

12. Application for membership of CAMRA shall be made on such form as shall from time to time be prescribed by the National Executive and shall be considered by the National Executive who shall not refuse to grant membership save for good reason.

13. Without prejudice to the foregoing CAMRA shall not at any time discriminate on the grounds of social status, politics, race, sex, religion or sexual orientation.

14. The submission of an application for membership shall be regarded as an acknowledgement by the applicant that, if elected, they will abide by the Articles of CAMRA, a copy



of which shall be available to every Member subject to payment of the fee allowed by law, and by all the rules, regulations and policies of CAMRA ("Policies") for the time being in force.

15. No Member may make any public statement or announcement in the name of CAMRA without the consent of the National Executive.

16. The National Executive shall have power to suspend from membership any person who does anything which is prima facie detrimental to the interests of CAMRA. The decision to suspend a person from membership shall be given to that person in writing within one week, and the person shall at the same time be given notice of the next meeting of the National Executive which they may attend in order to state their case. If the person cannot attend, a written statement of case may be submitted, or if good reason for absence is given, the hearing of the case may be deferred until the next meeting of the National Executive. If the National Executive considers that a reasonable case has been made by the person suspended, it shall lift the suspension forthwith. If, on consideration of the case, the National Executive believes that the person's action was clearly detrimental to the interests of CAMRA, it shall have the power to expel the person from membership. Notice of a decision to expel a person from membership shall be given to that person in writing within one week, and at the same time the person shall be informed of the right to appeal to the next General Meeting. Any person so expelled from membership may send a notice of appeal in writing to the Chairman of the

National Executive and provided that such notice of appeal is received at least one week before the next General Meeting, any such appeal shall be heard at that General Meeting, and the person shall have the right to address the meeting but not to vote.

GENERAL MEETINGS

17. CAMRA shall in each year hold a General Meeting as its Annual General Meeting ("AGM") in addition to any other meeting in that year, and shall specify the meeting as such in the notice calling it; and not more than fifteen months shall elapse between the date of one AGM and that of the next. The AGM shall be held at such time and place as the National Executive shall appoint. The formal business of the Annual Conference of CAMRA ("Conference") described in Article 39 shall commence immediately following closure of the AGM.

18. All meetings of the Members other than any AGM or Conference shall be called General Meetings. The National Executive may convene a General Meeting if they consider such a meeting necessary in the interests of CAMRA. A General Meeting shall also be called by the National Executive (or, if there are no current members of the National Executive, by the Secretary or another senior officer of CAMRA) within 21 days of the receipt at the registered office of CAMRA of a written requisition of such a meeting signed by not less than 500 Members or by 5% of the membership (whichever is the lesser number). Such written requisition shall be accompanied by a sum of money sufficient to meet the cost of convening such a meeting.

19. If at any time there are not within the United Kingdom sufficient members of the National Executive capable of acting to form a quorum, any two members of the National Executive may convene a General Meeting in the same manner as nearly as possible as that in which meetings may be convened by the National Executive.

NOTICE OF GENERAL MEETINGS

20. Each AGM and any General Meeting called for the passing of a special resolution shall be called by giving not less than 14 days' notice in writing. The notice shall be exclusive of the day on which it is served or deemed to be served and of the day for which it is given, and shall specify the place, the day and hour of the meeting, and the resolutions to be proposed to the meeting, and shall be given in any manner prescribed or permitted by these Articles or by the Act and approved by the National Executive, to such persons as are, under the Articles, entitled to receive such notices from CAMRA.

21. The accidental omission to give notice of a meeting to, or the non-receipt of notice of a meeting by, any person entitled to receive notice shall not invalidate the proceedings at the meeting.

PROCEEDINGS AT GENERAL MEETINGS

22. The AGM in each year shall be conducted in accordance with the provisions of these Articles and any Policies or procedures ratified by the National Executive or any Committee, and shall consider resolutions in respect of:

CAMRA Ltd – Southern Hampshire CAMRA Branch
CONSTITUTION

1. NAME

The name shall be the "Southern Hampshire CAMRA Branch", hereinafter called "The Branch".

2. OBJECT

The objects shall be to support the aims and objectives of the Campaign for Real Ale Ltd. (hereinafter called "CAMRA") within the geographical area shown on the map and references attached to this constitution.

3. REGULATIONS

The Branch shall observe the Regulations for Branches laid down from time to time by the Directors of CAMRA. decisions of a general meeting of CAMRA or its Directors shall be binding on The Branch.

4. MEMBERSHIP

Any member of CAMRA living within the geographical area of The Branch is entitled to be, and any other member of CAMRA may apply to become a member of The Branch subject to the approval of the Branch Committee who shall give reason if membership is refused.

If any member of The Branch shall cease to be a member of CAMRA, his/her membership of The Branch shall automatically terminate.

5. BUSINESS MEETINGS

The Branch shall hold a Business Meeting at least once in every two calendar months. Any member of CAMRA shall be free to attend such business meetings but only members of The Branch shall be entitled to vote on any resolutions put forward at the meeting. All resolutions passed or approved at such a meeting shall, at the discretion of the Branch Committee, be binding on The Branch, Branch Committee and Branch officials. A quorum for Branch Business Meetings shall be four Branch Committee members present.

Non-members of CAMRA may attend Branch Business Meetings only at the discretion of the Branch Committee but shall not have voting rights.

6. ANNUAL GENERAL MEETING

An Annual General Meeting (AGM) shall be held once in every year, and fifteen months shall not elapse between one Annual General Meeting and the next. Any member of CAMRA shall be free to attend the Branch AGM but only members of The Branch or the Directors of CAMRA Ltd. or their duly appointed representatives shall be entitled to vote on any resolutions put forward at the meeting. All resolutions passed or approved at the Branch AGM shall be binding on The Branch, Branch Committee and Branch Officials. The business to be conducted at the Branch AGM must include:

- (i) The approval of the accounts of The Branch
- (ii) The election of officials
- (iii) The appointment of auditors

At least 28 days notice of the Branch AGM shall be given to all members of The Branch and to the Directors of CAMRA either by post or by a regular CAMRA publication which in the ordinary course of events will give sufficient notice. A quorum for the Branch AGM shall be seven members present, unless otherwise previously approved by the Regional Director or the Directors of CAMRA.

Non-members of CAMRA may attend the Branch AGM only at the discretion of the Branch Committee but shall not have voting rights.

7. SPECIAL GENERAL MEETINGS

A Special General Meeting of The Branch may be called only on the decision of the Branch Committee, on written request signed by ten members of The Branch or by the Directors of CAMRA. At least 21 days and not more than 42 days notice of the Special General Meeting shall be given to all members of The Branch and to the Directors of CAMRA either by post or by a regular CAMRA publication which in the ordinary course of events will give sufficient notice. Only members of The Branch shall be entitled to vote at a Special General Meeting.

Non-members of CAMRA may attend the Special General Meeting only at the discretion of the Branch Committee but shall not have voting rights.

8. BRANCH COMMITTEE

The Branch Committee shall consist of a Chairman, a Secretary, a Treasurer, a Membership Secretary, a Pub Preservation Officer and at least two other members, subject to such other guidelines for membership of the Committee as shall have been laid down by the Directors of CAMRA or at a General Meeting of CAMRA. The Committee members shall be elected at and hold office from one Branch Annual General Meeting to the next, when they shall be eligible for re-election. Any member of The Branch may serve on the Committee provided that he/she is not already on the Committee of any other branch of CAMRA.

The Branch Committee shall be empowered to fill by co-option from the Branch membership any casual vacancy which arises during the year. The Branch Committee shall undertake the general conduct of the affairs of The Branch.

In the event of the resignation of an entire Branch Committee the directors of CAMRA will appoint such interim officers as may be necessary to manage the affairs of The Branch until a General Meeting of The Branch may properly be convened.

9. ELECTIONS

Nominations for posts on the Branch Committee shall be in writing, signed by a proposer and a seconder, both of whom shall be members of The Branch, and be accompanied by evidence of the willingness of the nominee to stand. Only Branch members present at the Branch AGM shall be entitled to vote in Branch Committee elections.

10. FINANCES

The financial year of The Branch shall commence on the 30th day of April in each year. The assets of The Branch shall be under the control of the Branch Committee and no payments shall be made out of the Branch monies except by authority of the Branch Committee. The Branch Committee shall ensure that the Treasurer keeps proper books of Account and that all monies received are placed to the credit of an Account in the name of The Branch at such bank that the Committee may from time to time select.

Branch funds may not be deposited or held in Bank or other accounts (whether interest bearing or not) located outside the mainland of The United Kingdom.

Branch funds (not otherwise loaned to CAMRA Ltd.) if deposited in interest bearing accounts, will only be made in institutions where UK tax is deducted at source.

All cheques and other orders relating to the Bank Account shall be signed by the Treasurer and one of two other Committee members appointed by the Committee for that purpose.

All books relating to the finances of the Branch shall be produced to the Directors of CAMRA or their duly authorised representative on demand, on seven clear days notice to The Branch.

11. AUDIT

The Accounts of The Branch in each year shall be audited either by a professional auditor or by two members of CAMRA, neither of whom shall be a member of any branch Committee nor a Director of CAMRA.

The Accounts drawn up shall include combined Income and Expenditure Accounts and Balance Sheets indicating all monies held by The Branch.

Two copies of the audited Accounts shall be lodged with CAMRA, one at its Registered Office and the other with the Regional Director in whose region The Branch is situated within one month of the date of the AGM.

12. BYE-LAWS

The Branch Committee shall have power (unless and until over-ruled by The Branch in General Meeting) to adopt Bye-Laws for the better furtherance of the objects of The Branch.

13. WINDING UP

The Branch may be wound up at any time by the Directors of CAMRA or by a Special General Meeting called for that purpose, the business having been notified in the notice convening the same, and upon a resolution to that effect being passed by a majority of at least two thirds of those present and entitled to vote. Upon dissolution, the assets shall be used firstly to pay off all proper liabilities of The Branch and any surplus thereafter shall be paid to CAMRA.

14. ALTERATIONS TO CONSTITUTION

This constitution may be altered only at an Annual General Meeting or Special General Meeting called for that purpose, with the specific alteration having been stipulated in the Notice convening the same and subject to the approval of at least two thirds of those present and entitled to vote.

Before any such alteration shall become effective it shall be approved by the Directors of CAMRA or their duly appointed representative.

15. NOTICE

The accidental omission to give notice of any meeting to any person entitled to such notice shall not invalidate any proceedings at that meeting.

APPLICATION FOR ASSET OF COMMUNITY VALUE LISTING

THE WHITE HORSE, 16 KEYHAVEN ROAD, MILFORD ON SEA, LYMINGTON, HAMPSHIRE, SO41 0QY

APPENDIX A

REASONS CURRENT AND MAIN USE OF THE ASSET FURTHERS THE SOCIAL WELLBEING OR CULTURAL, RECREATIONAL OR SPORTING INTERESTS OF THE LOCAL COMMUNITY

The White Horse is considered by the local community of Milford on Sea to be the 'Village Pub'. It is a multi-roomed, Grade II Listed public house which was used by all ages throughout the week and is believed to date back to the 1700's.

There is a spacious, recently refurbished public bar, now a rarity in the licensed trade, which is separated from the other rooms by a corridor and separate door. The large lounge, in addition to the usual table sizes, contains a number of tables surrounded by upholstered bench seating which are suitable for families and larger groups. A serving hatch for food is contained within the lounge bar. There is a separate restaurant, garden room and an attractive garden. The car park is necessarily large to cater for the greater number of vehicles needed by the groups of people patronising the establishment. There is no parking permitted to the front of the public house during the day.

The pub, until untimely closure, was open to all but in particular families, dog walkers and organised groups. The emphasis was on community gathering although good value food was also available.

Community groups who socialised after events were members of Milford on Sea Football Club, friends and employees of Hurst Castle and various visiting rambler and birdwatching groups.

The pub hosted a darts team, regular live music and the very popular 'Bob's Quiz'. Various charity events were also organised by the customers.

The large car park facilitates customer access to the Lyminster and Keyhaven Nature Reserve and Sea Wall, Sturt Pond Nature Reserve, Hurst Castle and the beach.

The final, emphatic confirmation of Community Value lies in the fact that over 100 local signatures have been obtained within a fortnight period of making the Nomination Form available to the residents of Milford on Sea.

Peter Simpson

(CAMRA Southern Hampshire Member residing in Pennington)

19 October 2015

APPLICATION FOR ASSET OF COMMUNITY VALUE LISTING

THE WHITE HORSE, 16 KEYHAVEN ROAD, MILFORD ON SEA, LYMINGTON, HAMPSHIRE, SO41 0QY

APPENDIX B

FURTHER INFORMATION SUPPORTING COMMUNITY VALUE

The British Public House has been proved in several studies to promote social wellbeing in a manner which cannot be matched by any other facility. The "Pub is the Hub" is now a recognised phrase which emphasises the value to all members of the community and increasingly incorporates other facilities such as Post Offices, a local shop, art exhibitions and live music venues to name a few.

All pubs are different and have their own loyal clientele.

Over the years, through loopholes in Government legislation, a huge number of public houses have fallen into the hands of "Pubco's" who are primarily large property owning companies with no real interest in the wellbeing of the pub customers. The Pubco's consider the nation's pubs to be trading units required to satisfy returns on investment. Sadly, some of the large Pubco's have saddled themselves with unsurmountable debt in the quest for property acquisition and have set up punitive agreements with their tenants (landlords) by way of unfair rental and trading agreements.

Currently, throughout the United Kingdom, 31 pubs are closing every week. Many of these are trading satisfactorily and have been closed and sold for property development and unchallengeable change of use as property values rise to exceed the earnings potential as a trading unit. No planning application is required to change a pub into a supermarket, restaurant, or betting shop for example.

The Government has introduced legislation with the intention of protecting lessee and tenant landlords of the larger Pubco's from unfair trading agreements so they may not be put in a worse position than a free trade licensee. This legislation is well intentioned but there is now a fear that rather than comply with this legislation the Pubco's may attempt to sell off their portfolio at a greater pace than currently as they will no longer be able to maximise revenues through unfair trading agreements.

The three major Pubco's are Admiral Taverns, Enterprise Inns and Punch Taverns. The White Horse is under the umbrella of Enterprise Inns and in a prime location and is therefore considered particularly vulnerable. It was closed at very short notice by the most recent tenants who had reached an impasse in their negotiations with Enterprise Inns for an extension to their lease and were in dispute over dilapidation responsibilities. Very alarmingly, Enterprise Inns have accelerated the practice of removing tenants by threatening action stemming from questionable dilapidation reports and refusing to offer renewed leases of economically realistic length. This has been publicised in cases such as the Royal Oak at Hill Top, Beaulieu, the Fleur de Lys at Pilley and the White Hart at Pennington.

It is understood from local sources in Milford on Sea that much of the property surrounding the White Horse has been gradually acquired by a property developer and there is therefore perceived to be an imminent threat to the well-being of the pub. The only significant protection for pubs at the present time is the Asset of Community Value listing route and hence the reason for this application.

Peter Simpson (CAMRA Member residing in Pennington) - 19 October 2015

Nomination form for Assets of Community Value

SECTION 1 – ABOUT YOU

| | |
|---|---|
| Name of Lead Nominator | DERIC PAYNE - (FOR CAMPAIGN FOR REAL ALE SOUTHERN HAMPSHIRE BRANCH) |
| Address | [REDACTED] |
| Postcode | SO45 [REDACTED] |
| Telephone number | [REDACTED] |
| Email address | [REDACTED] |
| Your relationship to the nominating organisation | PUBS PRESERVATION OFFICER |

SECTION 2 – ABOUT THE ORGANISATION MAKING THE NOMINATION

Please tick any that apply)

| | |
|---|-------------------------------------|
| Unincorporated body (see next section) | <input type="checkbox"/> |
| Neighbourhood forum | <input type="checkbox"/> |
| Parish Council | <input type="checkbox"/> |
| Charity | <input type="checkbox"/> |
| Community Interest Company | <input type="checkbox"/> |
| Company limited by guarantee | <input checked="" type="checkbox"/> |
| Industrial and provident society | <input type="checkbox"/> |

| | |
|--|-------------------------------------|
| Number of members registered to vote locally (unincorporated bodies only) In the case of an unincorporated body, at least 21 of its members must be registered to vote locally. <i>Please use CAMRA's <u>Unincorporated Body Nomination Form</u> to demonstrate support from local people.</i> | |
| We are enclosing evidence that at least 21 locally registered voters support the registration of this pub as an asset of community value (please tick box) | <input checked="" type="checkbox"/> |

SECTION 3 – MORE ABOUT YOUR ORGANISATION AND DEMONSTRATION OF LOCAL CONNECTION

| | |
|--|---|
| <p>Please explain a bit more about the organisation (such as how and why it was formed – perhaps that was purely to list this pub which is fine).</p> <p>Please also demonstrate that your organisation has a local connection (i.e. that everybody concerned lives locally)</p> | <p>REFER TO MEMORANDUM AND ARTICLES EXTRACT ENCLOSED.</p> <p>CAMPA SOUTHERN HAMPSHIRE BRANCH IN COLPOWATER THE NEW FOREST AND CURRENTLY HAS 1679 MEMBERS.</p> |
|--|---|

| | |
|---|---|
| <p>If the Group is constituted, its surplus must be wholly or partly applied for the benefit of the Borough's area or a neighbouring authority's area. Please provide evidence of this if you can.</p> | <p>REFER TO MEMORANDUM AND ARTICLES EXTRACT ENCLOSED.</p> |
|---|---|

| | |
|--|------------------------------|
| <p>If the Group is constituted, please provide evidence here.</p> | <p>CONSTITUTION ENCLOSED</p> |
|--|------------------------------|

SECTION 4: ABOUT THE ASSET YOU WANT TO LIST

| | |
|--|--|
| <p>Name of asset</p> | <p>WHITE HORSE</p> |
| <p>Address and postcode of the asset</p> | <p>16 KEYWAYEN ROAD MULFORD ON SEA WIMBORNE HAMPSHIRE SO41 0RY</p> |
| <p>Description of what exactly should be listed (try to be specific about the boundaries of the land you're nominating, the approximate size and position of any buildings on the land and remember to include anything in addition to the building itself which you believe should be listed such as the car park, beer garden or any integral residential quarters such as accommodation above the pub)</p> | <p>PUBLIC HOUSE, GARDEN AND ENTIRE CAR PARK.</p> |
| <p>Land registry title number</p> | <p>HP 604460 / HP 745294</p> |
| <p>Link to any photos or building plans of the property (if you're attaching these to the application please confirm that here)</p> | <p>SEE OFFICIAL COPY OF TITLE PLAN ATTACHED.</p> |
| <p>Any information you have about the freeholders, leaseholders and current occupants of the site (if known)</p> | <p>ENTERPRISE LANS PLC - PUBLIC OWNERS - PRESSURING TENANTS (SEE ATTACHED)</p> |

Reasons for nomination: why do you believe the asset is of community value
(including all relevant information from CAMRA's "Why Councils should list pubs as assets of community value" document, in particular:

- *Evidence that the pub can remain viable*
- *Evidence of interest in keeping the pub open*
- *Evidence that the asset furthers the social wellbeing or social interests of the local community, or has done so in the recent past)*

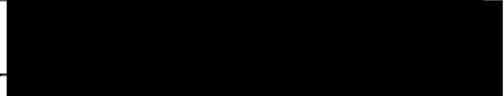
SEE APPENDIX A PWS EXTRACTION
FROM ENJOY HERFORDSHIRE
AND SKINNY COOP.

| | |
|---|--|
| <i>Reasons for nomination continued</i> | |
|---|--|

SECTION 5: CONFIRMATION

I confirm that all information provided is accurate and complete.

| | |
|--|--------------------|
| Name (please print clearly: | <i>DERIC PAYNE</i> |
|--|--------------------|

| | |
|-------------------|---|
| Signature: |  |
|-------------------|---|

| | |
|--------------|-----------------|
| Date: | <i>11-11-15</i> |
|--------------|-----------------|

Remember to include any attachments such as building plans, photos and evidence that you are supported by 21 local people.



CALL US NOW ON 01902 374940

White Horse

16 Keyhaven Road, Milford On Sea, Lymington,
Hampshire, SO41 0QY

| | |
|--------------------------|-----------------|
| Ingoing Cost: | £14,000.00 |
| Rent: | £40,000.00 |
| Agreement Type: | Tenancy |
| Reference Number: | 191212 / 025596 |

The stated ingoing figures are correct at point of advertising. Please be aware there may be additional costs.

Property Features:

The White Horse is a Grade II listed property and benefits from occupying a central position in the coastal village of Milford on Sea. The village stands on the shores of the Solent and is close to the fringe of the New Forest National Park. Milford on Sea is a vibrant community, with the pub being at the heart of the village. The pub is well-regarded for its pub games, as well as its food and drink. For a publican looking for an established business to develop, this is a fantastic opportunity!

There is a well-presented entrance hall from the car park that gives a welcoming feel to the pub. The pub boasts a wealth of character and is full of original features. As food is an important part of the pub, there are a number of areas for diners to sit and relax. The lounge bar can seat 60 people, and boasts a rustic brick fireplace with an open fire. This room is traditionally decorated with fitted upholstered benches and also loose chairs and topped iron framed tables; it also has beautiful beams throughout. The restaurant and dining area accommodates a further 30 guests, and boasts a high timbered ceiling and a stone fireplace. Adjoining the restaurant is a garden room seating 24 guests that is complete with flagged floor and slide windows



providing access to a patio and gardens. The White Horse is a two bar operation, one used for drinkers and diners and the other, for pub games. The local's bar has a dart board and televisions, for live sport events. There is a well-equipped trade kitchen that can cater for up to 100 guests at any one time.

From the front the property resides to the road. There is a large car park located to the side of the building, with space for 50 vehicles. To the rear of the property, there is a large patio area, complete with picnic style benches that accommodate 30 guests. Within the outdoor area, there is a well-maintained laid to lawn garden that is tree lined with flower beds each side. The pub benefits from large children's play area at the bottom of the garden that attracts families on warmer days and during the summer months.

Trading Style:

The White Horse is a lovely traditional pub. The trading area offers a large separate seating area as well as two bars, one of which is used for the locals who play darts and watching live sport. With a large car park, garden with play area and large kitchen, it certainly has all the ingredients to make this property a successful business in the right hands. This fantastic pub would suit an experienced publican who has the knowledge of running a similar food driven business, and has the ability to develop the current food offer and engage with the local community. We will also consider a Free of Tie offer for this business.

Private Accommodation:

Accommodation is spacious and very functional with four bedrooms, a recently fitted kitchen and a lounge-dining room. Due to its size, the accommodation would suit a family.

Key Financial Information

Please be aware Energy Performance certificates are available from the landlord

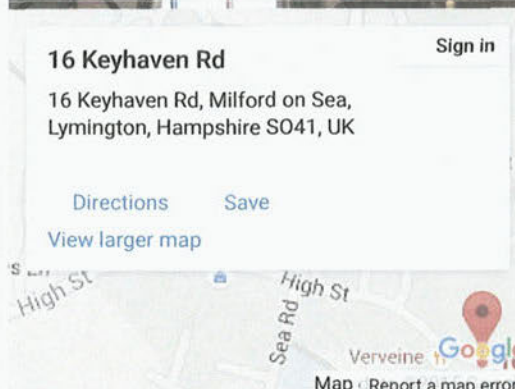
Please note that in addition to the stated ingoing figures further funds will be required for the following

Estimated Value Of The Fixtures & Fittings is £25,000



• Childrens Play Area

• Restaurant/Dining





G+1 0

More Next Blog»

Create Blog Sign In

Enjoy Milford on Sea

News Stories with a smile from Milford on Sea! Milford on Sea is probably the best kept secret on the south coast & a delight to live in. This site shares village news stories, plus some ridiculous articles to keep me amused!

Search

FREE VILLAGE NEWS BULLETIN

Get you free copy, simply send your Name & E-Mail Address to: david@milfordonsea.org
*You can unsubscribe at any time.

SEE WHAT'S ON



GREAT DINING BUS



LOVE MILFORD WEEK



POPULAR POSTS



All Change at South Lawn
Nikki & Tim are delighted to be the new independent

owners at South Lawn Hotel, and they come with an excellent pedigree and exciting ...



Beach Hut Design Moves Forward
The plans for the replacement Milford on Sea Beach Huts

has taken as further step forward, and the recommended designs below will be consi...



Hope for The White Horse
click image to enlarge
As The White Horse in Milford on Sea

stands looking unloved and forlorn - South Hants CAMRA, the local branch o...

Colm Splattered at Tory Conference
It was a peaceful Sunday morning as local Milford on Sea resident, Colm Lock dressed himself smartly

FRIDAY, 15 NOVEMBER 2013

The White Horse on Facebook

The new owners at The White Horse, Benjamin & Vikki Renouf, have been putting their own touches to this historic Milford on Sea village pub. Since arriving in July, a new childrens play area has been installed in the pub garden and the interior has had a makeover.

It is good to see the regular Quiz Nights and Live Music Nights are still going strong, with events happening on both of the last Saturdays in November. (see www.milfordonseacalendar.org). There is also a new 'Tapas Menu' being served alongside many of the old favourites, and an extensive Christmas menu is now being promoted in the pub.

The latest thing we have spotted, is that The White Horse now has its own Facebook Page, please click the link below to visit and find out all that is happening.



www.facebook.com/WhiteHorseMoS

The White Horse

16 Keyhaven Road, Milford on Sea, SO41 0QY
Tel: 01590 642360

www.facebook.com/WhiteHorseMoS



G+1 Recommend this on Google

No comments:

Post a Comment



To know Jesus better and to make Jesus better known

- [HOME](#)
- [ALL SAINTS'](#)
Milford on Sea
- [ST MARY'S](#)
Everton
- [FAMILY](#)
& Children
- [YOUTH](#)
- [CALENDAR](#)
- [RESOURCES](#)
Read & listen

MONTHLY GROUPS & ONE OFF EVENTS

ALL SAINTLY

All Saintly Youth have two monthly groups (more info below) but tend to run one-off, or short term events in the holidays. These range from film and games nights, geocaching days out, evening parties hosted by people from church. Most recently the All Saintly Youth wowed everyone by preparing and running a **Curry & Quiz Night** which was fun and tasty for all ages. They even took over from the front meaning that Craig ended up backstage in the kitchen!

Our **first monthly group** is the newly rebranded **Lads Night for Y10plus**. This was originally the Y12-13 group but many of our girls have now moved on leaving us with boys only on that evening. We meet on the **3rd Thursday** of the month from 5:30pm and go for dinner and hang out somewhere in Milford. Due to The White Horse closing we are currently looking for a new venue.

Our **second monthly group** is launching **September 27th** and is the fruit of **All Saintly Worship** and **Sunday Night Live**. This group is not a group but a youth led service on the **4th Sunday** of the month from **6pm at All Saints Church**. It is for the All Saints congregation and the youth of Milford and Everton.

The All Saintly Youth run the service from welcoming people at the door, to serving the fresh coffee and pastries for the first half hour of the service, to the worship of the service itself. It is an exciting stage for the Youth and wider church family as the youth begin to find





 All Saints' - Greenbanks Close
Milford on Sea, SO41 0SQ

 01590 644992

 St. Mary's - Branwood Close
Everton, Lymington, SO41 0LU

Copyright © 2015 All Saints' Milford and St Mary's Everton. Powered
by churchthemes.com.

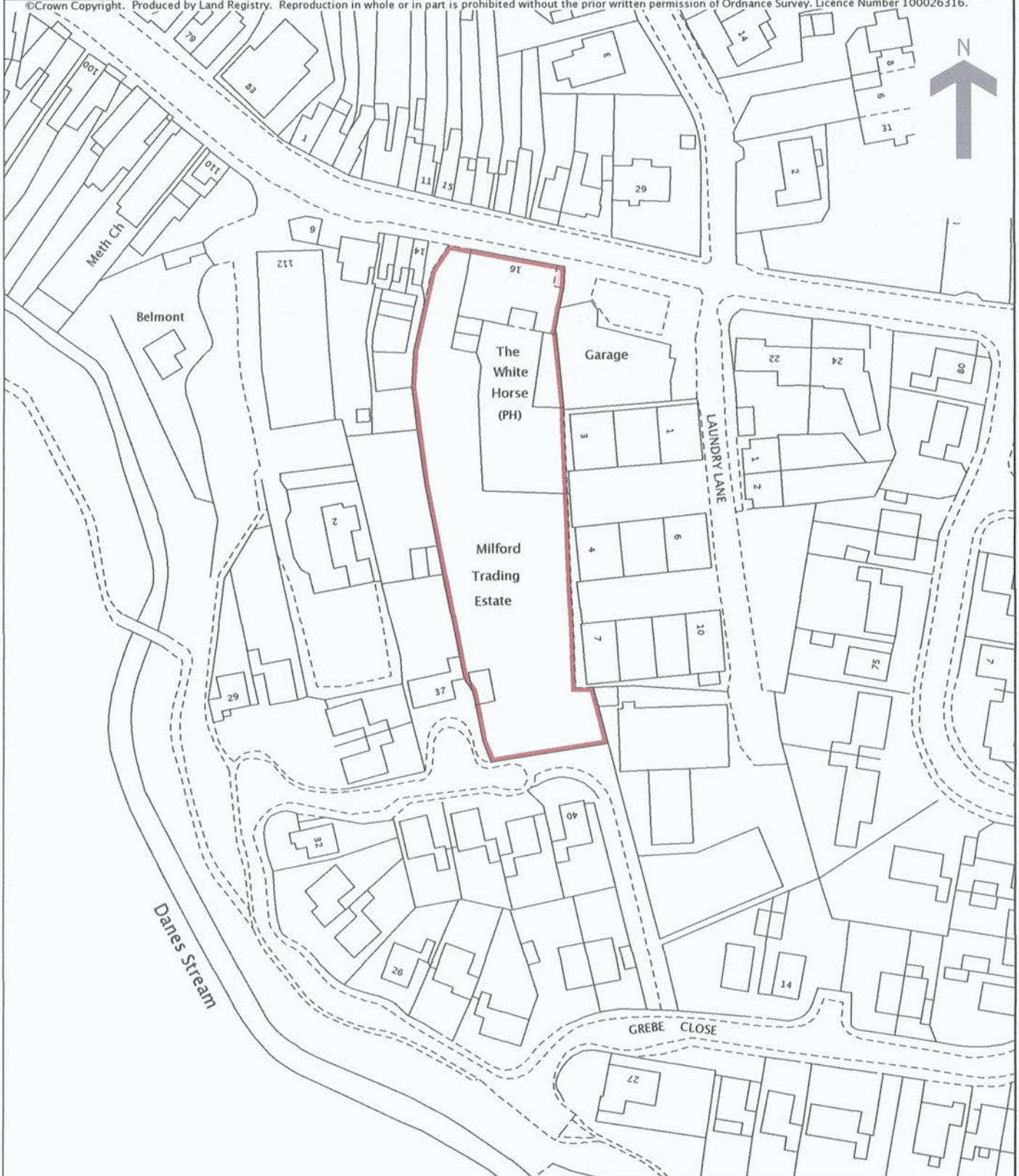


Land Registry
Official copy of
title plan

Title number **HP604460**
Ordnance Survey map reference **SZ2991NW**
Scale **1:1250 enlarged from 1:2500**
Administrative area **Hampshire : New Forest**



©Crown Copyright. Produced by Land Registry. Reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number 100026316.



These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from Land Registry.

This official copy is issued on 24 September 2015 shows the state of this title plan on 24 September 2015 at 13:11:04. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002).

This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by the Land Registry, Weymouth Office .





Official copy of register of title

Title number HP604460

Edition date 23.03.2012

- This official copy shows the entries on the register of title on 24 SEP 2015 at 13:11:04.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 24 Sep 2015.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by Land Registry, Weymouth Office.

A: Property Register

This register describes the land and estate comprised in the title.

HAMPSHIRE : NEW FOREST

- 1 (29.08.2001) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being The White Horse, 16 Keyhaven Road, Milford On Sea, Lymington (SO41 0QY).

B: Proprietorship Register

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

Title absolute

- 1 (17.10.2003) PROPRIETOR: ENTERPRISE INNS PLC (Co. Regn. No. 2562808) of 3 Monkspath Hall Road, Solihull, West Midlands B90 4SJ.

C: Charges Register

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

- 1 (29.08.2001) A Conveyance of the land tinted pink on the filed plan and other land dated 25 March 1914 made between (1) William Cornwallis Cornwallis West (2) Richard Frederick Birch and Maitland Kersey and (3) William Robert Beesley, Vernon Nicholas and Lawrence Nicholas contains covenants details of which are set out in the schedule of restrictive covenants hereto.

NOTE: The North side of the piece of land referred to is the North side of the land tinted pink on the filed plan in so far as it affects the land in this title. The East side referred to does not affect the land in this title.

- 2 (29.08.2001) The land is subject to the rights granted by a Deed of Grant dated 14 October 1940 made between (1) W. B. Mew Langton & Company Limited and (2) The Milford Laundry Company Limited.

The said Deed also contains restrictive covenants by the covenantor.

The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

Official copy
of register of
the

A. Primary Register

The primary register contains the names of all companies registered in the United Kingdom. It is the only register of companies that is available to the public. The register is maintained by Companies House and is available to view on the Companies House website.

B. Professional Register

The professional register contains the names of all companies that are registered as professional companies. It is the only register of professional companies that is available to the public. The register is maintained by Companies House and is available to view on the Companies House website.

C. Charity Register

The charity register contains the names of all companies that are registered as charities. It is the only register of charities that is available to the public. The register is maintained by Companies House and is available to view on the Companies House website.

C: Charges Register continued

NOTE: Copy filed.

- 3 (29.08.2001) A Conveyance of the land tinted pink on the filed plan and other land dated 3 November 1966 made between (1) Milford Laundry Company Limited and (2) Kinson Motors (Castle Lane) Limited contains covenants details of which are set out in the schedule of restrictive covenants hereto.
- 4 (24.01.2012) The land is subject to the lease set out in the schedule of leases hereto.
- 5 (24.01.2012) By a Deed dated 6 January 2012 made between (1) Enterprise Inns Plc and (2) Patricia Eleanor Ogden the terms of the lease dated 6 January 2012 referred to in the schedule of leases hereto were varied.

NOTE :-Copy Deed filed under HP745294.

Schedule of restrictive covenants

- 1 The following are details of the covenants contained in the Conveyance of the land tinted pink on the filed plan and other land dated 25 March 1914 referred to in the Charges Register.

COVENANT by Purchasers for themselves and heirs and assigns jointly and severally with said William Cornwallis Cornwallis West his successors in title and assigns to observe and perform the stipulations set out in the first Schedule thereto.

The 1st Schedule .

1. To erect and for ever afterwards maintain substantial fences on the North and East sides of the said piece of land until replaced by buildings on those sides.

2. Not to use any building to be erected on the said piece of land fronting to and abutting on the Village Street than as a private dwellinghouse or shop and no such buildings to be less value than £200.

3. Not to erect any building on the said land except in accordance with plans and elevations previously submitted to and approved of by the said William Cornwallis Cornwallis West or his agent such approval not to be unreasonably withheld.

4. And also to sign if required the printed sewerage agreement used on the Estate.

- 2 The following are details of the covenants contained in the Conveyance dated 3 November 1966 referred to in the Charges Register:-

The Purchaser so as to bind so far as may be the plot of land hereby conveyed into whosoever hands the same may come and so as this covenant shall be for the benefit and protection of the adjoining land of the Vendor on the South side of the land hereby conveyed but so that the purchaser shall not be personally liable for any breach of this covenant occurring on or in respect of the plot of land hereby conveyed or any part or parts thereof after he shall have parted with all interest therein hereby covenants with the vendor that the Purchaser and those deriving title under it will at all times hereafter observe and perform the restrictions and stipulations contained in the first Schedule hereto.

THE FIRST SCHEDULE

(1) To submit detailed plans of any buildings to be erected on the land hereby conveyed for the approval of the Vendor such approval not to be unreasonably withheld:

(2).....

(3) To demolish the air-raid shelter building erected on the land hereby conveyed prior to commencing any building thereon:

Title number HP604460

Schedule of notices of leases

| | | | | |
|---|------------|-----------------|---|----------|
| 1 | 24.01.2012 | The White Horse | 06.01.2012 20 years from 01/07/2011 | HP745294 |
|---|------------|-----------------|---|----------|

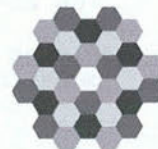
NOTE 1: Lease comprises also other land.

NOTE 2: See entry in the Charges Register relating to a Deed of variation dated 6 January 2012.

End of register

The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.



Official copy
of register of
title

Title number HP745294

Edition date 09.09.2013

- This official copy shows the entries on the register of title on 24 SEP 2015 at 13:12:02.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 24 Sep 2015.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by Land Registry, Weymouth Office.

A: Property Register

This register describes the land and estate comprised in the title. Except as mentioned below, the title includes any legal easements granted by the registered lease but is subject to any rights that it reserves, so far as those easements and rights exist and benefit or affect the registered land.

HAMPSHIRE : NEW FOREST

- 1 (24.01.2012) The Leasehold land shown edged with red on the plan of the above title filed at the Registry and being The White Horse, 16 Keyhaven Road, Milford-On-Sea, Lymington (SO41 0QY).
- 2 (24.01.2012) The title includes any legal easements referred to in clause LR11.1 of the registered lease but is subject to any rights that are granted or reserved by the lease and affect the registered land.
- 3 (24.01.2012) By a Deed dated 6 January 2012 made between (1) Enterprise Inns Plc and (2) Patricia Eleanor Ogden the terms of the registered lease were varied.

NOTE 1: Copy Deed filed.

NOTE 2: The proprietor of the registered charge dated 28 July 2011 of the landlords title number HP604460 was not a party to the deed nor was evidence of its consent to the deed produced to the registrar.

- 4 (24.01.2012) Short particulars of the lease(s) (or under-lease(s)) under which the land is held:
 Date : 6 January 2012
 Term : 20 years from 1 July 2011
 Parties : (1) Enterprise Inns Plc
 (2) Patricia Eleanor Ogden
 NOTE 1: Lease comprises also other land.

NOTE 2: The rights granted by the registered lease are in part granted over title number HP612624 first registered with possessory title on 22 March 2002 (shown tinted blue on the title plan) and are consequently not binding on any right or interest adverse to or in derogation of the title of the first registered proprietor of that title.

NOTE 3: The rights granted by the registered lease are included in the registration only so far as they are granted over the lessor's titles HP604460 and HP612624.

- 5 (24.01.2012) The Lease prohibits or restricts alienation.

A: Property Register continued

6 (24.01.2012) The landlord's title is registered.

B: Proprietorship Register

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

Title absolute

- 1 (30.07.2013) PROPRIETOR: BENJAMIN MARK RENOUF and VICTORIA LEIGH RENOUF of 84 Stopples Lane, Hordle, Lymington SO41 0GL.
- 2 (30.07.2013) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.
- 3 (09.09.2013) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 9 July 2013 in favour of Barclays Bank Plc referred to in the Charges Register.

C: Charges Register

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

- 1 (24.01.2012) A Conveyance of the freehold estate in the land tinted pink on the title plan and other land dated 25 March 1914 made between (1) William Cornwallis Cornwallis West (2) Richard Frederick Birch and Maitland Kersey and (3) William Robert Beesley, Vernon Nicholas and Lawrence Nicholas contains covenants details of which are set out in the schedule of restrictive covenants hereto.

NOTE: The North side of the piece of land referred to is the North side of the land tinted pink on the filed plan in so far as it affects the land in this title. The East side referred to does not affect the land in this title.
- 2 (24.01.2012) The land is subject to the rights granted by a Deed of Grant dated 14 October 1940 made between (1) W. B. Mew Langton & Company Limited and (2) The Milford Laundry Company Limited.

The said Deed also contains restrictive covenants by the covenantor.

NOTE: Copy filed.
- 3 (24.01.2012) A Conveyance of the freehold estate in the land tinted pink on the title plan and other land dated 3 November 1966 made between (1) Milford Laundry Company Limited and (2) Kinson Motors (Castle Lane) Limited contains covenants details of which are set out in the schedule of restrictive covenants hereto.
- 4 (30.07.2013) REGISTERED CHARGE dated 9 July 2013.
- 5 (30.07.2013) Proprietor: BARCLAYS BANK PLC (Co. Regn. No. 1026167) of Business Lending Services, PO Box, 16276 One Snowhill, Snowhill Queensway, Birmingham B2 2XE.
- 6 (30.07.2013) Deed dated 9 July 2013 made between (1) Victoria Leigh Renouf and Benjamin Mark Renouf and (2) Barclays Bank Plc supplemental to the Charge dated 9 July 2013 referred to above.

Schedule of restrictive covenants

- 1 (24.01.2012) The following are details of the covenants contained in the Conveyance of the land tinted pink on the filed plan and other land dated 25 March 1914 referred to in the Charges Register.

COVENANT by Purchasers for themselves and heirs and assigns jointly and

Schedule of restrictive covenants continued

severally with said William Cornwallis Cornwallis West his successors in title and assigns to observe and perform the stipulations set out in the first Schedule thereto.

The 1st Schedule.

1. To erect and for ever afterwards maintain substantial fences on the North and East sides of the said piece of land until replaced by buildings on those sides.
 2. Not to use any building to be erected on the said piece of land fronting to and abutting on the Village Street than as a private dwellinghouse or shop and no such buildings to be less value than £200.
 3. Not to erect any building on the said land except in accordance with plans and elevations previously submitted to and approved of by the said William Cornwallis Cornwallis West or his agent such approval not to be unreasonably withheld.
 4. And also to sign if required the printed sewerage agreement used on the Estate.
- 2 (24.01.2012) The following are details of the covenants contained in the Conveyance dated 3 November 1966 referred to in the Charges Register:-

The Purchaser so as to bind so far as may be the plot of land hereby conveyed into whosoever hands the same may come and so as this covenant shall be for the benefit and protection of the adjoining land of the Vendor on the South side of the land hereby conveyed but so that the purchaser shall not be personally liable for any breach of this covenant occurring on or in respect of the plot of land hereby conveyed or any part or parts thereof after he shall have parted with all interest therein hereby covenants with the vendor that the Purchaser and those deriving title under it will at all times hereafter observe and perform the restrictions and stipulations contained in the first Schedule hereto.

THE FIRST SCHEDULE

- (1) To submit detailed plans of any buildings to be erected on the land hereby conveyed for the approval of the Vendor such approval not to be unreasonably withheld:
- (2).....
- (3) To demolish the air-raid shelter building erected on the land hereby conveyed prior to commencing any building thereon:

End of register

PETER SIMPSON



Assets of Community Value - Unincorporated Body Nomination Form

Nominations to list pubs as assets of community value can be accepted from any group of at least 21 local people who appear on the electoral roll within the local authority, or a neighbouring local authority.

Oh behalf of the following members of the local community, please list this pub as an asset of community value:

NAME OF PUB: WHITE HORSE

ADDRESS OF PUB: 16 KEYHAVEN ROAD MILTON ON SEA
LYMINGTON HANTS. SO41 0QY

| No. | Name (please print clearly) | Your full address (including postcode)* <small>*each nominator should have a different address</small> | Are you registered to vote within the local authority, or a neighbouring local authority? | Signature |
|-----|-----------------------------|---|---|-----------|
| 1 | | | | |
| 2 | | | | |
| 3 | | | | |
| 4 | | | | |
| 5 | | | | |
| 6 | | | | |
| 7 | | | | |
| 8 | | | | |
| 9 | | | | |



| No. | Name (please print clearly) | Your full address (including postcode) | Are you registered to vote within the local authority, or a neighbouring local authority? | Signature |
|-----|-----------------------------|--|---|-----------|
| 10 | | | | |
| 11 | | | | |
| 12 | | | | |
| 13 | | | | |
| 14 | | | | |
| 15 | | | | |
| 16 | | | | |
| 17 | | | | |
| 18 | | | | |
| 19 | | | | |
| 20 | | | | |
| 21 | | | | |

Please add details of any further nominators overleaf.

PETER SIMPSON

Assets of Community Value - Unincorporated Body Nomination Form

Nominations to list pubs as assets of community value can be accepted from any group of at least 21 local people who appear on the electoral roll within the local authority, or a neighbouring local authority.

Oh behalf of the following members of the local community, please list this pub as an asset of community value:

NAME OF PUB: WHITE HORSE

ADDRESS OF PUB: 16 KEYHAVEN ROAD MILFORD ON SEA
LYMINGTON HANTS. S041 0QY

| No. | Name (please print clearly) | Your full address (including postcode)* <small>*each nominator should have a different address</small> | Are you registered to vote within the local authority, or a neighbouring local authority? | Signature |
|-----|-----------------------------|---|---|-----------|
| 22 | | | | |
| 23 | | | | |
| 24 | | | | |
| 25 | | | | |
| 26 | | | | |
| 27 | | | | |
| 28 | | | | |
| 29 | | | | |
| 30 | | | | |

| No. | Name (please print clearly) | Your full address (including postcode) | Are you registered to vote within the local authority, or a neighbouring local authority? | Signature |
|-----|-----------------------------|--|---|-----------|
| 31 | | | | |
| 32 | | | | |
| 33 | | | | |
| 34 | | | | |
| 35 | | | | |
| 36 | | | | |
| 37 | | | | |
| 38 | | | | |
| 39 | | | | |
| 40 | | | | |
| 41 | | | | |
| 42 | | | | |

Please add details of any further nominators overleaf.

PETER SIMPSON



Assets of Community Value - Unincorporated Body Nomination Form

Nominations to list pubs as assets of community value can be accepted from any group of at least 21 local people who appear on the electoral roll within the local authority, or a neighbouring local authority.

Oh behalf of the following members of the local community, please list this pub as an asset of community value:

NAME OF PUB: WHITE HORSE

ADDRESS OF PUB: 16 KEYHAVEN ROAD MILTON ON SEA
LYMINGTON HANTS. SO41 0QY

| No. | Name (please print clearly) | Your full address (including postcode)* <small>*each nominator should have a different address</small> | Are you registered to vote within the local authority, or a neighbouring local authority? | Signature |
|-----|-----------------------------|---|---|-----------|
| 43 | | | | |
| 44 | | | | |
| 45 | | | | |
| 46 | | | | |
| 47 | | | | |
| 48 | | | | |
| 49 | | | | |
| 50 | | | | |
| 51 | | | | |

PETER SIMPSON



Assets of Community Value - Unincorporated Body Nomination Form

Nominations to list pubs as assets of community value can be accepted from any group of at least 21 local people who appear on the electoral roll within the local authority, or a neighbouring local authority.

Oh behalf of the following members of the local community, please list this pub as an asset of community value:

NAME OF PUB: WHITE HORSE

ADDRESS OF PUB: 16 KEYHAVEN ROAD MILFORD ON SEA
LYMINGTON HANTS. SO41 0QY

| No. | Name (please print clearly) | Your full address (including postcode)* <small>*each nominator should have a different address</small> | Are you registered to vote within the local authority, or a neighbouring local authority? | Signature |
|-----|-----------------------------|---|---|-----------|
| 52 | | | | |
| 53 | | | | |
| 54 | | | | |
| 55 | | | | |
| 56 | | | | |
| 57 | | | | |
| 58 | | | | |
| 59 | | | | |
| 60 | | | | |

PETER SIMPSON



Assets of Community Value - Unincorporated Body Nomination Form

Nominations to list pubs as assets of community value can be accepted from any group of at least 21 local people who appear on the electoral roll within the local authority, or a neighbouring local authority.

Oh behalf of the following members of the local community, please list this pub as an asset of community value:

NAME OF PUB: WHITE HORSE

ADDRESS OF PUB: 16 KEYHAVEN ROAD MILFORD ON SEA
LYMINGTON HANTS. SO41 0QY

| No. | Name (please print clearly) | Your full address (including postcode)* <small>*each nominator should have a different address</small> | Are you registered to vote within the local authority, or a neighbouring local authority? | Signature |
|-----|-----------------------------|---|---|-----------|
| 61 | | | | |
| 62 | | | | |
| 63 | | | | |
| 64 | | | | |
| 65 | | | | |
| 66 | | | | |
| 67 | | | | |
| 68 | | | | |
| 69 | | | | |

PETER SIMPSON



Assets of Community Value - Unincorporated Body Nomination Form

Nominations to list pubs as assets of community value can be accepted from any group of at least 21 local people who appear on the electoral roll within the local authority, or a neighbouring local authority.

On behalf of the following members of the local community, please list this pub as an asset of community value:

NAME OF PUB: WHITE HORSE

ADDRESS OF PUB: 16 KEYHAVEN ROAD MILFORD ON SEA
LYMINGTON HANTS. SO41 0QY

| No. | Name (please print clearly) | Your full address (including postcode)* <small>*each nominator should have a different address</small> | Are you registered to vote within the local authority, or a neighbouring local authority? | Signature |
|-----|-----------------------------|---|---|-----------|
| 70 | | | | |
| 71 | | | | |
| 72 | | | | |
| 73 | | | | |
| 74 | | | | |
| 75 | | | | |
| 76 | | | | |
| 77 | | | | |
| 78 | | | | |

PETER SIMPSON



Assets of Community Value - Unincorporated Body Nomination Form

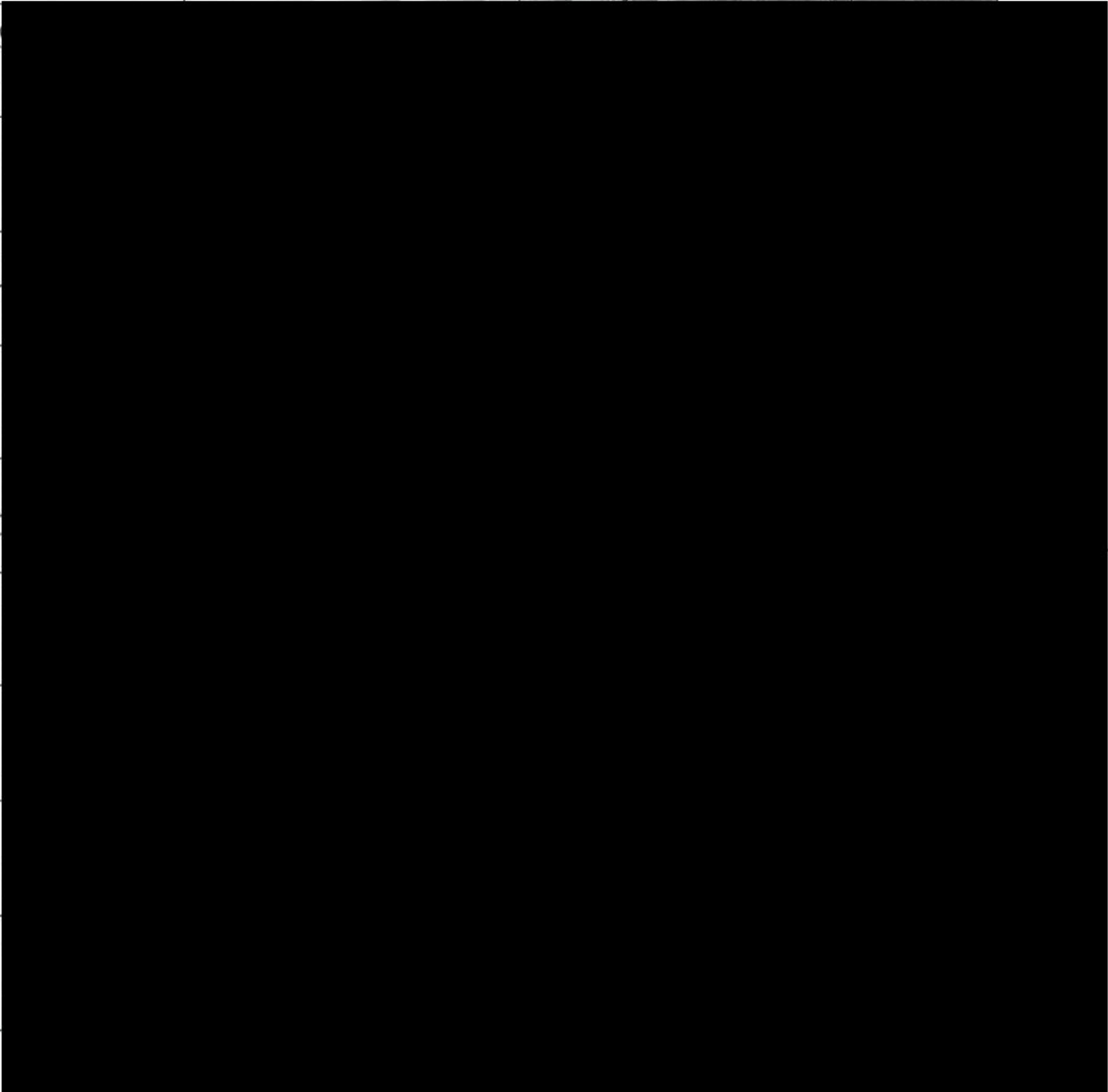
Nominations to list pubs as assets of community value can be accepted from any group of at least 21 local people who appear on the electoral roll within the local authority, or a neighbouring local authority.

Oh behalf of the following members of the local community, please list this pub as an asset of community value:

NAME OF PUB: WHITE HORSE

ADDRESS OF PUB: 16 KEYHAVEN ROAD MILFORD ON SEA
LYMINGTON HANTS. SO41 0QY

| No. | Name (please print clearly) | Your full address (including postcode)* <small>*each nominator should have a different address</small> | Are you registered to vote within the local authority, or a neighbouring local authority? | Signature |
|-----|-----------------------------|---|---|-----------|
| 79 | | | | |
| 80 | | | | |
| 81 | | | | |
| 82 | | | | |
| 83 | | | | |
| 84 | | | | |
| 85 | | | | |
| 86 | | | | |
| 87 | | | | |



PETER SIMPSON



Assets of Community Value - Unincorporated Body Nomination Form

Nominations to list pubs as assets of community value can be accepted from any group of at least 21 local people who appear on the electoral roll within the local authority, or a neighbouring local authority.

On behalf of the following members of the local community, please list this pub as an asset of community value:

NAME OF PUB: WHITE HORSE

ADDRESS OF PUB: 16 KEYHAVEN ROAD MILFORD ON SEA
LYMINGTON HANTS. SO41 0QY

| No. | Name (please print clearly) | Your full address (including postcode)* <small>*each nominator should have a different address</small> | Are you registered to vote within the local authority, or a neighbouring local authority? | Signature |
|-----|-----------------------------|---|---|-----------|
| 88 | | | | |
| 89 | | | | |
| 90 | | | | |
| 91 | | | | |
| 92 | | | | |
| 93 | | | | |
| 94 | | | | |
| 95 | | | | |
| 96 | | | | |

PETER SIMPSON



Assets of Community Value - Unincorporated Body Nomination Form

Nominations to list pubs as assets of community value can be accepted from any group of at least 21 local people who appear on the electoral roll within the local authority, or a neighbouring local authority.

Oh behalf of the following members of the local community, please list this pub as an asset of community value:

NAME OF PUB: WHITE HORSE

ADDRESS OF PUB: 16 KEYHAVEN ROAD MILFORD ON SEA
LYMINGTON HANTS. SO41 0QY

| No. | Name (please print clearly) | Your full address (including postcode)* <small>*each nominator should have a different address</small> | Are you registered to vote within the local authority, or a neighbouring local authority? | Signature |
|-----|-----------------------------|---|---|-----------|
| 97 | | | | |
| 98 | | | | |
| 99 | | | | |
| 100 | | | | |
| 101 | | | | |
| 102 | | | | |
| 103 | | | | |
| 104 | | | | |
| 105 | | | | |

- 1) KULSCHAKZ
- 2) MOS FC.
- 3) DOB'S 242 REGULAR
- 4) REGULAR ~~242~~ MUSIC
- 5) IAD TEAM
- 6) 106 FRODO
- 7) FRANCY FRODO

PETER S. M. P. S. 2000



Assets of Community Value - Unincorporated Body Nomination Form

Nominations to list pubs as assets of community value can be accepted from any group of at least 21 local people who appear on the electoral roll within the local authority, or a neighbouring local authority.

Oh behalf of the following members of the local community, please list this pub as an asset of community value:

NAME OF PUB: WHITE HORSE

ADDRESS OF PUB: 16 KEY HAVEN ROAD MULFORD ON SEA
LYMPINGTON HAMPSHIRE SO41 0QY

| No. | Name (please print clearly) | Your full address (including postcode)* <small>*each nominator should have a different address</small> | Are you registered to vote within the local authority, or a neighbouring local authority? | Signature |
|----------|-----------------------------|---|---|-----------|
| 100 | | | | |
| 101 2 | | | | |
| 102 3 | | | | |
| 4 | | | | |
| 5 | | | | |
| 6 | | | | |
| 7 | | | | |
| 8 | | | | |
| 9 | | | | |

| No. | Name (please print clearly) | Your full address (including postcode) | Are you registered to vote within the local authority, or a neighbouring local authority? | Signature |
|-----|-----------------------------|--|---|-----------|
| 10 | | | | |
| 11 | | | | |
| 12 | | | | |
| 13 | | | | |
| 14 | | | | |
| 15 | | | | |
| 16 | | | | |
| 17 | | | | |
| 18 | | | | |
| 19 | | | | |
| 20 | | | | |
| 21 | | | | |

Please add details of any further nominators overleaf.

**DECISION NOTICE
THE LOCALISM ACT 2011 Section 88**

**Decision on the nomination of The White Horse 16 Keyhaven Road Milford on Sea
Lymington Hampshire SO41 0QY as an asset of community value.**

I, Colin Read, Executive Head of Service of The District Council of New Forest, pursuant to delegated powers, have considered an application made by the Campaign for Real Ale – Southern Hampshire Branch to nominate The White Horse 16 Keyhaven Road Milford on Sea Lymington Hampshire SO41 0QY as an asset of community value. Having considered the application I have decided that the application should be accepted for the following reasons:

In the opinion of the local authority, the actual current use of the Property 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.

It therefore meets the criteria set out in the Localism Act 2011 to be eligible for listing.

Signed C Read
Colin Read
Executive Head of Service

Dated: 20.01.2016

REPORT TO COLIN READ

Application to nominate The White Horse 16 Keyhaven Road Milford on Sea Lymington Hampshire SO41 0QY as an asset of community value

1.0 INTRODUCTION

- 1.1 This report relates to an application made to the Council by the Campaign for Real Ale – Southern Hampshire Branch to nominate The White Horse public house, 16 Keyhaven Road Milford on Sea Lymington Hampshire SO41 0QY (“the Property”) as an asset of community value (“the Application”). The report reviews the Application, the criteria against which a decision has to be made, the result of consultations and makes recommendations.

A copy of the Application is annexed to this report.

2.0 BACKGROUND

- 2.1 The Application to nominate The White Horse public house 16 Keyhaven Road Milford on Sea Lymington Hampshire SO41 0QY as an asset of community value is made pursuant to the Community Right to Bid, arising out of the Localism Act 2011 (“the Act”). If the Council accepts that the nomination meets the criteria set down in the Act, the Property must be added to the Council’s published list of assets of community value, registered as a local land charge and registered against the freehold title to the Property.
- 2.2 If the Property is listed as an asset of community value, the owners must notify the Council if they wish to dispose of the Property. The Council would notify community interest groups of the proposal. If such a group expresses an interest in the Property, a moratorium period of 6 months on the sale is imposed to allow the community interest group to prepare a bid and raise finance. Note however that if the Owner wishes to sell the pub business as going concern, the moratorium on sale provisions of the right to bid are not engaged.

3.0 THE APPLICATION

- 3.1 The Application was made by The Campaign for Real Ale – Southern Hampshire Branch and was received by the Council on 13 November 2015. The Council is the proper decision making authority to determine the Application and delegations have been granted to the Executive Head of Service to make a decision on the matter. The Application is valid under the criteria laid down by the Act and the Property is not within one of the exceptions laid down in the Act.
- 3.2 The appendix to this report explains the legal background to a nomination by a branch of a national organisation. It is accepted that CAMRA – Southern Hampshire Branch is entitled to rely on CAMRA’s national status as a company limited by guarantee which does not distribute any surplus it makes to its members and also then entitled to rely on its own activities in the New Forest District Council area or the area of a neighbouring authority and that any surpluses the branch has are used at least in part within the New Forest District Council area or the area of a neighbouring authority to satisfy the relevant regulations.

- 3.3 The Property is currently owned freehold by Enterprise Inns plc. The Property was until recently used as a public house. The application noted that the Property was closed in September 2015 with a notice from the owner outside and that it was being advertised for let by Enterprise Inns.
- 3.4 However The White Horse reopened for business on 27 November 2015. In the circumstances, and because of the short period of time the Property was closed, the Council has agreed with the applicant and the owners to consider the nomination on the basis that the current and main use of the Property furthers the social well-being or cultural, recreational or sporting interests of the local community and that it is likely to continue to do so in the future.
- 3.5 The applicant provided details about the use of the Property by the local community in the statement accompanying the Application. The applicant says the Property is used as a public house and is important to the social well-being of the local community. In particular the applicant asserts:
- The White Horse is the “preferred village local” of a large proportion of the village population. This appears a bare opinion only.
 - The Property comprises both the bar and restaurant and also a garden room and garden. The car park is used for pub clientele.
 - The pub is popular with families, dog walkers, and organised groups.
 - Community groups who socialise in the pub after events included the Milford on Sea football club, friends and employees of Hurst Castle and various visiting rambler and birdwatching groups.
 - The pub hosted a darts team, regular live music and the very popular “Bob’s quiz”. Various charity events have been organised by the customers.
 - The large car park facilitates customer access to the Lymington and Keyhaven Nature Reserve and Sea Wall, Sturt Pond Nature Reserve, Hurst Castle and the beach.
 - Over 100 local signatories were obtained and have been attached to the nomination. Whilst not required as part of the nomination, the nominators assert this to be “emphatic confirmation” of community value.
 - The nomination includes evidence from a web site “Enjoy Milford on Sea” which references the music and quiz nights, the new children’s play area in the pub garden and referencing the “new owners” (in fact – tenants). The web site is dated 15 November 2013 and the tenants referred to in the web page have now left the property. However in so far as it goes the web page provides some evidence of the new ownership of The White Horse in 2013 being a local news story.
 - The nomination includes a web page dated 10 November 2015 entitled “All Sainly” which indicated that a local church group used The White Horse as a venue until its closure.
- 3.6 In addition, the applicant makes a number of more generic assertions in support of the nomination:
- The British Public House has been proved in several studies to promote social well-being in a manner that cannot be matched by any other facility. The reference to “studies” is unsourced.
 - All pubs are different and have their own loyal clientele.
 - 31 pubs are closing every week in the UK. The applicant asserts that many of these have been trading satisfactorily and have been closed and sold for property development and unchallengeable change of use. However the applicant provides no evidence in support of its assertions.
 - The White Horse is particularly vulnerable as it is a prime location. They say the pub was closed at short notice by the most recent tenants due to a failure in negotiations

with the owner and that such outcomes has also happened in other local pubs. However there is no separate evidence to back up these assertions.

- The nomination says that local sources believe much of the surrounding land to the White Horse has been acquired by a property developer and is perceived to be an imminent threat to the pub. However no evidence has been provided in support of this opinion.

4.0 THE OWNERS COMMENTS

- 4.1 The Owner of The White Horse has been asked to comment on the Application. The Owner's solicitors wrote to the Council on 17 December 2015 objecting to the nomination. Paragraph numbers refer to the numbering used in the letter.
- 4.2 Paragraphs 1 – 9. The owners object to the validity of the nomination. However, as is explained in the appendix, the courts have confirmed that such a "hybrid application made by a local branch of a national organisation" is valid for the purposes of these nominations. Gosschalks make no reference to the relevant case (St Gabriel Properties) and offer no explanation as to why the circumstances of this nomination are different.
- 4.3 Paragraph 10. Gosschalks assert the list of signatures attached to the nomination is "otiose and nothing more than a petition". However the nomination simply attaches the list of signatures as evidence of the "final emphatic confirmation" that the pub has community support and therefore value.
- 4.4 Paragraphs 11 – 13 refer to the validity of the application. However as explained above and in the appendix, the courts have ruled such "hybrid applications" to be valid.
- 4.5 Paragraphs 14. The owners firstly point out and criticise the fact that the nomination includes reference to the previous leasehold title of the former tenants, Mr and Mrs Renouf. However the nomination only requires the nominators to provide the Council with such information about ownership available to them. Since the leasehold title is registered at the Land Registry the nominators cannot reasonably be expected to know the exact status of the Renouf's interest in the land so nothing turns on that point.
- 4.6 Paragraph 14 goes on to submit that a part of the Property (shown edged blue on the attached plan) nominated should not be included in the listing. They argue that the land edged blue on the attached plan to the south of the public house cannot be described as furthering the social wellbeing or interests of the local community. The owners say the nomination does not feature in the submissions and comments in the nomination form. However the nomination does enclose a copy of the owner's freehold title; Appendix A (which forms part of the nomination) refers to the "attractive gardens" and the supplemental "CAMRA" form provided refers expressly to the public house, garden and entire car park. It is clear enough the nomination does include the whole of the freehold title. The "Enjoy Milford" web page (albeit 2 years old) refers expressly to the pub's garden and play area and since the car park and pub garden form part of the pub as a whole it seems reasonable to treat them as one. Gosschalks make no assertion that the car park and the garden are functionally separate from the pub.
- 4.7 Paragraph 15(a). Gosschalks note the nominator's reply to question B2 is incorrect. These comments are noted. However I am aware the pub has re-opened and so appears to be open to the public for business in the usual way.

- 4.8 Paragraph 15(b). The point is made that the “Enjoy Milford” web page is dated 15 November 2013 has already been noted.
- 4.9 Paragraph 15(c). Gosschalks argue that the reference in the nomination to The White Horse” as the “preferred village local” is indicative that similar services are available elsewhere locally and that the objective of the legislation is not to protect people’s preferred destinations but rather to safeguard communities whom may otherwise be left without such services i.e. there is a major difference between a preferred destination and a destination of necessity. However it is not necessary for the Council to decide to list a property only where it is a “destination of necessity”. The Council must be satisfied the nominated property furthers the social wellbeing or social interests of the local community. It is clear that public houses can satisfy that test notwithstanding there are other pubs or restaurants in the area.
- 4.10 Paragraph 16(a). Note that Appendix A was drafted by Peter Simpson rather than Deric Payne. However since Appendix A is attached to and forms part of the application, nothing turns on this.
- 4.11 Paragraph 16(b). Gosschalks make the point that the nominator agrees that the owner has invested in the pub to make it commercially viable, which is noted.
- 4.12 Paragraph 16(c). Gosschalks comment on the nominators points that the pub is frequented by various groups and categories of customers. Gosschalks submit that infrequent use of the pub by local groups is not sufficient to suggest the property should be listed. This is for the Council to decide and it may be the case that such uses and activities, taken together, the property does provide a social function within the local community. The owners do not assert these uses do not take place.
- 4.13 Paragraph 16(d). Gosschalks challenge the nominator’s assertion that various charity events were also arranged by customers. Whilst Gosschalks do not assert these activities did not take place, they say the charities were not specifically local and that there are other local venues where such activities could take place. However it may also be indicative that The White Horse was chosen to host such activities because of its status within the local community.
- 4.14 Paragraph 16(e). Gosschalks refer to the nominator’s assertion that the large car park facilitates customer access to the Lyminster and Keyhaven Nature Reserve and sea wall, Sturt pond nature reserve, Hurst Castle and the beach. Gosschalks assert that the use of the car park for matters unrelated to the pub’s use is not capable of being taken into account in deciding whether to list the property as an ACV. However the nominators refer in this section to “customers” using the car park, rather than it being a public car park. It would appear the car park is an integral part of the pub’s function and so should be treated as one. The Purbeck case referred to by Gosschalks makes the point that the community use of the property must not be an ancillary use. Gosschalks say that the car park is an entirely ancillary and incidental use of the property to its core function that being its operation as a public house. However it does appear that the car park is for the customers of the pub.
- 4.15 Paragraph 16(f). Gosschalks challenge the nominator’s production of the 100 odd signatures. Gosschalks contest that the list of signatures is indicative of deep local feeling within the local community. Gosschalks say, in contrast to the assertion that the pub has deep local support, the pub has not been successfully trading, although they provide no evidence to support that assertion. The Council will need to decide what weight if any to place on the production of the list of signatories.

4.16 Paragraph 17. Gosschalks make various points about “Appendix B” which contains the rather more generic assertions made by the nominators in support of the nomination. In particular Gosschalks challenge the nominator’s assertions that the owner wish to redevelop the property. Gosschalks assert that the owners would much rather have every property within its estate tenanted by successful operators for profit although they also say that the divestment of properties is sometimes unavoidable. In essence, Gosschalks assert that the statements in appendix B are driven more by the “political” agenda of the CAMRA national campaign to register 1000 local pubs than by relevant considerations as to whether or not to list this property as an asset of community value.

As noted elsewhere, the Council is aware that a number of the assertions made in Appendix B are essentially the opinions of the nominator and are not supported by evidence. Gosschalks refute the proposition that the owners have a policy to accelerate the practice of removing tenants. Gosschalks also say the Council should not rely on “hearsay and conjecture” as to the assertion that property developers are acquiring property in the vicinity of the White Horse.

4.17 Paragraph 18. Gosschalks make a number of comments about Appendix C. Again, Gosschalks refute the proposition put forward by the nominators that the owners pressurise tenants into leaving and state there is no evidence the recently departed tenants of the property were pressured into leaving.

4.18 Paragraph 19. Gosschalks invite the Council to consider whether the local community would lose any social interest and/or wellbeing if the property were not listed. In particular they make reference to a number of local pubs and other establishments providing similar services to The White Horse, in particular The Smugglers Inn and The Red Lion. The Council must consider whether, in its opinion, the nomination of The White Horse should be accepted on the basis that it furthers the social wellbeing and social interests of the local community. The fact there are other public houses in the local area does not mean that The White Horse cannot fulfil that test. The legislation does not require that a community is at risk of losing a unique facility and the legislation is very broad as to the range of properties that can be listed. Indeed in some cases it appears all the pubs in a town (e.g. Otley, West Yorkshire) have been accepted for nomination as a “job lot”. At present however this Council takes the approach that each property must be nominated and considered on its own merit.

4.19 Paragraph 20. Gosschalks make reference to a Government report upon the pub sector, making the point there are probably a surplus of pubs in the UK. They advise that the report suggests that the UK has one pub per 1,257 head of population but that a more “reasonable” national requirement for pub stock should be 1 pub per 1,424 per head of population. Gosschalks argue that Milford’s 4 pubs provide a ratio of 1 pub per 1,175 per head of population. The point is that Milford is already well supplied with pubs and the local community will not suffer detriment by a rejection of the nomination.

Gosschalks argue that the purpose of the legislation is to protect the provision of certain services and amenities to local communities where such amenities are not readily available and where the withdrawal of such facilities would have a detrimental effect on the local community

Finally Gosschalks assert that it cannot have been the intention of the legislation to compel property owners to persevere with unprofitable business enterprises and suffer continuing losses when identical services are in plentiful supply elsewhere in the immediate vicinity. However the legislation does not require the owner to sell a listed property to any particular party at a particular price or to give a community interest group a right of first refusal over the property. The legislation allows a community interest group a right to put together a bid for the listed property should it be offered for

sale. The owner does not have to accept any such bid. So apart from a delay in the sale process whilst the moratorium period is worked through, (for which compensation may be available in some circumstances if the owner can demonstrate loss) the owner is not “stuck” with a property or unprofitable business. The legislation does not govern the use of a property since that is for the planning regime and there are a number of exclusions from the moratorium provisions, not least the ability of the owner to sell the property as part of a business sale as a going concern.

5.0 LEGAL POWER AND DELEGATIONS

- 5.1 The Council must consider the nomination and decide whether to list the Property as an asset of community value.
- 5.2 The Council has put in place delegated powers for an Executive Head of Service to make the decision in consultation with the Head of Legal and Democratic Services, relevant heads of service and portfolio holder(s).
- 5.3 The legal criteria to make the decision are laid down in the Act and supporting regulations. The Council must decide whether the Property is of community value.
- 5.4 The land is of community value if, in the opinion of the local authority 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. “Social interests” include cultural interests, recreational interests and sporting interests.
- 5.5 In the event of the Council deciding to list the Property as an asset of community value, the owner can appeal against that decision, firstly to the Chief Executive and ultimately to the court (the First Tier Tribunal). The owner is able to claim compensation for loss and expense in relation to the Property which would be likely not to be incurred if the Property had not been listed. This can include delays in entering into a binding agreement to sell the land which is caused by relevant disposals being prohibited by the regulations.

6.0 CONSULTATIONS

- 6.1 A number of consultations have been made as summarized below.
- 6.2 The Owner was informed of the Application as described in section 4 above.
- 6.3 The tenant of the Property shown in the Land Registry papers was asked to comment on the application. They replied that they had no involvement with the business “thanks to Rob Lowe and Enterprise Inns”.
- 6.4 Milford on Sea Parish Council was informed of the Application and was invited to provide comments. They replied:

“Milford-on-Sea Parish Council supports the application by CAMRA – Southern Hampshire Branch, to list the White Horse Public House at 16 Keyhaven Road, Milford-on-Sea as an Asset of Community Value. The Parish Council recognises the contribution public houses make to the vibrancy and vitality of village life and are keen for this to be preserved where possible for future generations of residents and visitors.”

- 6.5 The Head of Planning and Transportation stated there appeared to be no reason not to add the Property to the list.
- 6.6 The Head of Leisure and Employment commented that there would appear to be no reason not to add the nomination to the list.
- 6.7 The Head of Legal & Democratic Services had no comments on the proposal.
- 6.8 Cllr Jill Cleary was informed of the Application as portfolio holder for Housing and Communities and she said that she would leave it to the local Councillors to make any comments.
- 6.9 Cllr James Binns, Portfolio Holder for Health & Leisure stated that he had no objection to the proposal.
- 6.10 Local members Cllr Sophie Beeton and Mel Kendal made no comments on the nomination.

7.0 CONCLUSION

- 7.1 The reasons given by the nominating body set out in section 3 indicate the Property does fulfil the criteria for listing summarized in paragraph 5.4 above.
- 7.2 The Application appears to meet the legal criteria set out in the Localism Act 2011 for the Council to accept the nomination, for the reasons explained in this report.

8.0 RECOMMENDATION

- 8.1 It is recommended that you as an Executive Head of Service of the Council decide this Application pursuant to delegated powers as follows:
- (1) In the opinion of the local authority, the 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. It does therefore meet the criteria set out in the Localism Act 2011 to be eligible for listing.

For Further Information Contact:

Background Papers:

Andrew Smith
Solicitor
Tel: 023 80285588
E-mail:
andrew.smith@nfdc.gov.uk

Application
Letter of Objection dated 17
December 2015

APPENDIX

Nomination by CAMRA – Southern Hampshire Branch

1. Land may be included in a list of assets of community value only in response to a “community nomination” See Section 89(1)(a) Localism Act 2011 (“the Act”). In this case, for a nomination to be valid it must be made “by a person that is a voluntary or community body with a local connection”. See Section 89(2)(b)(iii).
2. Voluntary or community bodies are defined in Regulation 5(1) The Assets of Community Value (England) Regulations 2012 (The Regulations”) as meaning:
 - a. A body designated as a neighbourhood forum pursuant to section 61F of the Town and Country Planning Act 1990(1)
 - b. A parish council;
 - c. An unincorporated body
 - i. Whose members include at least 21 individuals, and
 - ii. Which does not distribute any surplus it makes to its members;
 - d. A charity;
 - e. A company limited by guarantee which does not distribute any surplus it makes to its members;
 - f. An industrial and provident society which does not distribute any surplus it makes to its members;
 - g. A community interest company.
3. “Local Connection” is defined in Regulation 4 of the Regulations. In the context of this case, for a body to have a local connection with land in the New Forest, its activities must be wholly or partly concerned with the New Forest or with the area of a neighbouring authority. See Regulation 4(1)(a).
4. There is an additional condition for those unincorporated bodies within Reg 5(1)(c), (e) and (f) i.e. unincorporated bodies, companies limited by guarantee and industrial and provident societies. Any surplus which they make must be applied at least in part for the benefit of the New Forest area or that of a neighbouring authority. See Reg 4 (1) (b).

The case of St Gabriel Properties Limited v London Borough of Lewisham is directly relevant to an application to list land as an asset of community value by a CAMRA branch.

5. CAMRA (Campaign for Real Ale Limited) is a company limited by guarantee. Article 5 of its Articles of Association prohibits distribution of its income or property to members.
6. Article 4(h) empowers CAMRA, in support of its objectives, “to establish and support branches whose objects are the same as the objects of CAMRA”.
7. The CAMRA – Southern Hampshire Branch confirm that the branch funds are used in the New Forest and surrounding area to set up beer festivals, deal with administrative matters, producing and distributing newsletters to members and pay for venues to hold monthly meetings.
8. In the case of a national company limited by guarantee which also has a network of branches, the judge in St Gabriel confirmed that on a proper application of the regulation the law treats organisations such as this in a hybrid way. CAMRA – Southern Hampshire Branch is entitled to rely on CAMRA’s status as a company limited by guarantee which does not distribute any surplus it makes to its members in

order to satisfy Regulation 5(1) (e). It is then entitled to rely on its own activities in order to satisfy Regulations 4(1) (a) and (b).

9. The Judge in St Gabriel decided that this approach to national organisations with local branches was the proper and realistic approach. However as an alternative the judge accepted the proposition that a CAMRA branch also satisfies Regulation 5(1) (c) as an unincorporated body. "Unincorporated Body" is a broad term which includes community groups of many descriptions. Although the branch constitution does not contain a clause which prohibits distribution of any surplus to members, the Judge stated that there is no requirement for an unincorporated body within Reg 5(1) (c) to even have a written constitution let alone a further requirement that a particular clause be included.
10. Taking into account the branches link with CAMRA nationally and with the evidence of CAMRA – Southern Hampshire Branch as to what it actually does with its money as fact it is considered that CAMRA – Southern Hampshire Branch would satisfy Regulation 5(1)(c) (ii).

Name of Witness: Jonathan Stewart

Exhibit: "JS1"

Date:

IN THE MATTER OF

THE NOMINATION OF THE WHITE HORSE PUBLIC HOUSE, 16 KEYHAVEN ROAD, MILFORD ON SEA, LYMINGTON, SO41 0QY ("the Property")

TO BE LISTED AS AN ASSET OF COMMUNITY VALUE ("ACV")

WITNESS STATEMENT OF JONATHAN STEWART

I, **JONATHAN STEWART**, of Enterprise Inns Plc, 3 Monkspath Hall Road, Solihull, West Midlands, B90 4SJ state as follows:-

1. I make this witness statement from facts which are within my own knowledge.
2. I will refer in this Witness Statement to documents exhibited in Exhibit 'JS1'. The page numbers of those documents will be indicated by a number in [].

Background and Experience

3. I am employed as an Asset Manager for Enterprise Inns Plc ("Enterprise"). I commenced working for Enterprise in October 2003.
4. The Property falls within the area for which I am responsible in my position as Asset Manager. I have been familiar with the Property for approximately 2 years.

Use of the Land edged blue on the plan ("the Blue Land")


5. The Blue Land shown on the exhibited plan [1] forms part of the registered freehold title to the Property owned by Enterprise.
6. The Blue Land has been disused for approximately 6 years other than as illegal car parking by residents of adjacent properties. As shown in the exhibited photographs

[2-4] it is remote from the Property and is not used in connection with the public house thereat, or the car park or the pub gardens at the Property.

7. The Blue Land is rough ground that has not been tarmacked or resurfaced in any other manner (unlike the car park) and I believe it is the foundations/concrete floor of a former building which used to form part of the Property. It has been in its current disused form for as long as I have known the Property and for at least the last 6 years according to company records.
8. The Blue Land is not used by Enterprise or its employees/agents, nor is it used by Enterprise's tenant of the Property or their employees or agents.
9. Customers of the Property use the designated car park area for parking, not the Blue Land. Furthermore, given the lack of tables, chairs, bins or other facilities in the Blue Land, it is clear that it is not intended to form part of the pub gardens, nor is it used as such. The photographs [2-3] show that the pub gardens are fenced off and separated from the car parking area and the Blue Land.
10. The Blue Land has been illegally used for parking by residents of and/or visitors to neighbouring properties. The exhibited photograph [4] shows they are parking nowhere near the Property, despite there being ample car parking spaces in the designated car park area. Their use of the Blue Land constitutes trespass. An illegal use of the Blue Land cannot constitute an actual current use that furthers the social wellbeing or social interests of the local community as envisaged by the Local Act 2011.

Statement of Truth

I believe that the facts in this witness statement are true.

Signed.......... Dated..... 3/3/16

JONATHAN STEWART

Name of Witness: Jonathan Stewart

Exhibit: "JS1"

Date:

IN THE MATTER OF

THE NOMINATION OF THE WHITE HORSE PUBLIC HOUSE, 16 KEYHAVEN ROAD, MILFORD ON SEA, LYMINGTON, SO41 0QY ("the Property")

TO BE LISTED AS AN ASSET OF COMMUNITY VALUE ("ACV")

WITNESS STATEMENT OF JONATHAN STEWART

This is the exhibit marked

'JS1'

in the statement of

Jonathan Stewart

I verify this is the exhibit 'JS1' referred to in my statement

Signed.....

Dated..... 3/3/16



TITLE NUMBER
HP604460

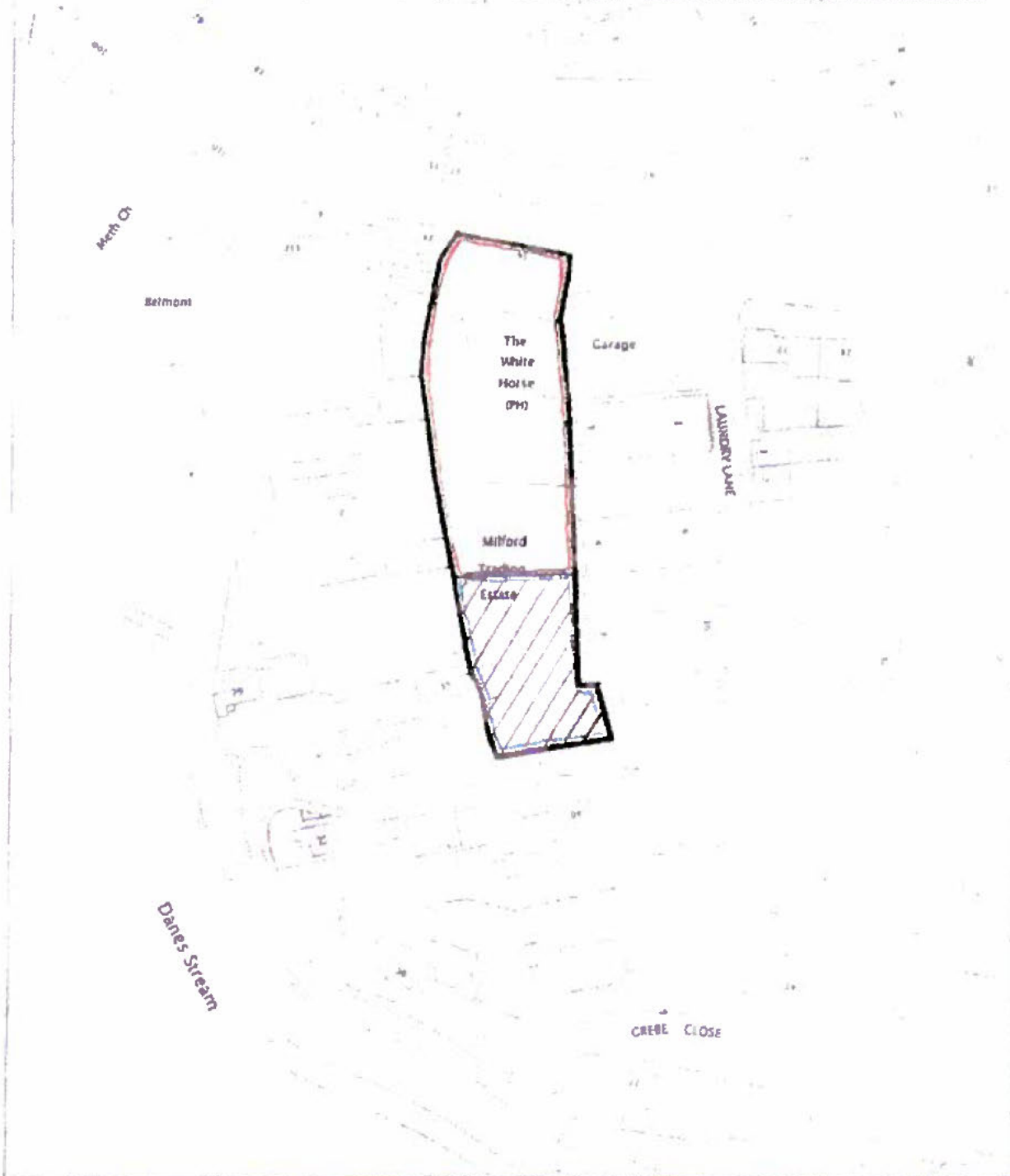


HAMPSHIRE : NEW FOREST

ORDNANCE SURVEY MAP REFERENCE: **SZ2991NW**

SCALE: **1:1250**

CROWN COPYRIGHT Produced by HMRL. Further reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number G0272728.









Name of Witness: Jonathan Stewart

Exhibit: "JS1"

Date:

IN THE MATTER OF

**THE NOMINATION OF THE WHITE HORSE
PUBLIC HOUSE, 16 KEYHAVEN ROAD, MILFORD
ON SEA, LYMINGTON, SO41 0QY ("the
Property")**

**TO BE LISTED AS AN ASSET OF COMMUNITY
VALUE ("ACV")**

WITNESS STATEMENT OF JONATHAN STEWART

Goschalks
Queens Gardens
Kingston upon Hull
HU1 3DZ

Tel : 01482 324252
Fax : 0870 600 5935

Ref : SP.I.M.98454.21508

From: [Adam Riley](#)
To: [Andrew Smith](#)
Subject: RE: ACV Review - White Horse, Milford on Sea GTE:00172002
Date: 06 April 2016 16:11:38
Importance: High

Dear Mr Smith,

I write in my colleague Steven's absence from the office on annual leave.

Thank you for your email and the additional information contained therein (and indeed the second email with photographs attached thereto).

We quite agree that the further comments of the nominators provide no support for the area edged blue being registered, a fact which they themselves acknowledge in their email.

We would also comment that it seems inappropriate for the nominators to be listing the points subject to which they would be willing to accept a de-registration of the area edged blue given that their comments cannot support the continuing registration of the area.

Notwithstanding the above, and in the interests of cooperation, our client has confirmed:

1. the remaining area of car park (without the area of land edged blue) will be sufficient for the public house use;
2. the remaining area will be available for the parking of public house patrons only; and
3. our client envisages the car park will be newly laid providing circa 30 marked spaces for vehicles.

We hope that, in light of our comments and the confirmations above, the area edged blue can now be removed from the ACV listing.

We look forward to hearing from you.

Kind regards,

Adam Riley

Adam Riley | Solicitor | Commercial Property
Gosschalks, Queens Gardens, Kingston Upon Hull, HU1 3DZ

Click here to take part in our online client satisfaction survey: [Link](#)

-----Original Message-----

From: Andrew Smith [<mailto:Andrew.Smith@NFDC.gov.uk>]
Sent: 05 April 2016 12:22
To: Steven Pattison
Subject: FW: ACV Review - White Horse, Milford on Sea

Dear Steve

Further to this matter I have received the below email from the nominators which provides the Council with no contrary evidence to your clients witness statement that the "blue land" shown on the attached plan should be excluded from the scope of the ACV listing of the White Horse pub (there is a second email of photos I received which I will send separately).

Are your clients able to provide any final comments, in particular whether the existing car park (not including

the blue land) is sufficient for the pub, that the designated pub car park is for the use of pub customers and whether there is any proposal to improve the marking and signage of the pub car park?

I look forward to hearing from you.

Kind regards

Andrew Smith
Solicitor
Legal & Democratic Services
New Forest District Council
Tel: 023 8028 5588 | [REDACTED]
Email
Andrew.smith@nfdc.gov.uk

Download our app
New Forest In Touch

-----Original Message-----

From: Peter Simpson [REDACTED]
Sent: 25 March 2016 22:55
To: Andrew Smith;Deric Payne [REDACTED]
Subject: ACV Review - White Horse, Milford on Sea

Dear Andrew,

Further to your communications I make the following observations:-

- 1) The area highlighted in blue does appear to be the site of a former industrial site, I would assume this was the Milford Laundry business which closed many years ago.
- 2) The wall of one current industrial unit on the east of the car park has faded numbered markings which are most likely car park bay indicators.
- 3) There is no clearly marked or visible boundary separating the car park of the White Horse and the former industrial site.
- 4) To enable the pub to operate efficiently, sufficient car parking space must be available to cater for the full occupation of the pub by customers. There is no car parking available in Keyhaven Road directly outside the pub.
- 5) Part of the car park on my visit was occupied by a large container, fenced off and a skip seemingly in use for building work. This took up an area which could have been used by customer cars.
- 6) On my visit there were also a number of cars offered for sale on the west side of the car park entrance. This prevented several spaces being available to the pub customers. It is not known if this was a legal operation or whether it is continuing.
- 7) If the full area suggested by Enterprise Inns as being the pub car park as opposed to other land is unencumbered by non-customer use then there are no grounds for opposing the area marked in blue from exclusion within the ACV area. How many car parking spaces have been designated to the pub car park? Is it possible for parking spaces to be clearly marked and the pub car park boundary to be clearly signed for customers?
- 8) In conclusion, subject to sole customer use, clear markings and boundary information for pub customers, there is no objection to the blue area being removed from the listing for ACV purposes.

A photo of the car sales occupation is to be sent on a separate email due to restriction of attachment capability.

(N.B. A prior email was rejected by NFDC system due to the size)

Yours sincerely,

Peter Simpson
for CAMRA South Hampshire Branch

cc Deric Payne - Pubs Preservation Officer

The information in this electronic mail (email) and any appendices to it is the property of New Forest District Council.

It may contain confidential information. It is intended for the addressee only.

Communications using this email system may be subject to recording and/or monitoring in accordance with relevant legislation.

Please examine the full terms of this disclaimer by clicking on the following hyper link:

www.newforest.gov.uk/emaildisclaimer

GOSSCHALKS DISCLAIMER: This is a PRIVATE communication. It is confidential, and may be legally privileged. All data transmitted in this message is intended for the sole use of the named addressee.

If you are not a named addressee, you must not disclose, copy, print, or in any other way use or rely on the data contained in this transmission. You should notify Gosschalks immediately and dispose of this message.

In the case of email, although Gosschalks routinely checks emails for computer viruses, addressees are advised to conduct their own virus checks of all emails (and any attachments). All email sent from Gosschalks is scanned for all viruses by MessageLabs.

Please note that Internet is not a completely secure communications medium, and this fact should be observed when corresponding with Gosschalks. To ensure regulatory compliance and to secure protection for our clients and business, emails sent to and from our server(s) may be monitored.

A list of the partners of Gosschalks is available for inspection at Queens Gardens, Hull, HU1 3DZ. Tel:01482 324252. For more information on Gosschalks, please visit our web site: www.gosschalks.co.uk - Gosschalks is authorised and regulated by the Solicitors Regulation Authority under number 61213.

[REDACTED]

From: Andrew Smith
Sent: 05 April 2016 12:22
To: 'Steven Pattison'
Subject: FW: ACV Review - White Horse, Milford on Sea
Attachments: 2016-03-06 10.20.06.jpg; Scanned from a Xerox Multifunction Device.pdf

Dear Steve

Further to this matter I have received the below email from the nominators which provides the Council with no contrary evidence to your clients witness statement that the "blue land" shown on the attached plan should be excluded from the scope of the ACV listing of the White Horse pub (there is a second email of photos I received which I will send separately).

Are your clients able to provide any final comments, in particular whether the existing car park (not including the blue land) is sufficient for the pub, that the designated pub car park is for the use of pub customers and whether there is any proposal to improve the marking and signage of the pub car park?

I look forward to hearing from you.

Kind regards

Andrew Smith
Solicitor
Legal & Democratic Services
New Forest District Council
Tel: 023 8028 5588 | [REDACTED]
Email
Andrew.smith@nfdc.gov.uk

Download our app
New Forest In Touch

-----Original Message-----

From: Peter Simpson [REDACTED]
Sent: 25 March 2016 22:55
To: Andrew Smith;Deric Payne [REDACTED]
Subject: ACV Review - White Horse, Milford on Sea

Dear Andrew,

Further to your communications I make the following observations:-

- 1) The area highlighted in blue does appear to be the site of a former industrial site, I would assume this was the Milford Laundry business which closed many years ago.
- 2) The wall of one current industrial unit on the east of the car park has faded numbered markings which are most likely car park bay indicators.
- 3) There is no clearly marked or visible boundary separating the car park of the White Horse and the former industrial site.
- 4) To enable the pub to operate efficiently, sufficient car parking

space must be available to cater for the full occupation of the pub by customers. There is no car parking available in Keyhaven Road directly outside the pub.

5) Part of the car park on my visit was occupied by a large container, fenced off and a skip seemingly in use for building work. This took up an area which could have been used by customer cars.

6) On my visit there were also a number of cars offered for sale on the west side of the car park entrance. This prevented several spaces being available to the pub customers. It is not known if this was a legal operation or whether it is continuing.

7) If the full area suggested by Enterprise Inns as being the pub car park as opposed to other land is unencumbered by non-customer use then there are no grounds for opposing the area marked in blue from exclusion within the ACV area. How many car parking spaces have been designated to the pub car park? Is it possible for parking spaces to be clearly marked and the pub car park boundary to be clearly signed for customers?

8) In conclusion, subject to sole customer use, clear markings and boundary information for pub customers, there is no objection to the blue area being removed from the listing for ACV purposes.

A photo of the car sales occupation is to be sent on a separate email due to restriction of attachment capability.

(N.B. A prior email was rejected by NFDC system due to the size)

Yours sincerely,

Peter Simpson
for CAMRA South Hampshire Branch

cc Deric Payne - Pubs Preservation Officer

From: [Andrew Smith](#)
To: [REDACTED] [osschalks.co.uk](#)
Subject: FW: ACV Review The White Horse Milford on Sea
Date: 05 April 2016 12:22:24
Attachments: [ATT00001.jpg](#)
[ATT00002.jpg](#)
[2016-03-06 10.20.06.jpg](#)
[2016-03-06 10.18.43.jpg](#)
[2016-03-06 10.19.35.jpg](#)
[2016-03-06 10.19.30.jpg](#)
[image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)

Steve

Second email as referred to.

Kind regards

Andrew Smith

Solicitor
Legal & Democratic Services
New Forest District Council
Tel: **023 8028 5588** | [REDACTED]
Email
Andrew.smith@nfdc.gov.uk



[Download our app](#)

[New Forest In Touch](#)



From: Peter Simpson [REDACTED]
Sent: 25 March 2016 22:02
To: Andrew Smith; Deric Payne [REDACTED]
Subject: ACV Review The White Horse Milford on Sea

Dear Andrew,

Further to your communications I make the following observations:-

- 1) The area highlighted in blue does appear to be the site of a former industrial site, I would assume this was the Milford Laundry business which closed many years ago.
- 2) The wall of one current industrial unit on the east of the car park has faded numbered markings which are most likely car park bay indicators.
- 3) There is no clearly marked or visible boundary separating the car park of the White Horse and the former industrial site.
- 4) To enable the pub to operate efficiently, sufficient car parking space must be available to cater for the full occupation of the pub by customers. There is no car parking available in Keyhaven Road directly outside the pub.

5) Part of the car park on my visit was occupied by a large container, fenced off and seemingly in use for building work. This took up an area which could have been used by customer cars.

6) On my visit there were also a number of cars offered for sale on the west side of the car park entrance. This prevented several spaces being available to the pub customers. It is not known if this was a legal operation or whether it is continuing.

7) If the full area suggested by Enterprise Inns as being the pub car park as opposed to other land is unencumbered by non-customer use then there are no grounds for opposing the area marked in blue from exclusion within the ACV area. How many car parking spaces have been designated to the pub car park? Is it possible for parking spaces to be clearly marked and the pub car park boundary to be clearly signed for customers?

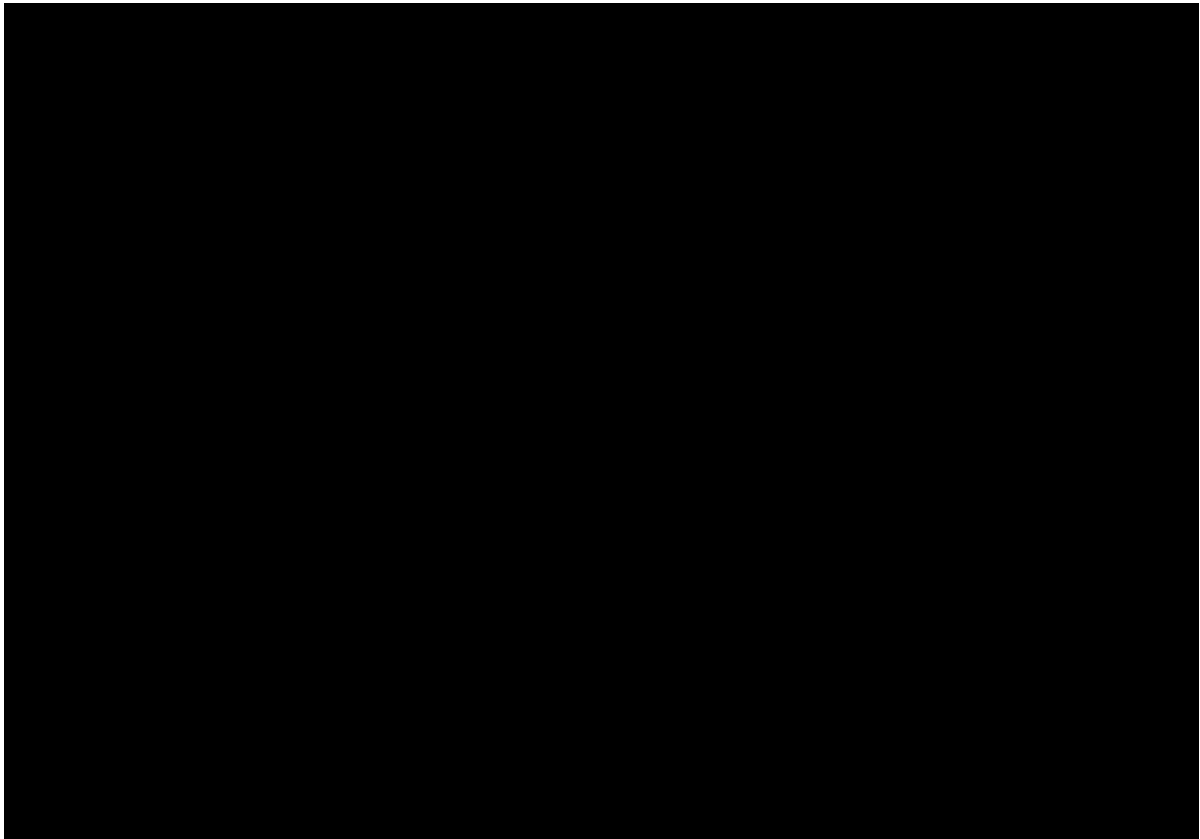
8) In conclusion, subject to sole customer use, clear markings and boundary information for pub customers, there is no objection to the blue area being removed from the listing for ACV purposes.

A further photo of the car sales occupation is to be sent on a separate email due to restriction of attachment capability.

Yours sincerely,

Peter Simpson
for CAMRA South Hampshire Branch

cc Deric Payne - Pubs Preservation Officer

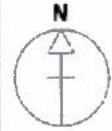






TITLE NUMBER

HP604460

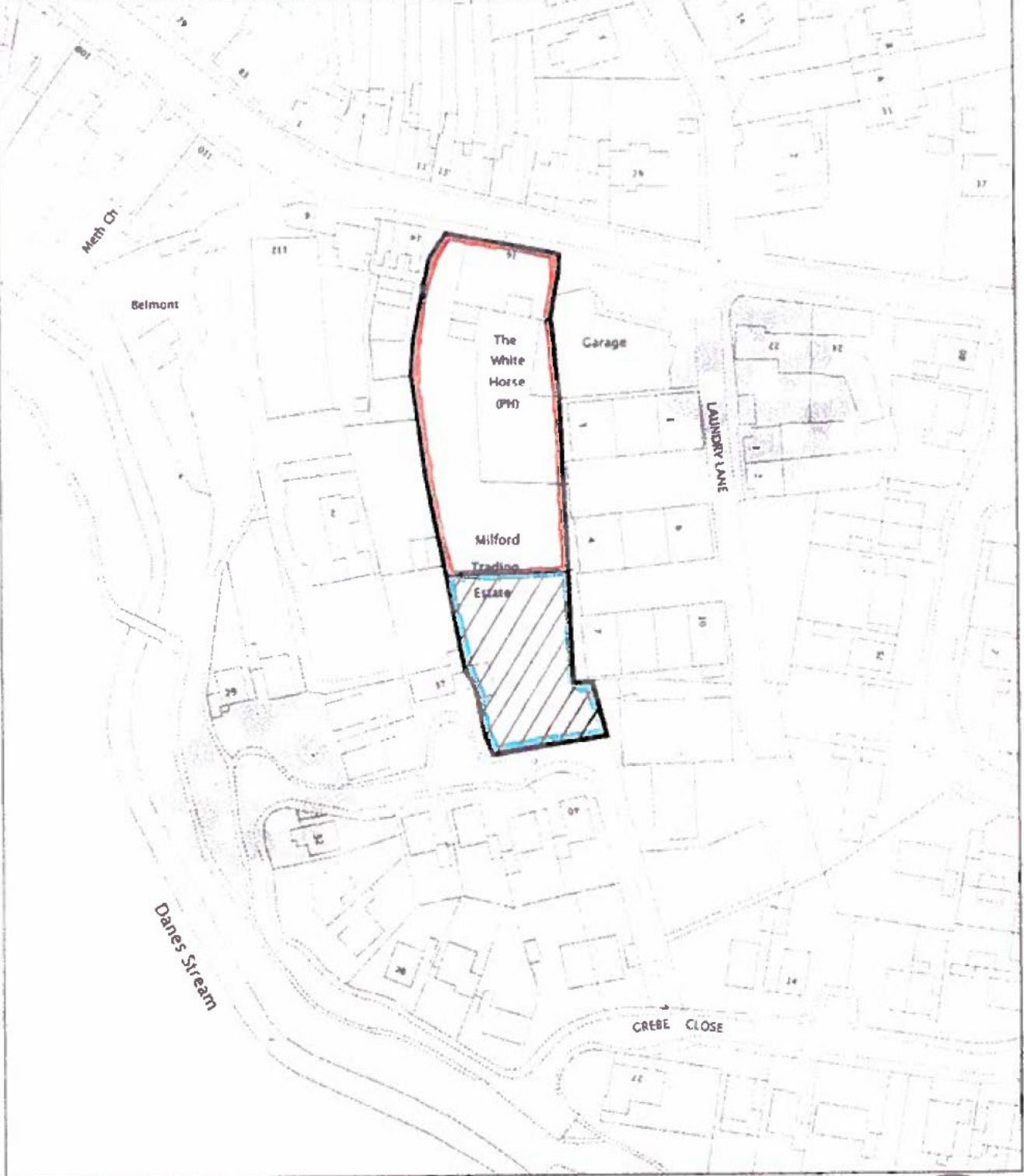


HAMPSHIRE : NEW FOREST

ORDNANCE SURVEY MAP REFERENCE: SZ2991NW

SCALE: 1:1250

CCROWN COPYRIGHT. Produced by HMLR. Further reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number GD272728.



This Official Copy is incomplete without the preceding notes page.