

Appendix 1
Report to Cabinet on the Application to list the Drive Public House as an Asset of Community Value

Decision-making body: Cabinet, exercising the powers conferred on the authority by the Localism Act 2011 and the Assets of Community Value (England) Regulations 2012 ('the Regulations')

Date application received in: 28.8.13 (supplemental information received in on 27.9.13)

8 weeks' deadline expires on: 23.10.13

Site name, address and title number: The Drive Public House, 153 Victoria Drive, Eastbourne, East Sussex BN20 8NH. Title number: EB5678

Recommended decision:

That Cabinet decide to ACCEPT the community nomination and add the land to the list of assets of community value in relation to the land edged red on the attached plan

Recommended reasons:

1. There was a time within the last 3 years when the land and building were used as a public house, which use was considered a) not to be an ancillary use and b) to further the social wellbeing or social interests of the local community

2. It is realistic to think that there will be a time in the next 5 years when there could again be a non-ancillary use of the land and building that would further the social well-being or social interests of the local community.

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The following documentation is to be considered in determining this decision:

Applicant submissions:

- Application form submitted on 28.8.13

- Constitution of the Save the Drive Association

- Plan submitted in support

- Additional information submitted by email on 27.9.13

Responses received in from notification of application:

None

Additional evidence:

- Copy office copy entries of title number EB5678 including plan

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Criteria for decision:

Cabinet will need to determine whether the asset meets the definition of an asset of community value laid out in the legislation referred to above.

Land which may, and may not, be listed as an asset of community value

3.5 *If a local authority receives a valid nomination, it must determine whether the land or building nominated meets the definition of an asset of community value as set out in section 88 of the Act. A building or other land in a local authority's area is land of community value if in the opinion of the authority —*

(a) 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;

(b) 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(1) Localism Act 2011)

Section 88(2) of the Act extends this definition to land which has furthered the social wellbeing or social interests of the local community in the recent past, and which it is realistic to consider will do so again during the next five years.

Extract from 'Community Right to Bid: Non-statutory advice note for local authorities'. DCLG October 2012

Is the building or other land an "asset of community value?"

Cabinet is requested to consider the following questions:

Nature of use	Suggested Response
1. Is the nominated asset within the local authority's area? (s.89(2)(a) of the Localism Act)	Yes.
2. Is the nomination from a	Yes. The Act and Regulations

<p>community organisation that is eligible to make a nomination?</p> <p>(s.89(2)(b) of the Localism Act, paragraphs 4 and 5 of the Regulations)</p>	<p>provide that "a voluntary or community body" may make a nomination. The definition of such a body includes an unincorporated body whose members include at least 21 individuals and which does not distribute any surplus funds to its members. Information received from the Save the Drive association regarding the group's genesis and status indicate that it meets these criteria.</p>
<p>3. Is the nominated asset within the categories excluded from the listing?</p> <p>(Schedule 1 of the Regulations)</p>	<p>No. While the property includes residential accommodation, the Regulations provide that a residence together with connected land may be listed if – as here - it is only partly used as a residence and the property would otherwise be eligible for listing.</p>
<p>4. Does the nominated asset meet the definition of "land of community value" set out in the Localism Act 2011?</p> <p>EITHER:</p> <p>(1) Is there an actual use of the building or other land that is not an ancillary use which furthers the social wellbeing or social interests** of the local community?</p> <p>AND</p> <p>(2) Is it realistic to think that there can continued to be non-ancillary* use of the building or other land</p>	<p>No. Evidence submitted by the applicant indicates that it ceased trading as a public house in June 2013. The licence was transferred from Punch Taverns plc to Row Property Investments LLP, its current owners, in July 2012. The premises licence is still extant.</p> <p>N/A</p>

which will further (whether or not in the same way) the social wellbeing or social interests** of the local community

OR

(1) Is there a time in the recent*** past when an actual use of the building or other land that was not an ancillary use furthered the social wellbeing or social interests** of the local community?

Yes. The premises has operated as a public house in the last 3 years. Evidence has been submitted by the applicant to indicate usage of the premises in the following capacities:

Darts and pool clubs. Darts teams have been active in the pub for over 30 years, latterly forming around 7 teams who play in the local league. The pool team also participate in the local league and between them participants have used the pub on a weekly basis from Mondays through Thursdays.

Community group meetings

The Eastbourne Bonfire Society have held meetings in the pub since June 2007 on a more than monthly basis; the pub also hosted their annual dinner.

The Lammas Festival Committee also met in the pub approximately 10 times per year.

The pub has also hosted meetings of the Old Town Churches Leaders and also on occasion by the Old Town Community Church.

The pub also served an informal function as a meeting place for local tradespeople, the self-employed and those running businesses in the service sector.

It is submitted that the pub's function rooms have been used by

<p>AND</p> <p>(2) Is it realistic to think that there is a time in the next five years when there could be a non-ancillary* use of the building or other land that would further (whether or not in the same way as before) the social wellbeing or social interests** of the local community?</p> <p><i>* A working definition of "non-ancillary" is that the use is not providing necessary support (e.g. cleaning) to the primary activities carried out on the land but is itself a primary use.</i></p> <p><i>** The definition of social interests includes (a) cultural interests (b) recreational interests and (c) sporting interests.</i></p> <p><i>*** A period of 3 years will be used as a guide to assess 'in the recent past'. Other periods may be appropriate depending upon the circumstances.</i></p>	<p>the community to celebrate weddings and birthdays and that the car park has been used by a local infant school to assemble a 'walking bus' which facilitated local parents walking their children to school.</p> <p>Yes, information has been submitted by the applicant regarding its provisional proposals to return the premises to use as a public house. Cabinet is invited to consider those representations and to decide that it is realistic to consider that there will be a time in the next 5 years when the pub could be used as a community-run public house.</p>
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Process to be followed following Cabinet's decision

A decision notice will be sent to the applicant and to the owner. Details of the decision are recorded on the Council's database and in the statutory list which is available for public inspection and on the Council's website.

Right of review

The owner of any land which is included in the Council's list of assets of community value has the right to seek a review of the decision to list the land. If the owner decides to exercise a right of review the written request and any supporting information should be received within 8 weeks of the date of written notice of the decision.

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Summary, including recommendations:

For the reasons outlined above, Cabinet is recommended to grant the application to list the site as an asset of community value.

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Victoria Simpson, Lawyer to the Council and Monitoring Officer

Assets of Community Value Nomination form

There are strict legal criteria which must be adhered to when nominating assets of community value and we will not be able to consider your application unless all the information is provided.

We will acknowledge receipt of a completed nomination form within 5 working days.

We will aim to come back to you with a decision within 8 weeks of receipt of a completed nomination form.

Part A - About the group making the nomination

A1. Organisation's name and address

Name of organisation
Save The Drive Community Group (working title)

Address including post code
c/o 68 Longland Rd, Eastbourne, BN20 8HY

A2. Contact details

Name
Liz Crew

Position in organisation
Project Manager/Co-ordinator

Address including postcode
68 Longland Rd, Eastbourne, BN20 8HY

Daytime telephone number
07770 986 296

Email address
liz@extraverte.com

A3. Type of organisation

Description	Please tick all that apply	Registration number (if applicable)
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	Yes	n/a
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		

A4. Local Connection

Please confirm and provide evidence that the group is wholly or partly concerned with the area covered by Eastbourne Borough Council or a neighbouring local authority area

Please see attached constitution document.

All members are residents of Eastbourne and are concerned with registering The Drive Public House as an Asset of Community Value (ACV) at this time.

A5. Distribution of surplus funds

For an unincorporated group, company limited by guarantee or an industrial provident society, please confirm and provide evidence that any surplus made by the group is wholly or partly applied for the benefit of the area covered by Eastbourne Borough Council or a neighbouring local authority area

See attached constitution. The group has not, to date, raised any funds but will apply funds only in line with the constitution

A6. Membership of unincorporated bodies

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

Elizabeth Crew, 68 Longland Road, BN20 8HY.
 Dave & Gail Platt, 7 Victoria Gardens, BN20 8NJ
 Derek Legg, 20 Beechwood Crescent, BN20 8AE
 Scott O'Rourke, 99 Victoria Drive, BN20 8LE
 Derek Mills, 15 Beechy Ave, BN20 8NS
 Bill McMillan, 30 Hill Road, BN20 8SL
 Richard Tomkinson, 116 Longland Road, BN20 8JD
 Anthony Goddard, 1 Hereward Road, BN23 6TG
 Wyn Daly, 6 Shannon Way, BN23 6UA
 Kate Daly, 3 Victoria Gardens, BN20 8NJ
 Fraser MacInnes, Flat 3, 290 Seaside, BN22 7RD
 Will Callaghan, 47 Gore Park Rd, BN21 1TG
 Debbie Saunderson, 16 Royal Sussex Crescent, BN20 8PB
 Barbara Drake, 10 Stonegate Close, Langley, BN23 8JR
 Stephen Cain, 22 Beechy Avenue, BN20 8NS
 David Wills, 15a Albert Terrace, BN1 1ST
 Jenny Eldridge, 112 Victoria Drive, BN20 8LG
 Roy Titherly, 23 Royal Sussex Crescent, BN20 8PB
 Roger Hunt, 30 Cavalry Crescent, BN20 8PE
 Roger Green (head brewer, Beachy Head Brewery), 30 Central Avenue, BN20 8PN
 John Wilson-Goddard, 10 Victoria Drive, BN20 8JS

A7. Your organisation

Please provide a copy of the following as relevant to your organisation	Please tick documents provided
Memorandum of Association	n/a
Articles of Association	n/a
Companies House return	n/a
Trust Deed	n/a
Constitution / Terms of reference	Attached
Standing Orders	n/a
Interest Statement for Community Interest Company	n/a

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

B1. Name and address of asset being nominated

Name

The Drive Public House

Address including post code

153 Victoria Drive
Eastbourne
BN20 8NH

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.
- 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/> and <http://publicassets.communities.gov.uk/>

Google Map extract image attached. The boundary shown in red is the extent of The Drive to the best of our knowledge.

B2. Current use of asset

What is the current main use of the asset?

The Drive is a public house but it closed in June 2013.

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

No

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

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

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

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

Yes

No

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

The Drive was built in the 1930's and, to our knowledge, has been in continuous use as a public house until its closure in June 2013.

It was the closest pub for approximately 3000 households and the only pub within about 15 mins walking distance (1km) for about 1000 households.

In addition to being a public house with its attendant social functions, it had a number of sports clubs (darts, pool, football) associated with it and the function rooms were used by the community to celebrate weddings, birthdays, etc.

Other community groups (Bonfire Society, Lammas Festival Committee, story telling group, band practice) used it regularly as a base bringing trade to the pub and making it a focus of community activities.

The pub has also been home to the Old Town Community Church.

The car park was used by a local infant school to assemble a walking bus thereby reducing the local reliance on private cars to take their children to school and encouraging wellbeing by walking from an early age.

Its presence opposite the Albert Parade shops enhances the diversity of the area and has the possibility of encouraging greater use of these independent shops.

When the pub's closure was announced, it was able to house approximately 300 people for a community meeting at very short notice.

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

We would anticipate that the community would be able to take ownership of the pub and it could then return to being a thriving local, with a wide range of community interests being served once again.

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?

Although the building appears to be in a broadly sound structural state some work would be required by any new owner/lessee to redress the neglect it as suffered in recent times so it's difficult to judge precisely how long that would take at the moment without a more detailed survey.

Under the terms of the Localism Bill, the community would have a 6 month period to put together a counter-bid for the building and would use this time, in part, to outline a plan for return to use.

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.

Yes, the pub has residential quarters currently and previously used by the licensee. But this is covered by the exceptions in the Localism Bill as it only forms a relatively small proportion of the building overall.

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 Eastbourne Borough Council should conclude that the asset is of 'community value'

The Drive is not the only pub in Eastbourne (or even in Old Town) but it does have a distinctive character which is appreciated by those who have used it.

It has been one of the few pubs in Eastbourne which could be considered to be family-friendly given the size and flexibility of the layout.

It has been run down in recent times but this appears to be mostly due to lack of investment by the PubCo owner (and continued by the current owner) but the viability of the site as a pub could not be doubted were it to open again under appropriate ownership and management.

Pubs are becoming acknowledged as an important part of the communities, in which they sit, providing leisure, commerce and a focus of bringing the community together. The Drive has been a good example of this and could be again.

By maintaining pubs at the periphery of towns, the problems of cumulative impact of high concentration of licensed premises in town centres can be ameliorated to some extent by encouraging some people to drink locally. The Drive is an excellent example of a pub placed away from other drinking establishments and looking to serve a local community.

The fact that the community has unified in a number of campaigns to dissuade the change of use to a supermarket, and to keep the pub and bowling green is indicative of the way the community value these facilities.

People have indicated that were the land and buildings to come up for sale, they would look to raising the funds to bring them under community control.

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

	Name	Address	Please delete as appropriate
Owner/s	Row Property		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)	Row Property (as above)		Current Last known Not known Not applicable

Holder/s of any leasehold estate			Current Last known Not known Not applicable
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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
Elizabeth Crew

Title
Group Project Manager/Co-ordinator

Signature
E Crew

Date
28th August 2013

Please send your completed form to:

**Community Right to Bid
Chief Executive
Eastbourne Borough Council
1 Grove Road
Eastbourne
BN21 4TW**

Email: chiefexecutive@eastbourne.gov.uk

Data Protection Statement

We will process the information provided in accordance with the Data Protection Act for the purposes of administering the Community Right to Bid procedure. The information provided will be stored securely by Eastbourne Borough Council and will be destroyed after 6 years. Name and contact details provided will be shared with the owner of the asset in the event that the nominating organisation subsequently submits an expression of interest in the event that the asset comes up for sale, excepting exempt sales or transfers.

The information provided will be subject to the Freedom of Information Act, but personal information (names and contact details) will not be released in responses to Freedom of Information requests.

The Drive Public House

Application to add to the Register of Assets of Community Value.

Addendum 2

Correction to some membership details of members of the applying group.

- 1 William Callaghan current address as stated on previous form – previously on electoral register at 9, St Mary’s Road, Eastbourne, BN21 1QD.
- 2 Kate Daly current address as stated on previous form – previously on electoral register at 13 Alfred Road, Eastbourne, BN23 6TA.
- 3 Wyn (Winifred) Daly address incorrectly stated as 6 Shannon Way, in fact is 20 Shannon way.
- 4 David Wills current address as stated on previous form – previously on electoral register at 27 Salehurst Road, Eastbourne, BN21 1QS
- 5 Member not stated on previous list
Nicholas Bond on electoral register at 130 Longland Road, Eastbourne, BN20 8JD.

The Constitution of 'Save the Drive' Association

Aim: To register the Drive public house as a Community Asset and work to secure the Drive as a community pub/building for the benefit of the local community. To work with the council and other bodies to achieve this aim.

Objectives/Goals:

- 1) To promote the Drive and try to secure its future for the Community.
- 2) To recognise the views of the community and involve them in what is happening.
- 3) If and when the Drive is secured as a community building to create and maintain a good and safe community spirit and organise social and community events within the Drive.
- 4) To liaise and work with the council, other agencies and community groups to benefit the whole community.
- 5) To identify ways of raising and using funds to achieve our aim(s) for the benefit of the Drive and the community. (If and when appropriate)
- 6) To ensure the community/residents are consulted and their views considered before decisions are made which may affect them.
- 7) To ensure democracy and fairness and to work towards the elimination of all forms of discrimination within the community encouraging usually excluded groups to participate.
- 8) The association will be non-political.

Equal Opportunities Statement:

In order to involve as many people as possible, members must actively seek to represent the needs of the Drive and the local area, must not discriminate and shall encourage equal opportunities for all, regardless of race, colour, ethnic or national origin, religion, sexuality, gender, physical disability, appearance, marital status, age, class or tenure.

Everybody has their own individual knowledge and experience to contribute and the association will welcome all constructive input from the community and where possible use it to forward the aims of the Association.

Membership:

All members shall have an equal vote.

All members should actively seek to represent the needs of the Drive and local area and must not discriminate.

There will be no membership fee.

Members will at all times conduct themselves in a reasonable manner when attending meetings or any other function connected with the association.

The Committee:

A committee of no less than 5 and no more than 21 shall be elected to carry out the business of the association.

The committee shall be made up of the officers of secretary, chair and if/when finances/fund raising becomes necessary a treasurer and up to 18 general members.

No two people from the same household can be officers of the association

Officer vacancies can be filled by the committee

There should be an annual general meeting

The committee should meet no less than 6 times a year.

Meeting notes shall be available to all members

Finance:

The group has not, to date, raised any funds but will apply funds to the cause or if dissolved to another local community group or project.

Quorum:

No committee meeting shall take place if less than 5 of the committee are present.

Voting:

Any member may make a proposal. In order for it to be voted on by other members it must be seconded or supported by someone else.

Only members present at the meeting may vote.

Before voting any member may make an amendment which must be seconded.

No member shall exercise more than one vote.

The Chair will not exercise a vote, however, in the event of an equal vote; the Chair shall have the casting vote.

Voting procedures by the majority of those present.

(May need to add sections like 'changes to the constitution' 'dissolution' 'finance' 'code of conduct' at a later date)



The Drive Public House

Application to add to the Register of Assets of Community Value

Supplementary information (to be read in conjunction with the completed application form).

Point A4 – evidence of local connection

Initially, a Facebook Group called “Keep Albert Parade Special” was launched by a few local people in response to the news that Sainsbury’s planned to open a supermarket on the site of the pub.

The group was joined by a large number of people interested in the topic and a number of activities were orchestrated with the assistance of Stephen Lloyd, MP and others. These activities were designed to highlight the value of the local shops and how their distinctive character would be at risk were Sainsburys to open a supermarket.

Within this large group of local people, there were a smaller, but still enthusiastic, group of folk whose interest was more that the pub had community value in itself and that this message wasn’t really highlighted in the other activities.

As a result of this a suggestion was made by Liz Crew in the Facebook Group that pub’s intrinsic value could be recognised by means of the Localism Bill. The suggestion was met with enthusiasm and so Liz suggested that a subgroup should form to look at this angle. Many people offered their support for this side of the campaign and an open invitation was made to meet and undertake the work needed to request a register entry. A group of seven people convened (in a pub in Old Town) initially on 5th August 2013 to form the working group to undertake the task

This working group was: Liz Crew, David and Gail Platt, Kate and Ben Daly, Steve Cain and David Wills

Other people who had offered support joined the group by committing their names and addresses to the initial membership list. Some of the members had been regular attenders at The Drive, whilst the others (including a local brewer) understand and value the unique facilities that The Drive provided to the local community in this part of Old Town.

The group was formed specifically in relation to this campaign and the speed at which the group got together is as a consequence of the somewhat clandestine way the requested change of use has been undertaken by the landowners and their potential lessees and the apparent aim by them to have the existing restrictive covenant on the building rescinded.

If, at some point in the future, the group has the opportunity to bid to buy or rent the pub, it’ll be this core of people who will reconvene to take the work wider into the community.

Point B3 – Evidence of social value

Probably the most active sports and social aspect of the pub is the long-term commitment to participation in local darts league.

We don't know precisely how long darts teams have been active in the pub but it's well in excess of 30 years.

At the time of closure there were four well-supported darts teams from Senior Men who play in the Cardwell League who have had to relocate to the NutHouse in Seaside; two Youth Teams (over 20 players) and a Ladies' Team with over 10 registered players.

In addition to the various darts teams there was a pool team represented in the Eastbourne and District Pool league with at least seven players (minimum requirement to participate in league matches).

Between them, the darts and pool teams used the pub as a home base Mondays to Thursdays each week.

These pub sports contribute to people's sense of belonging to a team, skills development and camaraderie. In addition, the presence of youth teams gives younger members role models for skills development, community spirit, competitive spirit and discourages antisocial behaviour.

As well as traditional pub sports, the pub hosted many community events on a regular basis. The Eastbourne Bonfire Society met in the Drive from June 2007, holding monthly meetings for between 20 and 50 people for the planning and briefing sessions for the event. There were additional officers' meetings for up to a dozen or so attendees. The Drive also hosted the society's annual dinner for 30 or members.

Following closure of the Tally Ho pub, the Lammas Festival committee of about 12 people started to meet in the Drive to organize the annual festival, holding approximately 10 meetings a year.

The Old Town Churches Leaders have met every few months in the Drive over lunch or breakfast and the function room was used for Old Town Community Church meetings whilst the Community Centre was being refurbished, and a few times since then.

Sports and cultural activities were not the only aspects of community life that The Drive supported.

The area of town near the pub has a long history of housing tradespeople, the self-employed and those running small businesses in the 'service sector'. It is known that the pub often served as an informal 'networking hub' for these residents: it afforded the opportunity for them to get together and offer business to business services and to exchange business and employment opportunities with each other.

Whilst it's not possible to quantify the absolute financial benefit to the community of this, the importance of such informal meeting spaces in local communities is often neglected.

We believe these uses of The Drive above and beyond its utility as a drinking establishment demonstrates the wider community value of the premises – perhaps we could even say it was in line with some of the aspirations of the People's Refreshment House Association Ltd in making the local pub about more than selling hard liquor for profit.

B3 – Plans to return The Drive to use

The moratorium afforded in the event of a successful registration, and a subsequent sale comes in two parts, the first of which is a six week initial period in which the community group carries out a pre-feasibility study to decide whether or not they are in a position to bid.

The work we would need to carry out in those initial weeks includes:

- Full structural survey of the building
- High level estimated cost of building remediation and fit-out costs
- High level business plan to look, very roughly, at future costs and revenue
- First stage community consultation to ascertain the community appetite for taking on ownership of the pub.
- Initial research into possible loan/grant/other financing options.
- Legal consultation

Realistically, it's highly unlikely that the work could be completed to the required standard, in the time frame by volunteer effort alone. Professional fees for the above together with some project management costs would need to be covered but wherever possible we'd hope to work with local professionals who might be willing provide their services at a slightly reduced cost to the community.

As a group we would be qualified to apply for DCLG grant money to cover the immediate costs of a pre-feasibility study. That's not to say we would definitely get it, since the bid process is competitive, but the grant is there to encourage community groups to carry out thorough and professional studies which is what would be needed in such situations. We believe we could make a good case for financial support.

Failing this, we would also need to undertake some immediate fundraising activities to cover costs.

If at the end of this initial period the group decided that a community bid was feasible, they can call for the second part of the moratorium to apply (the remainder of an overall six month period).

This period is used to prepare the final bid.

Activities in this period would include:

- Further community consultation for details of what establishment might be successfully received in the area (for example: what facilities would be essential, desirable or nice to have).
- Refinements of cost estimates and business plans in the light of findings of the consultation.
- Fund raising to “pledge” stage
- Further legal consultation and, if necessary, incorporation and registration work
- Investigation into whether local trades people would be willing and able to apply time and skills to the project in lieu of cash contributions to the project

Again, professional help would be needed to ensure that a robust bid was put together for the benefit of all parties. Once again, DCLG grants would be sought to help support these activities together with the assistance of local professionals to carry out the work.

In addition, we would anticipate that remediation and fit out works could be the focus of some community activity since we’ve already identified that there is plenty of local skill based near The Drive.

Ultimately, were the group to buy/lease the pub a decision would have to be made as to whether it was run by the group itself, or whether (as in some other community pubs) a separate manager was employed for the day to day running of the pub in line with the strategy outlined by the community group’s governance systems.



Official copy of register of title

Title number EB5678

Edition date 21.01.2013

- This official copy shows the entries on the register of title on 24 JUN 2013 at 10:09:15.
- 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 Jun 2013.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website www.landregistry.gov.uk or Land Registry Public Guide 1-A *guide to the information we keep and how you can obtain it*.
- This title is dealt with by Land Registry, Coventry Office.

A: Property Register

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

EAST SUSSEX : EASTBOURNE

- 1 (05.03.1932) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 153 Victoria Drive, Eastbourne (BN20 8NH).

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 (10.07.2012) PROPRIETOR: ROW PROPERTY INVESTMENTS LLP (LLP Regn. No. OC370672) care of Hillier Hopkins Llp, 64 Clarendon Road, Watford, Hertfordshire WD17 1DA.
- 2 (10.07.2012) A Transfer of the land in this title and other land dated 3 November 2003 made between (1) Punch Taverns Properties Limited (Transferor) and (2) Punch Pub Company (PTL) Limited (Transferee) contains purchasers personal covenant(s) details of which are set out in the schedule of personal covenants hereto

The Transfer to the present proprietor contains a covenant to observe and perform the aforesaid covenant(s) and of indemnity in respect thereof.
- 3 (10.07.2012) The price stated to have been paid on 29 June 2012 was £675,000.
- 4 (10.07.2012) A Transfer dated 29 June 2012 made between (1) Punch Partnerships (Ptl) Limited and (2) Row Property Investments Llp contains purchaser's personal covenants.

NOTE: Copy filed.

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.

B: Proprietorship Register continued

- 5 (14.11.2012) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 31 October 2012 in favour of Svenska Handelsbanken AB (PUBL) referred to in the Charges Register.

Schedule of personal covenants

- 1 The following are details of the personal covenants contained in the Transfer dated 3 November 2003 referred to in the Proprietorship Register:-

"The Transferee covenants with and undertakes to the Transferor that the Transferee and its successors in title will at all times:

(a) observe and perform the Incumbrances insofar as the same affect the relevant Property and are subsisting and capable of being enforced;

(b) observe and perform the covenants, obligations and agreements binding on the Transferor contained in the Occupational Leases;

and indemnify the Transferor against all actions, proceedings, costs, claims, demands and liabilities in respect of any future breach or non observance or non performance of them or any of them.

In this transfer, except where the context otherwise requires, the following words and expressions have the following meanings:

"the Incumbrances" means in respect of a Property, the matters subject to which it is transferred;

"Occupational Lease" means the leases, tenancy agreements, licences and other rights of possession granted by the Transferor or its predecessors in title (if any) in respect of a Property;"

C: Charges Register

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

- 1 A Conveyance of the land in this title dated 25 February 1932 made between (1) Eastbourne Corporation and (2) People's Refreshment House Association Limited contains restrictive covenants and reserves rights.

NOTE: Copy filed.

- 2 (15.06.2006) The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto.
The leases grant and reserve easements as therein mentioned.

- 3 (14.11.2012) REGISTERED CHARGE dated 31 October 2012.

- 4 (14.11.2012) Proprietor: SVENSKA HANDELSBANKEN AB (PUBL) (incorporated in Sweden) (UK Co. Regn. No. FC014392) of 2nd Floor, 4M Building, Malaga Avenue, Manchester Airport, Manchester M90 3RR.

- 5 (14.11.2012) The proprietor of the Charge dated 31 October 2012 referred to above is under an obligation to make further advances. These advances will have priority to the extent afforded by section 49(3) Land Registration Act 2002.

Schedule of notices of leases

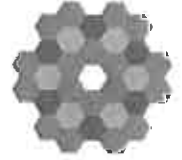
- | | | | | |
|---|---------------|---------------|---------------|-----------|
| 1 | 15.06.2006 | Bowling Green | 31.03.2006 | ESX295429 |
| | Edged and | | 10 years from | |
| | numbered 1 in | | 1.10.2003 | |
| | blue | | | |

Title number EB5678

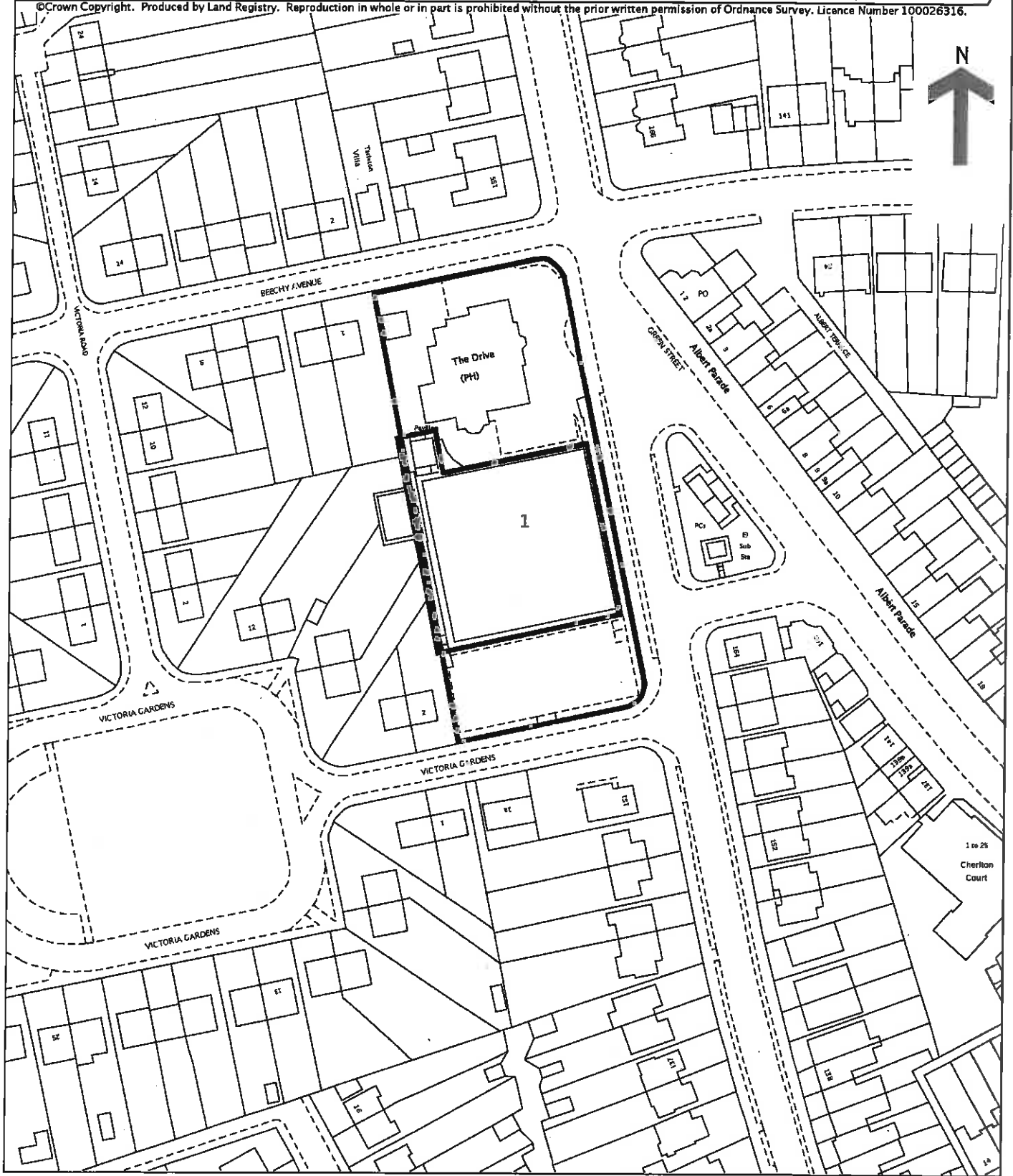
End of register

Land Registry
Official copy of
title plan

Title number **EB5678**
Ordnance Survey map reference **TV5999NW**
Scale **1:1250**
Administrative area **East Sussex : Eastbourne**



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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.

If any mapping work in respect of any pending application(s) has been completed, additional references, which are not referred to in the register of title, may appear on the title plan or be referred to in the certificate of inspection in form Cl. References may also have been amended by, or not be shown on the title plan, where these are being removed as a result of a pending application(s).

This official copy is issued on 24 June 2013 shows the state of this title plan on 24 June 2013 at 10:09:15. 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. See Land Registry Public Guide 19 - *Title Plans and Boundaries*.

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