

# Decision Notice

## Delegated Decision

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<b>Decision No:</b>	<b>DD37</b>
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<b>Subject:</b>	<b>APPLICATION TO INCLUDE THE LANTERN INN PUBLIC HOUSE, THE STREET, MARTIN ON THE COUNCIL'S LIST OF ASSETS OF COMMUNITY VALUE</b>
<b>Date of Decision:</b>	<b>1 March 2024</b>
<b>Notification Date:</b>	<b>6 March 2024</b>
<b>Implementation Date:</b>	<b>6 March 2024</b>
<b>Decision taken by:</b>	<b>Roger Walton, Strategic Director (Place and Environment)</b>
<b>Delegated Authority:</b>	<b>Delegation 265 of the Scheme of Officer Delegations (Section 6 of Part 3 (Responsibility for Functions) of the Constitution)</b>
<b>Decision Type:</b>	<b>Executive Non-Key Decision</b>
<b>Call-In to Apply?</b>	<b>No (<i>Call-in does not apply to non-Key Officer decisions</i>)</b>
<b>Classification:</b>	<b>Unrestricted</b>

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<b>Reason for the Decision:</b>	An application has been received to include the Lantern Inn Public House, The Street, Martin within the Council's list of Assets of Community Value.
<b>Decision:</b>	To include the Lantern Inn Public House, The Street, Martin within the District Council's list of Assets of Community Value (ACV).

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### 1. Introduction

- 1.1 In determining this application, I have been mindful that I need to determine the nomination in accordance with the provisions of Chapter 3 of the Localism Act 2011 and The Assets of Community Value (England) Regulations 2012.
- 1.2 This requires that community nominations to include a property within the District Council's list of Assets of Community Value meet a series of tests including:
- (a) That the provisions of section 89 of the Localism Act are met with regard to the validity of the nomination.
  - (b) Whether the actual current use (not an ancillary use) of the building or other land is one that furthers the social wellbeing or social interests of the local community; AND whether it is realistic to think that there can continue to be non-ancillary use of the building or other land that will further the social wellbeing or social interests of the local community (whether or not in the same way as the current use) and if not;
  - (c) Whether 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 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 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.

## 2. Matters considered in reaching the decision

2.1 In determining the nomination, I have taken the following into consideration in reaching my decision:

- (a) Chapter 3 of Part 5 of the Localism Act 2011.
- (b) The Assets of Community Value (England) Regulations 2012.
- (c) Nomination Form and accompanying documents as submitted by Langdon Parish Council received on 9 January 2024.

## 3. Review of application and submissions

### Context

- 3.1 The Lantern Inn public house is a rural public house located on The Street in the small village of Martin.
- 3.2 In considering the nomination received from Langdon Parish Council, I shall now consider in turn whether each of the three 'tests' noted at paragraph 1.2 above are met:

### A. Validity of the Nomination

- i. Section 89(2)(b)(i) of the Localism Act notes that "For the purposes of this Chapter "community nomination", in relation to a local authority, means a nomination which is made by parish council in respect of land in England in the parish council's area.
- ii. Langdon Parish Council is a Parish Council, and the area of land to which the application relates is within the boundaries of the Parish Council and so clearly this test is met.

### B. Does the actual current use (not an ancillary use) of the building further the social wellbeing or social interests of the local community; AND is it realistic to think that there can continue to be non-ancillary use of the building or other land that will further the social wellbeing or social interests of the local community.

- i. The nomination received from Langdon Parish Council sets out in some detail, why they consider the property to be an Asset of Community Value stating:

*"Community Value of The Lantern Inn.*

*The Lantern is the only pub in the village of Martin, indeed in the whole of Langdon parish. It is also the only public meeting place in Martin. It is a historic building, dating from circa. 1610, located in the Conservation Area and at the heart of the village. The Lantern, formerly known as The Wheatsheaf, has a long-term history as a Pub or Inn and currently comprises a bar/restaurant area with 2 side rooms plus front and rear beer gardens with a pizza oven, covered seating area, children's play area, 'gypsy caravan' and other rustic structures. Overnight accommodation is offered (useful for villagers with limited space for visiting friends and relations) and there is a car park. There is free Wi-Fi. There are good transport connections, with a bus stop outside and Martin Mill train station within ½ mile, however the main advantage to villagers is that the pub is within easy walking distance from anywhere in the village. The Lantern Inn is also popular stop-off for visitors to the area, particularly walkers and cyclists who follow the White Cliffs Skylark Cycle Trail which forms part of the National Cycling Routes. Hawthorn Farm Caravan Site, an internationally renowned holiday park for visitors to the*

*Dover area, is within easy walking distance to the Lantern Inn from Martin Mill. Holidaymakers seeking food and a quiet drink will be seen walking to Martin on a summer's evening to enjoy the hospitality at the Lantern pub. The pub offers an impressive range of beers, wines and spirits plus an extensive restaurant menu and a take-away service e.g. for pizzas and fresh-baked bread, which is popular locally. There is a friendly, convivial atmosphere which is appreciated by locals, and which contributes to their individual well-being and sense of community. The Lantern has an excellent Trip Advisor rating and has been well reviewed e.g. in the Deal Despatch. Its popularity extends beyond the village which maintains its financial viability."*

- ii. I accept their view and in so doing accept the point they make that the property is the only community hub in Martin. In my opinion the actual current use (not an ancillary use) of the Lantern Inn furthers the social wellbeing and interests of the community.
- iii. As regards to whether it is realistic to think that there can continue to be non-ancillary use which will further (whether or not in the same way) the social wellbeing or social interests of the local community. The nomination also sets out how the property could further the social well being or social interest of the community in the future noting as follows:

*"The owners of the Lantern Inn wish to further develop the premises as a meeting place and have embarked on range of activities and events to the benefit of the local community. Both regular and special events are hosted at the pub, including a quiz night, 'Open Mic' evenings and live music. The Lantern can be wholly or partially booked for special events e.g. club nights, children's birthday parties and local families have held engagement parties and even a full wedding reception at the pub. Special activities are arranged for local families e.g. at Christmas, Easter and Halloween, with competitions and activities for the children, storytelling, craft stalls etc. Some events are held to raise money for local charities. Staff at the Lantern always make a great effort in preparations and to involve the community at times of local or national celebration e.g. large sporting events, the Queen's Jubilee and the King's coronation. A heart defibrillator (the only one in Martin village) has recently been installed outside the front of the pub, with power being provided by the owners. In summary, The Lantern is an integral part of village life and continues to provide locals with a social hub of great importance for their sense of community and well-being."*

- iv. The evidence before me points to the Lantern Inn being a thriving business whose owners are making plans for the future. The Parish Council have indicated that they would explore all options to retain the premises as viable public house should its future be uncertain. In my opinion it is realistic to think that there can continue to be non-ancillary use which will further (whether or not in the same way) the social wellbeing or social interests of the local community.
- v. I therefore consider that the requirements of the Localism Act 2011 as set out at Section 88(1)(a) and (b) are met.

**C. Whether 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 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 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.**

- i. Given that I have determined that the current use of the premises is furthering the social wellbeing or social interests of the local community and that it is realistic to think that there can continue to be non-ancillary use which will further (whether or not in the same way) the social wellbeing or social interests of the local community, there is no need therefore to consider whether the test set out at C. above is satisfied.

#### **4. Conclusion**

4.1 In conclusion, taking all these points into account I am satisfied:

- a) That the nomination meets the definition of a community nomination as set out in Section 89(2)(b)(i) of the Localism Act 2011.
- b) That the nominating body has provided reasonable justification to satisfy the test set out in section 88(1)(a) & (b) of the Localism Act 2011 as to whether an actual current use of the building or other land that was not an ancillary use furthered the social wellbeing or 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 that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.
- c) I have therefore decided that the property should be included within the District Council's list of Assets of Community Value.

#### **5. Any Conflicts of Interest Declared?**

None.

#### **6. Supporting Information**

None.