



North Tyneside Council

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Briefing note

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Cc:

Date: 11th November 2015

Title of Briefing: Community Asset List – Berkeley Tavern, Whitley Bay

Background:

In September 2014, SPG considered a report which provided information on the legal requirement for the Council to maintain a Community Asset List and to consider applications submitted by any party to nominate an asset for inclusion in the List.

The report gave information of the type of organisations that are eligible to nominate an asset. It also provided details of certain categories of use into which the asset had to fall for successful nomination (Localism Act 2011 s88 paras 1 & 2)

Berkeley Tavern

The Berkeley Tavern is situated on Marine Avenue in close proximity to the Whitley Bay Dome and other local businesses. The property had been marketed for sale for a number of months. The Berkeley Tavern at the point of application was in the ownership of Enterprise Inns.

The application for the nomination of The Berkeley Tavern was received by the Council on 27/08/15, from Under the Dome Events Ltd, a community organisation.

Following receipt of the nomination, consultation was undertaken with the Community Engagement Team, the Legal Team and the Planning Team.

Community Engagement Team – Undertook an audit of Under the Dome Events Ltd which confirmed that the Group fell within the eligibility criteria of organisations that are legally able to nominate an asset.

Legal Team - Conducted a Land Registry Search and property title check to ensure there were no onerous covenants that would prevent the property from being nominated. The legal team did indicate following further investigations there was a 'priority search' on the title which indicated that the property was about to be sold. Further correspondence on 11th September with Enterprise Inn suggested that contracts for the sale of the property had been exchanged.

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Planning – Were asked to provide ancillary comments on planning and potential use restrictions.

This consultation confirmed that Under the Dome Events Ltd is an organisation that meets the eligibility criteria and was therefore legally able to nominate The Berkeley Tavern as a community asset.

SPG is asked to note that the application by Under the Dome Events Ltd to nominate The Berkeley Tavern as a community asset is confirmed as being valid and that in line with statute the property should be added to the Community Asset List.