

Nomination of a Community Asset – Wrotham Bowls Club

1. Background

- 1.1 On 10 November 2022, Tonbridge and Malling Borough Council (“the Council”) received a nomination for a community asset from Linda Fardell, in respect of Wrotham Bowls Club (“the land”). The nomination is made on behalf of Wrotham Bowls Club, which is an unincorporated group.
- 1.2 The nomination describes the land as follows: *“Bowling green at the rear of the car park of The Bull Hotel. Once part of the Grade II listed Archbishop’s Palace and enclosed by listed 13/14th Century Walls and in a conservation area. Bowling green dates back to at least 1759 but had become dilapidated and overgrown. It was restored to a working bowling green by ‘The Friends of Wrotham Recreation Ground’ charity in the late 1980’s, who spent £50,000 to restore the bowling green for the use of the community of Wrotham. A clubhouse was later built by the members of the bowls club and funded by the above charity.”*
- 1.3 The nomination makes clear that the land is in ongoing use as a community bowling green.
- 1.4 The nomination describes the use of the land as follows:

“Wrotham Bowls Club have occupied the site for over 35 years. Wrotham Bowls Club is a valued social and sporting amenity in the centre of the village for members of the Wrotham community and surrounding areas. The Club currently has a membership of 70, of whom the majority are retired. We stand on the site of an ancient bowling green, once part of the Grade II listed Archbishop’s Palace, and have documentation showing its use as a bowling green prior to 1759, making it 10th oldest bowling green in the country. Wrotham Bowls Club has links with the local COE junior school, St George’s, for whom we bought several sets of junior bowls for use by the children when they visit with their teachers. Non-members are always welcomed on Thursday afternoon/evenings and on our ‘open days’ when there is an advertised invitation to the local community to come and try bowls with all equipment and coaching provided. We have friendly matches on at least three days each week, both home and away, with over 30 bowling clubs in Kent, each fixture involving between 24 and 36 players. We also have a weekly Ladies and Men’s Kent League as well as county matches. We welcome spectators from the local community who come to watch the home fixtures and they are always offered refreshments. We have articles in the Parish Magazine and a notice board by the village bus stop updating villagers on our activities and encouraging others to join us. Wrotham Bowls Club, along with Walking Football, is the only physical/social activity in the village particularly for older members of the community - there is no upper age limit to playing

bowls! Our social membership of just £10 p.a. is particularly popular with the elderly who can come and socialise and be taught to play bowls by our friendly members every Thursday afternoon/evening”

2. Legal Framework

2.1 Section 90 of the Localism Act 2011 (“the Act”) states:

“90 Procedure on community nominations

(1) This section applies if a local authority receives a community nomination.

(2) The authority must consider the nomination.

(3) The authority must accept the nomination if the land nominated—

(a) is in the authority's area, and

(b) is of community value.

(4) If the authority is required by subsection (3) to accept the nomination, the authority must cause the land to be included in the authority's list of assets of community value.

(5) The nomination is unsuccessful if subsection (3) does not require the authority to accept the nomination.

(6) If the nomination is unsuccessful, the authority must give, to the person who made the nomination, the authority's written reasons for its decision that the land could not be included in its list of assets of community value.”

2.2 By s.88 of the Act, land is of “community value” if:

“in the opinion of the [Council]—

(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 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 wellbeing or social interests of the local community.

...

[or]

in the opinion of the [Council]—

- (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 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.”*

2.3 Land may only be listed in response to a community nomination (or in other prescribed circumstances which are not applicable here). A “community nomination” includes a nomination by a voluntary or community body with a local connection.

3. Assessment of Nomination

Is it a “community nomination”?

The nomination has been made by a community body with a clear local connection- it operates from, and its activities are carried out on the land in question. The body is a cooperative or community benefit society within the meaning of Regulation 5(3) of the Assets of Community Value Regulations 2012. The society does not distribute a surplus to its members. Therefore, this is a valid community nomination.

Is there an “actual current use” or “time in the recent past” where the land was in community use

The land is currently in use for sporting activities (bowling) for all ages, open to all members of the community.

Bowling is the main function of the land, which is an activity which promotes social interests and/or social wellbeing of the local community. The nomination states that *“Wrotham Bowls Club would have no problem whatsoever continuing and thriving for many more years were it not for The Bull Hotel’s desire to take over our bowling green for its own purposes now they own our freehold and have acquired a licence to hold weddings”* in addition it states *“The demise of Wrotham Bowls Club would be devastating to our members and an irreplaceable loss to the village community we represent”*.

Is there a realistic prospect in the next 5 years of a community use?

It seems apparent that the current uses are intended to continue.

4. Conclusion and Decision

- 4.1 The Council has received a valid community nomination for the land.
- 4.2 The land is at present in a use or uses which further the social wellbeing of the local community.

- 4.3 It is realistic to think that the land will continue to be put to such uses within the next 5 years.
- 4.4 The land is in the Council's area, and is of community value. The land should therefore be included in the Council's list of assets of community value.