



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY 22ND MARCH 2017 AT 1.00 P.M.

PARKSIDE COMMITTEE - PARKSIDE

MEMBERS: Councillors G. N. Denaro (Leader), K.J. May (Deputy Leader),
B. T. Cooper, M. A. Sherrey, C. B. Taylor and P. J. Whittaker

AGENDA

1. To receive apologies for absence
2. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
3. Application for Inclusion on Register of Assets of Community Value - Catshill Social Club (Pages 1 - 34)

K. DICKS
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

14th March 2017

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CABINET

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NOMINATION ASSETS OF COMMUNITY VALUE : CATSHILL WORKING MEN'S CLUB

Relevant Portfolio Holder	Cllr Kit Taylor
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford – Head of Planning & Regeneration
Wards Affected	Catshill South
Key Decision – N/A	

1. SUMMARY OF PROPOSALS

To consider a request to list Catshill Working Men's Club as an Asset of Community Value.

2. RECOMMENDATIONS

That Cabinet consider the contents of the report in relation to Catshill Working Men's Club decide to either:-

- (a) Support listing as an Asset of Community Value; or**
- (b) Not support listing as an Asset of Community Value**

3. KEY ISSUES

3.1 As Members are aware from previous reports the Localism Act included the 'Community Right to Bid' which gave communities a right to identify a building or other land that they believe to be of importance to their community's social well-being so that if it comes up for sale there is a six month period within which they can prepare their bid to buy the asset. The property in question can then be sold on the open market. Community groups have the same rights as any other bidders but there is no preference given to the local community bid.

3.2 A nomination has been received for the Catshill Working Mens Club. The nomination has been submitted by CAMRA (Campaign for Real Ale), Redditch and Bromsgrove branch. The nomination of an asset does not give any organisation an advantage in any future purchase. CAMRA is requesting that the pub is listed to enable it to continue to operate as community asset in the future.

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- 3.3 The following documents have been submitted by CAMRA in support of the nomination and are attached at Appendices 1 to 6 :-
- Nomination Form – Appendix 1
 - Articles of Association - Appendix 2
 - Office copy entries - Appendix 3
 - Land Registry Plan - Appendix 4
 - Letter in support dated 11 November 2016 – Appendix 5
 - Copy of Windmill Tribunal finding – Appendix 6
- 3.4 The nomination supports the inclusion of the asset due to the fact that Catshill Working Men’s Club provides a number of services that they believe further the social wellbeing and interests of the local community. These are detailed in section B4 of the nomination form attached at Appendix 1.
- 3.5 Catshill Working Men’s Club is owned by Catshill and District Working Men’s Club Limited (Co. Regn. No. 217981). A consultation letter has been sent to the Club but no response has been received.
- 3.6 In accordance with the process for nominations of Assets of Community Value the ward councillor for Catshill South Ward (Councillor Shirley Webb) has been consulted and has indicated her support for the nomination.

Financial Implications

- 3.7 Property owners who believe they have incurred costs as a result of complying with these procedures can apply for compensation from the Council. As previously reported to Council, Government recognises this as a potential risk to local authorities and will provide a safety net whereby any verified claims of over £20,000 will be met by Government. The owners also have a right to appeal the decision made by the Council in agreeing that the building be included on the Assets of Community Value.

Legal Implications

- 3.8 The Localism Act 2011 made provision for a new system of listing of assets of community value, giving community groups the right to make nominations, and requiring local authorities to maintain local registers. Further more detailed rules around the operation of assets of community value are set out in the Assets of Community Value Regulations 2012.
- 3.9 The test for listing an Asset of Community Value as set out in Section 88 (1) of the Localism Act 2011 is as follows:-

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“A building or other land in a Local Authority’s area is land 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 user furthers the social well-being or social interests of the local community, and

(b) it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social well-being or social interests of the local community.”

3.10 It is worth noting that any sale of a going concern business would be exempt from the legislation relating to assets of community value. Therefore if the pub was to be sold on as a going concern the 6 month moratorium would not apply.

3.11 Members are reminded that under the process for assets of community value introduced in November 2012 the final decision regarding whether to list an asset rests with the Head of Planning and Regeneration in consultation with the Portfolio Holder for Planning and Regeneration.

3.12 In their nomination CAMRA make reference to the First Tier Tribunal case of the Windmill (Appendix 6) which considered the ability of local CAMRA branches to make ACV applications. Another case on this point has since been considered by the First Tier Tribunal. The second case (Hamna Wakaf Ltd v Lambeth) suggests that authority for the nomination should be provided by CAMRA headquarters and this has been supplied as set out in Appendix 5.

3.13 Officers would draw Members attention to the following:-

- There has to be an identifiable local interest in having the asset nominated and Members needs to be satisfied that there is evidence of this in the application form.
- Each ACV application must be judged on it’s own merits. If a club or pub satisfies the test as an ACV it is not a relevant that there may be a number of other pubs nearby which also satisfy the test.

Service/Operational Implications

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- 3.13 There are no specific operational implications for the District. The list of nominated assets is maintained by Land Charges officers and is available on the Councils Website.

Customer / Equalities and Diversity Implications

- 3.14 The approval of the nomination of Catshill Working Men's Club would ensure that should the property be declared for sale any community group would be able to express an interest in purchasing the asset. This would result in up to 6 months of moratorium whereby any sale could only be to a community group. Following this the owner can sell to any purchaser. This excludes the sale as a going concern.

4. RISK MANAGEMENT

- 4.1 The register will be maintained to ensure that all assets nominated are included to mitigate any risks associated with assets not being included on the register. Consideration by officers and members will be undertaken at each nomination to ensure a consistent approach is taken.

APPENDICES

Appendix 1 - Nomination Form

Appendix 2 - Articles of Association of CAMRA

Appendix 3 - Office copy entries

Appendix 4 - Plan

Appendix 5 - Letter in Support dated 11 November 2016

Appendix 6 - Copy of Windmill Tribunal finding

AUTHOR OF REPORT

Name: Ruth Bamford
E Mail: r.bamford@bromsgroveandredditch.gov.uk
Tel: (01527) 881202

<p style="text-align: center;">BROMSGROVE DISTRICT COUNCIL</p> <p style="text-align: center;">ASSETS OF COMMUNITY VALUE – THE COMMUNITY RIGHT TO BID</p> <p style="text-align: center;">NOMINATION FORM</p>
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Section A: About your organisation

A1 Organisation's name and address

Name of organisation* Redditch and Bromsgrove CAMRA Branch
Address including postcode

**full name as written in your constitution or rules (if appropriate)*

A2 Contact details

Name
Position in organisation Chairman
Address including postcode
Daytime telephone no.
Email address
How and when can we contact you?*
By email

**by email or phone, and days of the week and/or times of day you would prefer*

A3 Type of organisation

Description	Put a cross against all those that apply	Registration number of charity and/or company (if applicable)
Neighbourhood forum		
Parish Council		
Charity		
Community interest company		
Unincorporated body		
Company limited by guarantee	X	1270286
Industrial and provident society		

A4 Number of members registered to vote locally (unincorporated bodies only)

In the case of an unincorporated body, at least 21 of its members must be registered to vote in the Bromsgrove District . If relevant, please confirm the number of such members. If they are registered to vote in the area of a neighbouring local authority, rather than in Bromsgrove , please confirm which area that is.

A5 Local connection

Your organisation must have a local connection, which means that its activities are wholly or partly concerned with the administrative area of Bromsgrove District Council or a neighbouring local authority. In some cases this will be obvious, eg. a parish council in Bromsgrove, or an organisation whose activities are confined to the district. If your connection may not be obvious to us please explain what your organisation's local connection is.

The local Redditch & Bromsgrove CAMRA Branch submitting this nomination does not distribute any surplus it makes to its members in line with Section 5 of the regulations. The Redditch & Bromsgrove CAMRA branch has a local connection as demonstrated by the following activities which are run and funded by the branch within the local authority district:

- The CAMRA Branch hosts a beer festival in the local area
- The Branch hosts meetings in the local pubs and the local area
The Branch nominates a local pub of the year in this area
- The Branch presents awards to pubs in the area
- The Branch runs campaigns to save local pubs in the area
- The Branch writes a local newsletter about pubs and campaigns in the area

A6 Distribution of surplus funds (certain types of organisation only)

If your organisation is an unincorporated body, a company limited by guarantee, or an industrial and provident society, its rules must provide that surplus funds are not distributed to members, but are applied wholly or partly for the benefit of the local area (ie. within the administrative area of Bromsgrove or a neighbouring local authority). If relevant, please confirm that this is the case, and specifically which area this applies to.

The nomination is being submitted by the CAMRA Branch in line with Judge NJ Warren’s First Tier Tribunal General Regulatory Chamber decision in *St Gabriel Properties Limited – v – London Borough of Lewisham and South East London Branch of CAMRA* available at: <http://sel.camra.org.uk/wp-content/uploads/2015-01-Windmill-Tribunal-ruling.pdf>.

The decision outlined that CAMRA and its local branches can be treated in a ‘hybrid’ way and relies upon CAMRA’s status as a company limited by guarantee which does not distribute any surplus it makes to its members as well as the local branch’s own activities that provide a local connection with the land/property nominated.

Please see attached Articles of Association (Section 5) to prove that our surplus is non-distributing.

A7 More about your organisation

What are the main aims and activities of your organisation?

CAMRA, the Campaign for Real Ale, is an independent consumer organisation campaigning for real ale, community pubs and consumer rights. CAMRA is a company limited by guarantee, registered in England with company number 1270286. CAMRA’s national surplus is not distributed to its members and the individual CAMRA Branch activity where the pub is nominated is wholly or partly applied to the local authority area.

A8 Your organisation’s rules

Please send us a copy of the relevant type of document for your organisation, and put a cross in the next column to indicate which one this is	X
Memorandum and Articles of Association (for a company)	
Trust Deed (for a trust)	
Constitution and/or rules (for other organisations)	

Part B: About the land or building(s) you are nominating

B1 Description and address

What it is (eg. pub, local shop) Social Club
Name of premises (eg. Post office , Community Centre) Catshill Social Club
Address including postcode (if known) 13 Meadow Road, Catshill, Bromsgrove (B61 0JJ)

B2 Sketch plan

<p>Please include (here or on a separate sheet) a sketch plan of the land. This should show:-</p> <ul style="list-style-type: none">• The boundaries of the land that you are nominating• The approximate size and position of any building(s) on the land.• Any roads bordering the site.
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B3 Owners and others with an interest in the building or land

You should supply the following information, if possible. If any information is not known to you, please say so.

	Name(s)	Address(es)
Names of all current occupants of the land	CATSHILL AND DISTRICT WORKING MEN'S CLUB LIMITED	Same as B1.
Names and current or last known addresses of all those owning the freehold of the land (ie. owner, head landlord, head lessor)	CATSHILL AND DISTRICT WORKING MEN'S CLUB LIMITED	Same as B1
Names and current or last known addresses of all those having a leasehold interest in the land (ie. tenant, intermediate landlord, intermediate lessor)		

B4 Why you think the building or land is of community value

Note that the following are not able to be assets of community value:-

- *A building wholly used as a residence, together with land "connected with" that residence. This means adjoining land in the same ownership. Land is treated as adjoining if it is separated only by a road, railway, river or canal.*
- *A caravan site.*
- *Operational land. This is generally land belonging to the former utilities and other statutory operators.*

Does it currently further the social wellbeing or social interests* of the local community, or has it done so in the recent past? If so, how?

The club provides the following services which further the social wellbeing and interests of the local community:

- The club enables local people to enjoy a range of drinks (and food) in a pleasant, convivial atmosphere, which furthers their individual well-being
- The club enables local people to meet and socialise in a welcoming environment which, individually, they find rewarding and enjoyable. Such social interaction is also in the interests of the locality as a whole as it encourages community cohesion and a collective sense of well-being.
- New research from Oxford University shows that people who have a 'local' pub are happier, are more satisfied with their life and have a wider network of friends. The research is available at: <http://www.camra.org.uk/pubs-wellbeing>
- Live music events are often hosted at the club
- The club hosts advertising for local events
- There are televisions screening sporting events enjoyed by patrons
- The club hosts quiz nights which bring the community together
- There is free parking available which is accessed by the wider community
- There are good transport links available to/from the club
- There is good access for disabled people at the club
- Meeting spaces are available for local community groups and charities to use
- The club provides other important local services to the community including: employment opportunities for young people
- The club offers: a dart board, a quiz machine, pool tables
- The club sponsors a local football team that meets at the club after games.

Catshill Social Club runs a regular entertainment program at weekends and is used by locals for parties for special occasions such as birthdays, weddings and christenings. The club is a hub for and an integral part of the local community. It is located close to two schools, and its car park is available for use on a daily basis by teachers at the nearby Chadsgrove Special Needs School, as well as a safe place for parents drop off and pick up children attending Catshill Middle School. In addition, motorcycle courses are regularly held on the car park. The various facilities at the club are available for use by local groups, for example the concert room is currently hosting services and groups from the nearby Baptist Church which is having building work done.

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Could it in future further the social wellbeing or social interests* of the local community? If so, how? (This could be different from its current or past use.)

The club can further the social wellbeing and interests of the local community in the future by continuing to provide the above mentioned services.

**These could be cultural, recreational and/or sporting interests, so please say which one(s) apply.*

Section C: Submitting this nomination

C1 What to include

- The rules of your organisation (question A8).
- Your sketch plan (question B2).

C2 Signature

By signing your name here (if submitting by post) or typing it (if submitting by email) you are confirming that the contents of this form are correct, to the best of your knowledge.

Signature

C3 Where to send this form

You can submit this nomination:-

- **By post to:** Jayne Pickering , Executive Director Finance and Resources, Bromsgrove District Council , Council House , Bromsgrove B60 1AA
- **By email to:** j.pickering@bromsgroveandredditch.gov.uk

THE COMPANIES ACT 2006

PRIVATE COMPANY LIMITED BY GUARANTEE

ARTICLES OF ASSOCIATION

OF

CAMPAIGN FOR REAL ALE LIMITED

1. In these articles:-

"Articles"	means these Articles of Association.
"The Act"	means the Companies Act 2006.
"The Seal"	means the Common Seal of the Company.
"Secretary"	means any person appointed to perform the duties of the Secretary of the Company.
"United Kingdom"	means Great Britain and Northern Ireland.
"CAMRA"	means The Campaign for Real Ale Limited.
"National Executive"	means the Directors of the Company.

Expressions referring to writing shall, unless the contrary intention appears, be construed as including references to printing, lithography, photography, and other modes of representing or reproducing words in visible form.

Unless the context otherwise requires, words or expressions contained in these articles shall bear the same meaning as in the Act or any Statutory modification thereof in force at the date at which these Articles become binding.

2. The objects for which CAMRA is established are:-

- a. To protect the interests of all those who wish to drink real beer.
- b. To campaign for an improvement in the quality and variety of British beer.
- c. To draw to the attention of members and the general public those places where real beer can be found.
- d. To promote and foster activities concerned with the consumption of good quality beer.
- e. To campaign for the retention and reinstatement of the facilities of the traditional British pub including the public bar.

Agenda Item 3

- f. To ensure in every manner possible that producers and retailers of beer act in the best interests of the customer.
 - g. To ensure that the knowledge and expertise of brewing real beer is kept alive.
 - h. To improve the standards of food, drink (whether intoxicating or not), service, hygiene and facilities in all establishments subject to the provisions of the Licensing Act 1964 or any subsequent similar legislation.
 - i. To publish and issue to members magazines or news letters.
 - j. To publish or sponsor the publication of books, articles, magazines, photographs, films, radio, television and internet content programmes or any similar material connected in any way with the items mentioned above, and to market them and otherwise assist in the collection and dissemination of information.
3. CAMRA is formed as a non-political body to pursue these aims.
4. In furtherance of the above objects but not otherwise CAMRA shall have power:-
- a. To purchase, acquire, sell, exchange and otherwise deal in any way, whatsoever with freehold, leasehold or other property, chattels and effects.
 - b. To borrow or raise or secure the payment of money in such manner and on such terms as may seem expedient.
 - c. To co-operate with and assist in any way, including the investment of monies, by way of purchase of shares or the making of loans, whether secured or unsecured, or in any other manner whatsoever, any other organisation or corporation or company which is sympathetic to the objects of CAMRA.
 - d. To participate in bank direct debiting schemes as an originator for the purpose of collecting membership subscriptions and any other amounts due to CAMRA; in furtherance of this, CAMRA may enter into any indemnity required by the banks upon whom direct debits are to be originated, and any such indemnity may be executed on behalf of CAMRA by its authorised company account signatories.
 - e. To invest in shares or otherwise in any organisation, company or corporation.
 - f. To undertake, encourage and provide finance for research or experimental work connected with the said objects or any of them.
 - g. To manufacture, sell, treat and deal in all kinds of services, commodities, substances, materials, articles and things.
 - h. To establish and support branches whose objects are the same as the objects of CAMRA and to supply or aid in the establishment and support of clubs or associations whose objects are sympathetic to the objects of CAMRA.

- i. To carry out all or any of the foregoing objects as principals or agents or in partnership, co-operation or conjunction with any person, firm, organisation, company or corporation and in any part of the world.
 - j. To do all such other things as may be incidental or conducive to the attainment of the said objects or any of them.
5. The income and property of CAMRA whencesoever derived shall be applied solely towards the promotion of the objects of CAMRA as set forth in these Articles, and no portion thereof shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise howsoever by way of profit to the members of CAMRA, providing that nothing herein contained shall prevent the payment of reasonable remuneration to any of the National Executive or other members for services actually rendered.
6. The liability of the members is limited.
7. Every member of CAMRA undertakes to contribute to the assets of CAMRA in the event of its being wound up while he is a member, or within one year after he ceases to be a member, in respect of the payment of the debts and liabilities of CAMRA contracted before he ceases to be a member, and of the costs, charges and expenses of winding up, and for the adjustment of the rights of the contributors amongst themselves, such amount as may be required not exceeding £1.
8. If upon winding up or dissolution of CAMRA there remains after the satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid to or distributed among the members of CAMRA but shall be given or transferred to some other institution or institutor having objects similar to the objects of CAMRA and which shall prohibit the distribution of its or their income and property amongst its or their members to an extent at least as great as is imposed on CAMRA under or by virtue of Article 5 hereof, such institution or institutions to be determined by the members of CAMRA at or before the time of dissolution or in default thereof by a Judge of the High Court of Justice having jurisdiction in regard to charitable funds and if and so far as effect cannot be given to the aforesaid provision then to some charitable object.

MEMBERS

9. The number of members with which CAMRA has been registered is unlimited.
10. No corporation may be a member of CAMRA, but clubs, associations and other organisations whose objectives are in keeping with the objectives of CAMRA may be deemed "affiliated bodies" by decision of the National Executive on payment of the fee from time to time set by the National Executive for affiliation and on registration of a representative member.
11. Such persons as the National Executive shall admit to membership shall be members of CAMRA on payment of a subscription of such sum as the members in a General Meeting may from time to time decide. The members in a General Meeting may stipulate types of membership and the payment appropriate to each type. Any member in arrears with payment of such subscription shall not be entitled

to any of the benefits of membership, and after being in arrears for one month shall be deemed to have resigned. Any member may resign at any time by notice in writing to the Registered Office of CAMRA, but shall not be entitled to repayment of any part of his/her subscription for any type of membership.

Application for membership of CAMRA shall be made on such form as shall from time to time be prescribed by the National Executive and shall be considered by the National Executive who shall not refuse to grant membership save for good reason.

Without prejudice to the foregoing CAMRA shall not at any time discriminate on the grounds of social status, politics, race, sex or religion.

The submission of an application for membership shall be regarded as an acknowledgement by the applicant that, if elected, he or she will abide by the Articles of CAMRA, a copy of which shall be available to every member subject to payment of the fee allowed by law, and by all the rules and regulations of CAMRA for the time being in force. .

12. No member may make any public statement or announcement in the name of CAMRA without the consent of the National Executive.
13. The National Executive shall have power to suspend from membership any person who does anything which is prime facie detrimental to the interests of CAMRA. The decision to suspend a person from membership shall be given to that person in writing within one week, and the person shall at the same time be given notice of the next meeting at the National Executive, which he/she may attend in order to state his/her case. If the person cannot attend, a written statement of case may be submitted, or if good reason for absence is given, the hearing of the case may be deferred until the next meeting of the National Executive. If the National Executive considers that a reasonable case has been made by the person suspended, it shall lift the suspension forthwith. If, on consideration of the case, the National Executive believes that the person's action was clearly detrimental to the interests of CAMRA, it shall have the power to expel the person from membership. Notice of a decision to expel a person from membership shall be given to that person in writing within one week, and at the same time the person shall be informed of the right to appeal to the General Meeting. Any person so expelled from membership may send a notice of appeal in writing to the Chairman of the National Executive and provided that such notice of appeal is received at least one week before a General Meeting, any such appeal shall be heard at the next General Meeting of CAMRA, and the person shall have the right to address the meeting but not to vote.

GENERAL MEETINGS

14. CAMRA shall in each year hold a General Meeting as its Annual General Meeting in addition to any other meeting in that year, and shall specify the meeting as such in the notice calling it; and not more than fifteen months shall elapse between the date of one Annual General Meeting of CAMRA and that of the next. The Annual General Meeting shall be held at such time and place as the National Executive shall appoint.
15. All meetings other than Annual General Meetings shall be called General Meetings. The National Executive may convene a General Meeting if they consider such a meeting necessary in the interests of CAMRA. A General Meeting shall also be convened by the National Executive (or, if there are no current members of the National Executive, by the Company Secretary or senior officer of CAMRA) within 90 days of the receipt at the Registered Office of CAMRA of a written requisition of

such a meeting signed by not less than 200 members or by one tenth of the membership (whichever is the lesser number). Such written requisition shall be accompanied by a sum of money sufficient to meet the cost of convening such a meeting.

If at any time there are not within the United Kingdom sufficient members of the National Executive capable of acting to form a quorum, any member of the National Executive capable or any other two members of the National Executive may convene a General Meeting in the same manner as nearly as possible as that in which meetings may be convened by the National Executive.

NOTICE OF GENERAL MEETINGS

16. An Annual General Meeting and a General Meeting called for the passing of a Special Resolution shall be called by giving not less than 14 days' notice in writing. The notice shall be exclusive of the day on which it is served or deemed to be served and of the day for which it is given, and shall specify the place, the day and hour of the meeting and, in case of special business, the general nature of that business and shall be given in a manner hereinafter mentioned or in such other manner, if any, as may be prescribed by CAMRA in a General Meeting, to such persons as are, under the Articles of CAMRA, entitled to receive such notices from CAMRA.
17. The accidental omission to give notice of a meeting to, or the non-receipt of notice of a meeting by, any person entitled to receive notice shall not invalidate the proceedings at the meeting.

PROCEEDINGS AT GENERAL MEETINGS

18. All business shall be deemed special that is transacted at a General Meeting and also all that is transacted at an Annual General Meeting with the exception of consideration of the accounts, balance sheets, and the reports of the National Executive and Auditors, the election of members of the National Executive in the place of those retiring and the appointment of and the fixing of the remuneration of the Auditors.
19. No business shall be transacted at any General Meeting unless a quorum of members is present at the time when the meeting proceeds to business; save as hereinafter otherwise provided 100 members present in person shall form a quorum.
20. If within half an hour from the time appointed for the meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved; in any other case, it shall stand adjourned to the same day in the next week, at the same time and place, or to such other day and at such other time and place as the National Executive may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the members then present shall be a quorum.
21. No business shall be transacted at any General Meeting except that included in the notice calling the meeting unless written notice shall be given to the Registered Office of CAMRA of the intention to raise that business at least forty-two clear days' notice before the date of the General Meeting or, if less than forty-nine days clear notice of the General Meeting shall have been given, within seven days of the giving of such notice.
22. The Chairman, if any, of the National Executive, shall preside as Chairman at every General Meeting of CAMRA, or if there is no such Chairman, or if he shall not be present within 15 minutes after the time appointed for the holding of the

meeting or is unwilling to act, the members of the National Executive present shall elect one of their number to be a Chairman of the meeting.

23. If at any meeting no member of the National Executive is willing to act as Chairman or if no member of the National Executive is present within 15 minutes after the time appointed for holding the meeting, the members present shall choose one of their number to be Chairman of the meeting.
24. The Chairman may solely at his own discretion or on the direction of the meeting adjourn the meeting from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the notice of the adjournment took place. When a meeting is adjourned for 30 days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.
25. At any General Meeting a Resolution put to the vote of the meeting shall be decided on a show of hands unless a poll is (before or on the declaration of the result of the show of hands) demanded,
 - (a) by the Chairman; or
 - (b) by not less than 5 members present in person and having the right to vote at the meeting.

Unless a poll be so demanded, a declaration by the Chairman that a Resolution has on a show of hands been carried or carried unanimously, or by a particular majority, or lost, and an entry to that effect in the book containing the minutes of proceedings of CAMRA shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against such Resolution. The demand for a poll may be withdrawn.

26. Except as provided in article 25, if a poll is duly demanded it shall be taken in such manner as the Chairman directs, and the result of the poll shall be deemed to be the Resolution of the meeting at which the poll was demanded.
27. A poll demanded on the election of a Chairman, or on a question of adjournment, shall be taken forthwith. A poll demanded on any other question shall be taken at such time as the Chairman directs and any business other than that upon which a poll has been demanded may be proceeded with pending the taking of a poll.
28. In case of an equality of votes, whether on a show of hands, or on a poll, the Chairman on the meeting shall be entitled to a second or casting vote.

VOTES OF MEMBERS

29. Every member shall have one vote.
30. A member of unsound mind or in respect of whom an Order has been made by a Court having jurisdiction in lunacy, may vote, by his Committee, receiver or curator bonis or other person in the nature of a Committee, receiver or curator bonis appointed by the Court.
31. No member shall be entitled to vote at any General Meeting unless all monies presently payable by him to CAMRA have been paid.

NATIONAL EXECUTIVE

32. Unless a greater or lesser number is specified by an Ordinary Resolution carried at a General Meeting, there shall be 12 places on the National Executive.
33. The remuneration (if any) to be paid to any member of the National Executive shall be determined by the members in a General Meeting. The members of the National Executive shall be entitled to be repaid all travelling, hotel and other expenses properly incurred by them in or about the business of CAMRA including their expenses of travelling to and from the National Executive or committee meetings.
34. No person shall, at the same time, be a member of the National Executive and an employee of CAMRA; provided that a General Meeting of CAMRA may authorise a member of the National Executive to be or become an employee of CAMRA; and an employee of CAMRA may continue in his employment if elected a member of the National Executive in accordance with these Articles. A member of the National Executive who is an employee of CAMRA shall retire as a member of the National Executive and may submit himself for re-election at every Annual General Meeting, but shall not be taken into account in determining the members of the National Executive who are to retire by rotation at such meetings.

BORROWING POWERS

35. The National Executive may exercise all the powers of CAMRA to borrow money, and to mortgage or charge its undertaking and property, or any part thereof, and to issue debentures, debenture stock and other securities whether outright or as security for any debt liability or obligation of CAMRA or of any third party.

POWER AND DUTIES OF THE NATIONAL EXECUTIVE

36. The business of CAMRA shall be managed by the National Executive who may pay all expenses incurred in promoting and registering CAMRA and may exercise all such powers of CAMRA as are not, by the Act or by these Articles, required to be exercised by CAMRA at a General Meeting, subject nevertheless to the provisions of the Act or those Articles and to such regulations, being not inconsistent with the aforesaid provisions, as may be prescribed by CAMRA in General Meetings; but no regulation made by CAMRA in General Meetings shall invalidate any prior act of the National Executive which would have been valid if that regulation had not been made.
37. All cheques, promissory notes, drafts, bills of exchange and other negotiable instruments, and all receipts for money paid to CAMRA shall be signed, drawn, accepted, endorsed, or otherwise executed, as the case may be, in such manner as the National Executive shall from time to time by resolution determine.
38. The National Executive shall be empowered to form Committees or appoint Officers for any special purpose and may co-opt any member of CAMRA to undertake these tasks and these members shall be entitled to travelling and hotel expenses etcetera, as allowed to members of the National Executive under article 33.
39. The Chairman and any other 3 members of the National Executive shall be empowered to make emergency decisions in the interest of CAMRA without reference to a full meeting to the National Executive and such decisions shall be binding pending the next full meeting of the National Executive. Any such decision shall have to be ratified at the next properly convened meeting of the National Executive but the presumption shall exist that the decision is acceptable unless the circumstances are exceptional.

40. The National Executive shall cause Minutes to be made in books providing for the purpose:-
- (a) of all appointments of Officers made by the National Executive;
 - (b) of names of the members of the National Executive present at each meeting of the National Executive and of any Committee of the National Executive;
 - (c) of all resolutions and proceedings at all meetings of CAMRA and of the National Executive, and of Committees of the National Executive.
41. The National Executive shall be empowered to make rules and regulations which they consider to be in the interest of CAMRA which shall be binding on all members until revoked or countermanded by the members in General Meeting. Such rules and regulations shall not conflict with the Act or with the Articles.

DISQUALIFICATION OF MEMBERS OF THE NATIONAL EXECUTIVE

42. The Office of members of the National Executive shall be vacated if the member of the National Executive:-
- (a) becomes an employee of CAMRA other than in accordance with article 34 hereof; or
 - (b) becomes bankrupt or makes any arrangements or composition with his creditors generally; or
 - (c) becomes prohibited by law from being a member of the National Executive; or
 - (d) becomes of unsound mind; or
 - (e) resigns his office by notice in writing to CAMRA; or
 - (f) ceases to be a member of CAMRA; or
 - (g) is removed by resolution in General Meeting pursuant to section 168 of the Act or according to article 49 hereunder; or
 - (h) is directly or indirectly interested in any contract with CAMRA and fails to declare the nature of his interest in a manner required by section 177 of the Act.

A member of the National Executive shall not vote in respect of any contract in which he is interested or any matter arising there out after declaring his interest and if he does so vote his vote shall not be counted.

ROTATION OF THE MEMBERS OF THE NATIONAL EXECUTIVE

43. The election for membership of the National Executive shall take place at each Annual General Meeting of CAMRA. For each resolution to fill a place on the National Executive, each member shall have one vote; thus each member is entitled to as many votes as there are vacant places on the National Executive but is not required to exercise all or any such votes. The ballot shall be declared by simple majority, with the candidate polling the highest number of votes being declared elected to the vacant places in descending order of number of votes. No member of the National Executive elected at a General Meeting shall hold office for more than three years without retiring. In each year, one-third of the members of the National Executive (or if their number is not three or a multiple of three, then the number nearest one-third) shall retire from office. The members of the National Executive to retire in any one year shall be those who will have held office for three years since their last election, then, to make up the one-third or number nearest one-third, those who have been in office longest since their last election. As between members of the National Executive elected as such on the same day,

those to retire shall be determined by agreement between such members, or, if there is no such agreement, shall be those who received the least number of the votes cast for any candidate elected at the election. The computation of the members of the National Executive to retire at any Annual General Meeting follows this formula:

- a) Any member of the National Executive who is also an employee of CAMRA must retire at each Annual General Meeting.
 - b) Any member co-opted by the National Executive must retire at the Annual General Meeting following his/her co-option.
 - c) Take one third of the remaining number of members, or the number nearest one third (e.g. 4 of 11; 3 of 10; 3 of 8; 2 of 7 etc.).
 - d) Any member who will have been in Office for three years since his/her last election must retire.
 - e) The number to retire is then made up to the one-third or number nearest one-third by the length of service agreement/least votes formula e.g. if the three next longest serving members of the National Executive have all held office for two years, and two must retire, the three may agree unanimously among themselves which two shall retire, but failing this agreement, the two polling the least votes when elected shall retire.
44. Any retiring member of the National Executive whether elected at an Annual General Meeting or co-opted shall be eligible for re-election.
 45. The members of CAMRA at the meeting at which a member of the National Executive retires in accordance with articles 43 or 34 may fill the vacated office by electing a person thereto, and in default, the retiring member of the National Executive shall, if offering himself for re-election, be deemed to have been re-elected, unless at such meeting it is expressly resolved not to fill such vacated office or unless a resolution for the re-election of such member of the National Executive shall have been put to the meeting and lost.
 46. No person shall be eligible for election to the office of Member of the National Executive at any General Meeting unless not less than 42 or more than 60 days before the date appointed for the meeting, there shall have been left at the Registered Office of CAMRA notice in writing, signed by a member duly qualified to attend and vote at the meeting for which such notice is given, of his intention to propose such person for election, and also notice in writing signed by that person of his willingness to be elected.
 47. CAMRA may from time to time by ordinary resolution increase or reduce the number of members of the National Executive and may also determine in which rotation the increased or reduced number is to go out of office.
 48. The National Executive shall have power at any time to co-opt any person to be a member of the National Executive so long as the number of members of the National Executive shall not thereby come to exceed the number fixed in accordance with article 32 above. Any member of the National Executive so appointed shall hold office only until the next following Annual General Meeting, and shall then retire and be eligible for re-election, but shall not be taken into account in determining the number of members of the National Executive who are due to retire by rotation in accordance with article 43 above.
 49. By ordinary resolution at a General Meeting, of which notice has been given according to section 168 of the Act, CAMRA may remove any member of the National Executive from that office. This removal from office shall take effect

immediately, notwithstanding anything in these Articles, or in any agreement or contract between CAMRA and the member of the National Executive so removed from office, but shall be without prejudice to any rights that member may have either under any agreement or contract with CAMRA or generally at law.

50. If the removal from office of a member of the National Executive by resolution according to article 49 above occurs at an Annual General Meeting, the vacancy so created shall be filled in the normal course of election of members of the National Executive under article 43 above. If the removal from office occurs at any General Meeting, the meeting may by ordinary resolution (of which due notice has been given under articles 14 and 21 above) appoint a person to fill any vacancy so created, and that person's term of office as a member of the National Executive shall be as stated under article 43 above. If no appointment to any vacancy so created is made at a General Meeting, the National Executive shall have power according to article 48 above to co-opt a person to fill the vacancy, except that it may not co-opt the person dismissed from office under article 49 above.

PROCEEDINGS OF THE NATIONAL EXECUTIVE

51. The National Executive may meet together for the despatch of business, adjourn and otherwise regulate their meeting as they think fit. Questions arising at any meetings shall be decided by a majority of votes. In the case of an equality of votes the Chairman shall have a second or casting vote. The Secretary shall on the requisition of the Chairman or four other members of the National Executive at any time summon a meeting of the National Executive. At least six days' clear notice shall be given of such a meeting. It shall not be necessary to give notice of a meeting of the National Executive to any member of the National Executive for the time being absent from the United Kingdom.
52. The Chairman of any meeting of the National Executive shall be the Chairman presiding at the previous meeting of the National Executive or such other person as the National Executive may appoint by a majority vote at any meeting from time to time. Any member of the National Executive who ceases to be a member of the National Executive shall automatically cease to be Chairman.
53. The quorum necessary for the transaction of the business of the National Executive shall be fixed by the National Executive at a figure being not less than four.
54. The continuing members of the National Executive may act notwithstanding any vacancy in their body, but, if and so long as their number is reduced below the number fixed by or pursuant to the Articles of CAMRA as the necessary quorum of members of the National Executive, the continuing members of the National Executive or member of the National Executive may act for the purpose of increasing the number of members the National Executive to that number, or of summoning a General Meeting of CAMRA, but for no other purpose.
55. If the Chairman is not present within 15 minutes after the time appointed for holding a meeting of the National Executive, the members of the National Executive present may choose one of their number to be Chairman of that meeting.
56. The National Executive may delegate any of its powers to Committees consisting of such member or members of CAMRA as they think fit, and any Committee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the National Executive.

57. Any member of CAMRA may be invited by the Chairman to attend a meeting of the National Executive subject to the approval of the members of the National Executive at that meeting.
58. A Committee may elect a Chairman of its meeting. If no such Chairman is elected or if at any meeting the Chairman is not present within 15 minutes after the time appointed for holding the same, the members present may choose one of their number to be Chairman of the meeting.
59. A Committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present, and in the case of an equality of votes the Chairman shall have a second or casting vote.
60. All acts done by any meeting of the National Executive or of a Committee of the National Executive or any Committee of the National Executive and ordinary members of CAMRA or by any person acting as a member of the National Executive shall notwithstanding that it be afterwards discovered that there was some defect in the appointment of any such member of the National Executive or person acting as aforesaid or that they or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the National Executive.
61. A Resolution in writing signed by all the members of the National Executive for the time being entitled to receive notice of a meeting of the National Executive shall be as valid and effectual as if it had been passed at a meeting of the National Executive duly convened and held.
62. No decision at a meeting of the National Executive shall be rescinded at any future meeting of the National Executive unless notice of the intention to rescind the same shall have been given in the notice convening such meeting or unless two-thirds of those present being in number not less than four shall agree to waive the need for such notice.
63. Business to be conducted at each meeting of the National Executive shall, whenever practicable, be stated on the notice convening the meeting. Business of which notice has not been given on the convening notice shall not be transacted at the meeting except with the consent of at least three-fourths of those persons present, being in number not less than four.

SECRETARY

64. The Secretary, who shall not be also a member of the National Executive, shall be appointed by the National Executive for such term, at such remuneration and upon such conditions as they may think fit; and any Secretary so appointed may be removed by them.
65. A provision of the Act or these Articles requiring or authorising a thing to be done by or to a member of the National Executive and the Secretary shall not be satisfied by its being done by or to the same person acting both as a member of the National Executive and as, or in place of, the Secretary.

THE SEAL

66. The National Executive shall provide for the safe custody of the Seal, which shall only be used by the authority of the National Executive or of a Committee of the National Executive authorised by the National Executive in that behalf, and every instrument to which the Seal shall be affixed, shall be countersigned by the Secretary or by a second member of the National Executive or by some other person appointed by the National Executive for that purpose.

ACCOUNTS

67. The National Executive shall cause proper books of accounts to be kept with respect to:-
- (a) All sums of money received and expended by CAMRA and the matters in respect of which the receipt and expenditure takes place;
 - (b) All sales and purchases of goods by CAMRA; and
 - (c) The assets and liabilities of CAMRA.

Proper books shall not be deemed to be kept if there are not kept such books of accounts as are necessary to give a true and fair view of the state of CAMRA's affairs and to explain its transactions.

68. The books of account shall be kept at the Registered Office of CAMRA or subject to Section 388 of the Act at such other place or places as the National Executive think fit, and shall always be open to inspection of the National Executive.
69. The National Executive shall from time to time determine whether and to what extent and at what times and places and under what conditions or regulations the accounts and books of CAMRA or any of them shall be open to the inspection of members not being members of the National Executive, and no member, not being a member of the National Executive, shall have any right of inspecting any account or book or document of CAMRA except as conferred by statute or authorised by the National Executive or by CAMRA in General Meeting.
70. The National Executive shall from time to time in accordance with Sections 394, 398 and 415 of the Act cause to be prepared and to be laid down before CAMRA in General Meetings such profit and loss accounts, balance sheets, group accounts (if any) and reports as referred to in those sections.
71. A copy of every Balance Sheet (including every document required by law to be annexed thereto) which is to be laid before CAMRA in General Meeting together with a copy of the Auditors' Report, shall not less than 14 days before the date of the meeting be sent to every member of, and every holder of debenture of, CAMRA. Provided that this Article shall not require a copy of those documents to be sent to any person of whose address CAMRA is not aware or more than one of the joint holders of any debentures.

AUDIT

72. Auditors shall be appointed and their duties regulated in accordance with sections 475 to 479 of the Act.

NOTICES

73. A notice may be given by CAMRA to any member either personally or by sending it by post to him or to his registered address, if any, within the United Kingdom supplied by him to CAMRA for the giving of notice to him. Where a notice is sent by post, service of the notice shall be deemed to be effected by properly addressing pre-paying and posting a letter containing the notice, and to have been effected in the case of notice of a meeting posted by first or second class post at the expiration of 72 hours after the letter containing the same is posted and in any other case at the time at which the letter would be delivered in the ordinary course of post. Notices of General Meetings shall be deemed to be sufficiently served if incorporated in, included with or annexed to any magazine circulated by CAMRA to the whole of its membership.

74. Notice of any General Meeting shall be given in any manner hereinbefore authorised to:-
- (a) Every member except those members who (having no registered address within the United Kingdom) have not supplied to CAMRA an address within the United Kingdom for the giving of notice to them.
 - (b) Every person being a legal personal representative or a trustee in bankruptcy of a member where the member but for his death or bankruptcy would be entitled to receive notice of the meeting; and
 - (c) The Auditor for the time being of CAMRA.

MEANS OF COMMUNICATION TO BE USED

75. Anything sent or supplied by or to CAMRA under the Articles may be sent or supplied in any way in which the Act provides for documents or information which is authorised or required by any provision of that Act to be sent or supplied by or to CAMRA.
76. Any notice or document to be sent or supplied to a member of the National Executive in connection with the taking of decisions by members of the National Executive may also be sent or supplied by the means by which that member of the National Executive has asked to be sent or supplied with such notices or documents for the time being.
77. A member of the National Executive may agree with CAMRA that notices or documents sent to that member of the National Executive in a particular way are to be deemed to have been received within a specified time of their being sent, and for the specified time to be less than 48 hours.

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Agenda Item 3

The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.



Official copy of register of title

Title number WR43419

Edition date 15.04.2008

- This official copy shows the entries on the register of title on 11 NOV 2016 at 12:30:29.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 11 Nov 2016.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by Land Registry, Coventry Office.

A: Property Register

This register describes the land and estate comprised in the title.

WORCESTERSHIRE : BROMSGROVE

- 1 (08.09.1999) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 13 Meadow Road, Catshill, Bromsgrove (B61 0JJ).

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (08.09.1999) PROPRIETOR: CATSHILL AND DISTRICT WORKING MEN'S CLUB LIMITED (Co. Regn. No. 217981) of 13a Meadow Road, Catshill, Bromsgrove, Worcs.

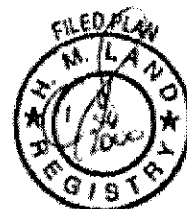
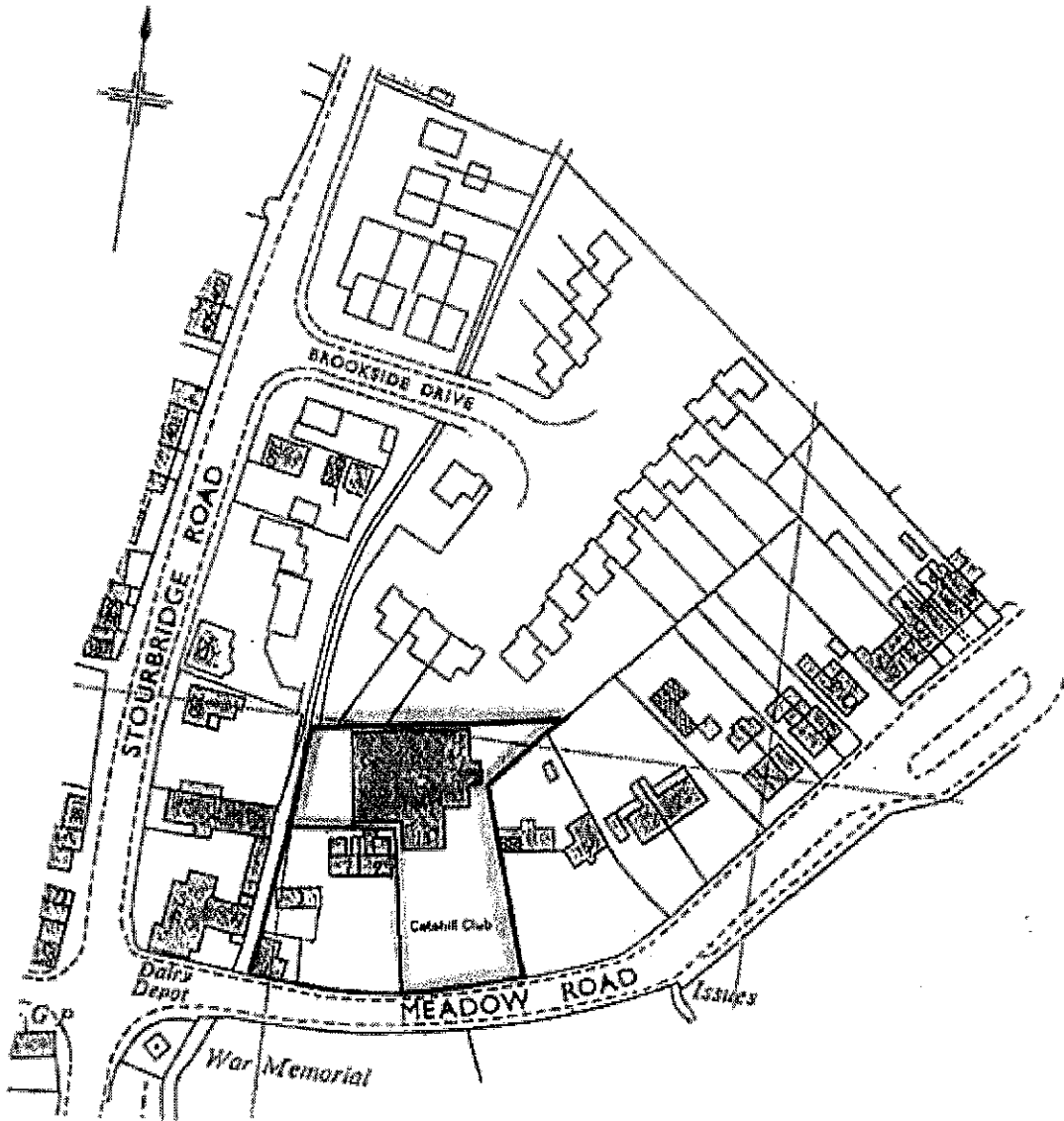
C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (08.09.1999) A Conveyance dated 4 November 1920 made between (1) George Thomas Stokes and (2) Samuel Juggins contains restrictive covenants but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.
- 2 (08.09.1999) REGISTERED CHARGE dated 31 December 1998 to secure the moneys including the further advances therein mentioned.
- 3 (08.09.1999) Proprietor: NATIONAL WESTMINSTER BANK PLC (Co. Regn. No. 929027) of Nottingham Securities Centre, Impact House, 8 Castle Boulevard, Nottingham NG7 1GG.

End of register

H.M. LAND REGISTRY		TITLE NUMBER	
		WR 43419	
ORDNANCE SURVEY PLAN REFERENCE	SO 9573	SECTION E	Scale 1/1250 Enlarged from 1/2500
ADMINISTRATIVE AREA WORCESTERSHIRE DISTRICT BROMSGROVE			© Crown copyright 1986



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Campaign for Real Ale
230 Hatfield Road
St Albans
Hertfordshire
AL1 4LW

**CAMPAIGN
FOR
REAL ALE**

Telephone: 01727 867201
Fax: 01727 867670
Email: camra@camra.org.uk
www.camra.org.uk

Statement of Support

DATE 11/11/2016

I confirm that in putting forward the attached application to list the Catshill Social Club as an 'Asset of Community Value (ACV)' that Redditch & Bromsgrove Branch of CAMRA is acting on behalf of and with full authority of the Campaign for Real Ale (CAMRA). CAMRA is a limited company, registered in England with company number 1270286.

Faye Grima

Campaigns Manager
Campaign for Real Ale (CAMRA)



Campaigning for real ale, pubs and drinkers' rights since 1971
A not-for-profit company, limited by guarantee. Registered in England: 1270286

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Appendix 3:

First-Tier Tribunal General Regulatory Chamber Community Right to Bid

Available: <http://sel.camra.org.uk/wp-content/uploads/2015-01-Windmill-Tribunal-ruling.pdf>

Summary of findings:

On 30 October 2013 CAMRA South East London Branch nominated the Windmill public house for inclusion on Lewisham Council's list of 'Assets of Community Value'. The pub was then accepted onto the register on 20 December 2013.

Within a month the owners applied for a review of the listing which took place on 11 December 2014. The request for review challenged CAMRA's eligibility to nominate properties to be included on the Council's register of Assets of Community Value.

The review concluded that the CAMRA Branch is an eligible nominating body and that the pub should remain on the Council's list of 'Assets of Community Value'.

Summary of findings:

- CAMRA is a company limited by guarantee. Article 5 of its Articles of Association prohibits distribution of its income or property to members.
- Although community nominations cannot come from a national organisation which relies solely on its national activities – the case is different where a national charity or national company limited by guarantee has a network of branches. From the Memorandum and Articles of Association of the Campaign, it follows that CAMRA is not a loosely affiliated grouping or federation of individual branches but rather one large organisation whose members choose to organise the Campaign's activities through a network of branches.
- Judge Warren concluded that applications from organisations with a branch structure should be treated in a hybrid way and that branches are entitled to rely on CAMRA's status as a company limited by guarantee which does not distribute any surplus it makes to its members in order to satisfy Regulation 5(1)(e). The individual CAMRA branch is then entitled to rely on its own activities in order to satisfy Regulations 4(1)(a) and (b).

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