

Ye Olde Globe Public House - Berrynarbor – nomination as an Asset of Community Value (ACV)

Note: References to the “Act” are to the Localism Act 2011.
References to the “Regulations” are to the Assets of Community Value (England) Regulations 2012.

On **18th November 2024** a nomination was received under the provisions of the Regulations to list as a community asset the **Ye Olde Globe Public House, Berrynarbor**. The nomination was in the name of **Berrynarbor Parish Council**.

<p>Conclusion: Based on the available evidence the “Ye Olde Globe Public House”, Berrynarbor <u>will</u> be added to North Devon Council’s list of Assets of Community Value.</p>
--

Consideration 1: Has the nomination been made by an appropriate body?

89(2)(b)(i) of the Act provides for a Parish Council to nominate land in the Parish/Town Council’s area (i.e. Berrynarbor Parish Council) this is expanded upon in regulation 5 of the Regulations.

This criteria is therefore met.

Consideration 2: Is the nomination complete, including the necessary matters specified in para 6 of the Regulations?

Para 6 requires a description of the land, information on the owners and occupiers, reasons for believing there is a community value, and evidence that nominator is eligible. This has all been provided and so the nomination is deemed valid.

Consideration 3: Does the “Ye Olde Globe Public House”, Berrynarbor qualify as being of “community value”?

s88(1) of the Act specifies that land is 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 community; and

(b) it is realistic to think that there can continue to be” such use

Section 88(2) goes on to state that even if there is no current community use of the asset, for instance because the asset is currently closed, an asset might still be deemed to be of community value if the authority is of the opinion that

“(a) there is 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 interests of the local community, and

(b) it is realistic to think that there is a time in the next five years when there could be non-ancillary use of the building That would further (whether or not in the same way as before) the social wellbeing or social interests of the local community”

Section 88(6) defines “social interests” as including cultural, recreational and sporting interests but there is no definition of social wellbeing or any definition that limits the breadth of the meaning of social interests. There is also no definition of what constitutes the “local community” but various appeals have given some guidance.

Ye Olde Globe Public House has previously been accepted and listed as a community asset by this Council in 2018. Once the five year period had passed it was removed from the register in March 2024 by course of time. This is a re-nomination from the Parish Council.

At the time the nomination was made Ye Olde Globe Public House, Berrynarbor, remained in use as an operational public house. However it is understood that, since the nomination form was submitted, it has since “temporarily closed” and the pub’s official Facebook account has published a statement that “It is with deep regret and a broken heart that I can confirm that on the 15 December [2024] Ye Olde Globe closed its doors”.

As the nomination form sets out, the pub has provided recreational activities for the community which have included (in addition to the provision of drinks and food) community events, such as live music and theatre events, but also the location for a poetry group to meet. The pub has held regular charity quiz nights which have provided financial assistance for the local community shop which is being managed and run by local residents as a community group. It is evident that the pub has enhanced the social interest and social wellbeing of the local community. The pub comprises a pub and beer garden.

As mentioned before, there is no statutory definition of what use “furthers the social wellbeing or social interests of the community”. It has been left to local authorities to determine this in the light of local circumstances. In the case of North Devon, the adopted policy states that:-

“A property that enhances the social interest and social wellbeing of the local community is one that in its absence would deprive the local community of a building or property which is essential to the special character of the local area and provides a place to meet and socialise, place to shop, recreational, sporting or cultural facility or a place used to provide a community service.”

In my view, the primary use of the land covered by the nomination does achieve these purposes. However it is important to consider the fact that Ye Olde Globe Public House has since indicated its temporary closure with no clear information as to if and when it is likely to reopen. It is noted that the Parish Council has referenced that there is a potential for Ye Olde Globe Public House to be acquired by a village group akin to how they have acted similarly in respect of the local village shop. This is one of many possibilities for the future of Ye Olde Globe House, the reasoning for the temporary closure being unknown, and indeed it is no unrealistic that it could reopen in the same form within the next 5 years. Even without this, it has been evidenced that Ye Olde Globe Public House was previously brought back into operation by crowdfunding and volunteering efforts

both primarily from the local community. Accordingly based on recent history it is apparent that it is realistic to think that there is a time in the next five years when the use of the building will return as a local public house that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community in the ways as has been set out above.

As such, it is considered that the **Ye Olde Globe Public House, Berrynarbor** does further the social wellbeing or social interests of the area and should be included in the list of Assets of Community Value.