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M. Obradovic

31st October 2018

Re: Petition, The Cherry Tree PH Petition

I am writing in response to the recent petition submitted to Peterborough City Council in respect of The Cherry Tree Public House. I acknowledge that the property has been listed as an Asset of Community Value since September 2017, accepted on the register due to its stated history and in recognition of its recent use and value as an asset to the community as stated in your petition.

Unfortunately the property being listed as an Asset Of Community Value will not provide Peterborough City Council any legal basis to assist in your stated aims to return the property to full use. The provisions provided by being a listed asset are only invoked upon the intended sale of the premises or upon receipt of a planning application to change the use or demolish the property. Please see the below extract from guidelines issued during the application process: (full guidance documents are available on the Peterborough City Council website)

In most cases, once an asset is listed the owner cannot then dispose of it without:

- *Notifying the local authority of their intent to sell the asset or grant a lease of more than 25 years.*
- *Waiting until the end of a six week "interim moratorium" period if the local authority does not receive a request from a local community interest group to be treated as a potential bidder.*
- *Waiting until the end of a six month "full moratorium" period if the local authority receives a request from a local community interest group to be treated as a potential bidder.*

It is important to note that the owner does not have to sell the asset to the community interest group. Listing as an Asset of Community Value may also be taken into account in any application for planning permission. This will not necessarily prevent a change of use but in certain circumstances may add additional protection to the existing use of the asset.

Unfortunately as it appears that in this case the private owners do not wish to sell or alter the use of the building these conditions will not be triggered. Enquiries have been made into the legal position and at this time, as the building is not a listed historic building there are no provisions within law under these circumstances to force the private owner to sell or put the property to any particular use.

If you would like to discuss the matter further please do not hesitate to contact me on 01733 384547

Yours sincerely

Helen Roberts
Property Records Coordinator