

Ring o' Bells. Report by Cllr Higdon

Councillor Higdon set out some of the background, and disclosed an interest as he is Chairman of The Ring O'Bells Campaign Limited (the Campaign Group). This is a Community Benefit Society that was set up with the objective of purchasing the pub to be run on behalf of the community.

There is currently an Asset of Community Value (ACV) in place on the Ring O'Bells that expires in 2023. In practice this does not impact the owner to any great extent. Should the owner wish to sell, he is required to allow those that asked for the ACV to be put in place (the Campaign Group), to bid for the asset. The Campaign Group has six weeks to decide whether they are interested in making a bid and if so a further six months to make a bid. The owner is then under no obligation to sell to the Campaign Group and can dispose of the asset as they wish. The ACV also does not prevent the owner from applying for planning permission, although this may be taken into account by the relevant planning authority in making their decision. It is unlikely that an application for a new ACV in 2023 would be successful. This is because it will be more than ten years since the pub closed and there is a requirement that there has to be evidence of recent use by the community. A recent application in respect of The White Hart in Bratton Fleming (in the same ownership as the Ring O'Bells) was refused on appeal for this reason.

The occupation of the pub as residential accommodation was unauthorised. Residential accommodation would only be acceptable in connection with the business as a pub. In these circumstances, unauthorised occupation of the pub may have become lawful after a period of four years. This would have meant that the property would have been classified by default as residential. The Campaign Group asked North Devon Council to issue an Enforcement Notice against the owner in respect of this unauthorised occupation. NDC did this and the owner appealed. This appeal was dismissed by the Planning Inspectorate and the owner was asked to ensure that the unauthorised occupation ceased by June 2021. This was extended by NDC for a further 9 months due to COVID and the current housing shortages.

The owner has repeatedly stated to the Campaign Group that he has no intention to sell the property other than as a residential development opportunity. To date the Campaign Group are not aware of any planning application at the site. If such an application were to be made the Campaign Group may make representations to NDC, as may any other group or individuals.

Any discussion regarding the potential viability of the pub as a going concern is not currently relevant as the owner is not willing to sell.

The Campaign Group is not aware of any possibility for enforcement action by NDC against the owner regarding the current state of the premises.

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