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BUSINESS PROPERTY TEAM

Dear Sirs

The Dinnewicks, The Chipping, Kingswood, Wotton-under-Edge, Gloucestershire, GL12 ("the Property")
Application for listing as an asset of community value
Our client: Wadworth & Co. Limited

We understand that application has been made under reference number 2017/0009 to include the Property on the register of assets of community value.

We comment as follows;

1. We note that the Kingswood Parish Council have made an application in relation to the Property being listed as an asset of community value ("ACV").
2. Our client wishes to object to the application.
3. The application from Kingswood Parish Council states the pub has been used by the community as a place to meet and drink and socialise. It states that it is used for organisations to "hold informal meetings". These are stated in the application to be informal and as such are not directly related to the public house use.
4. The application also states that the Property is used by walkers who have "strayed from the Cotswold Way". This does not provide any community value.
5. Accordingly, our client asserts;
 - a. there is no reason to believe the group has funds and the listing would delay the legitimate sale of the public house;
 - b. that the community value test in the Localism Act 2011 ("the Act") is not met. Any use that furthers the social wellbeing or social interests of the local community is plainly ancillary to the public house use.

Purpose of the nomination

6. Our client has no reason to believe that the group have any prospect of raising sufficient funds to make an offer.

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7. Wadworth has no reason to believe that there is any prospect of a bid being put together for the Property. Wadworth have seen no proposals or in principle backing for the finance to purchase the pub by the Parish Council. Our client would flag that the property is presently on the open market and is being marketed for sale. The Parish Council have not come forward with a bid.
8. The underlying motive for the nomination is not sufficiently made out.
9. Therefore it is reasonable to conclude that the purposes of the Act would not be served by the nomination of the Property as an ACV.

Social Interests of the local community

10. The Property has been used and licenced as a public house. The overriding and main use of the Property is for the sale of alcoholic drinks, along with the sale of food.
11. Accordingly the primary current use of the land is commercial and not directly related to the social well-being or social interests of the local community.
12. The Property had been a trading pub and not an asset with direct community value. The social well-being from the Property flows, if at all, indirectly from its trading operations.
13. While there may some uses at the Property (relating the running of quizzes etc), these are subordinate to the sale of alcoholic drinks and done as promotional items relating to the operation of the pub.
14. We would submit that if the intention behind the Act was not that mere pub use would be sufficient to justify its listing a property as an ACV.

Realistic future community value

15. In addition, our client does not think it is realistic to think that the Property can continue to be used in a way that will further the social well-being or social interests of the local community, if any exists or flowed from the pub use.
16. The pub business has been in decline and the tenant has given notice due to this. For this reason, our client intends to sell the Property on the open market and believes the ACV application is likely related to the recent marketing of the property recently, rather than the grounds under the Act.
17. Our client would also point out that there are alternative community facilities, aimed at general community use within the nearby area, such as the village hall. Our client does not perceive any detriment to the social wellbeing of the area by the Property not being subject to ACV designation.
18. Wadworth would flag that the last couple of Business Partners who have operated the pub have left for financial reasons. There is no car park at the pub which affects its passing trade. Wadworth have concluded that the pub is not viable on the village trade alone as it fails to attract custom from outside the village. Walkers from the Cotswold Way need to come many miles and this is not realistic.
19. Wadworth do not believe the pub has any directly linked cricket or football teams in the area and notices put up would be incidental socialising and not with a

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community purpose. Wadworth have seen no operational evidence of any community activity. Wadworth would comment that the pub has been closed for several months now and no customers' comments have been received by the brewery in relation to the Property. Wadworth would also flag that there are several pubs in Wotton-Under-Edge which are viable alternatives to this property and have comparable offerings.

Accordingly, our client requests that the application to list the Property should be refused. If the Council requires any further information to carry out this review, please let us know and we will ask our clients to supply whatever is deemed necessary.

We would be grateful if you could acknowledge receipt of this request and let us know the next step in the Council's procedure.

Yours faithfully

A handwritten signature in black ink that reads "Stone King LLP". The signature is written in a cursive, slightly stylized font.

STONE KING LLP

CC. Gareth Webb and Lloyd Stephens, Wadworth & Co.

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