

North Yorkshire Council

19 November 2025

Assessment of Assets of Community Value Nomination *NYCACV0069 Scorton Lakes, Scorton*

Report to the Head of Localities

1.0 PURPOSE OF REPORT

1.1 To determine whether the Scorton Lakes, Scorton, DL10 6AB should be placed on the Council's List of Assets of Community Value (ACVs) under the Localism Act 2011, following a valid nomination by, Scorton Parish Council, a qualifying nominator.

2.0 SUMMARY

2.1 The nomination is for the Scorton Lakes, Scorton, DL10 6AB. The recommendation is that the Head of Localities:

- (i) Determines that the nomination for the Scorton Lakes is successful and meets the definition of community value as detailed in the Localism Act 2011
- (ii) It should be placed on the North Yorkshire Council Assets of Community Value List of Successful Nominations

3.0 BACKGROUND

- 3.1 The Localism Act 2011 requires the Council to consider all valid nominations for properties and/or land to be placed on the List of Assets of Community Value. This is also known as the 'community right to bid'. Land or property considered of community value can be nominated by a voluntary or community body that complies with regulation 5.
- 3.2 When a listed asset comes up for sale, an ACV is subject to a protected period (moratorium) during which a community interest group bid for the asset. The purpose is to create a "window of opportunity" to secure funding and bid for the property on the open market. The owner is not obliged to accept a bid from a community interest group and can sell to whomever they choose at the end of the moratorium period.
- 3.3 The Assets of Community Value (England) Regulations 2012 provide a mechanism for the owner of land listed as an ACV to request an internal review and also appeal to the first-tier tribunal against the listing. Although first-tier tribunal decisions are not binding precedents any appeal decisions provide judicial guidance to the operation of the legislation. The guidance provided by these decisions is becoming increasingly useful to local authorities in the assessment of Assets of Community Value nominations.

- 3.4 Private owners may claim compensation from the Council for loss and expenses incurred through their property being listed. More details are provided in the 2012 Regulations.
- 3.5 This report ensures that the Council considers the nomination for the Scorton Lakes, as required by the Act.
- 3.6 A decision on the matter will be made by the Parish Liaison and Local Devolution Manager under the approved Assistant Chief Executive Local Engagement's Scheme of Sub-delegation.

4.0 NOMINATION CONSIDERATION

a) Description of asset

- 4.1 The site is large, over 126 hectares, it used to be part of a sand and gravel quarry. Since the quarrying stopped, the area has been restored to nature and now includes lakes, footpaths, farmland, grazed parkland, a woodland area, and plants and trees.
- 4.2 The site is referred to as a nature reserve, but it is not officially designated as such. A Site of Importance for Nature Conservation lies to the north-west. The nominated site was subject to a Section 106 agreement to restore the site to lakes, woodland and grassland once mining/quarrying operations had ceased, the current use of the site is in accordance with the Section 106 agreement. The area is popular with the public for walking, meeting others, and general leisure activities. There are a number of public rights of way running through and adjacent to the nominated site, including the 'Coast to Coast' path. Most of the footpaths are suitable for wheelchairs, pushchairs and mobility scooters.
- 4.3 The site is to the west of the village of Scorton, 720m to the north-west of the village of Bolton-on-Swale, 750m west of Brompton-on-Swale, and is 5 miles from Richmond. The A1 is a 5-minute drive to the west.

b) Nomination and Validation

- 4.4 The nomination to list the Scorton Lakes as an Asset of Community Value was received on 30 September 2025 and validated on 1 October 2025. A copy of the nomination form is attached at **APPENDIX A** and in accordance with the Assets of Community Value (England) Regulations 2012 a decision is required by 25 November 2025. The nomination from Scorton Parish Council was accepted on the basis of the nominating group qualifying as a parish council under section 89(2)(b) of the Localism Act 2011.
- 4.5 It was established that the nominated site is owned by Tancred Gravel Limited (Company number 00519081). The nature of the business is the operation of gravel and sand pits; mining of clays and kaolin.
- 4.6 Signage at the site noted that the nominated site was managed by The Rural Estate Management Services Limited (REMS) for Tarmac Holdings Limited.
- 4.7 The nomination was associated with parts of four different Titles:

- Part of NYK428732
- Part of NYK130092
- Part of NYK315840
- Part of NYK245562

c) Site Visit

4.8 A site visit was undertaken on Tuesday 14 October 2025 from 9 am to 12 pm. The following observations were made:

- Free car parks were available (South and North), these were easily accessible from the main road. At the time of the visit there were seven cars in the South Car Park and ten in the North Car Park, a sign noted that car parks would be locked at 5 pm every day
- There were noticeboards with the following posters:
 - Contact details for the management
 - Coffee van
 - The Richmond and Hambleton branch of the Royal Society for the Protection of Birds advertising a talk about the Scorton Lakes Reserve and the threat of development
 - A poster from 'Save Scorton Lakes' that explained the value of the site and outlined the impacts of potential development at the site
- There were several large map/information boards which showed paths and sites of interest around Scorton Lakes, including wildlife and nature restoration initiatives e.g., reed beds, oak tree monoliths for bats
- The footpaths were well-used with many visitors of different ages, some walking dogs, some jogging, some were taking a leisurely stroll and others were hiking, this included solo visitors and small groups, the site was also used by horses
- Footpaths were level and, in good conditions, could be accessed by people using wheelchairs, mobility scooters and pushchairs
- There were benches and quite a lot of fencing, the entire site was kept in good condition with fences, pathways, carparks and natural features well maintained
- The site was clean and tidy with no litter, rubbish bins were available
- Other than a small temporary cabin/office in one of the carparks, there were no obvious buildings or facilities at the site, such as public conveniences, commercial or community premises
- There were signs for a permissive footpaths and bridleway route at the site
- A Tarmac Ltd sign advertising 'Scorton Walk' carpark included the Wildlife Trust's 'Biodiversity Benchmark'
- A busy road divided the site in two, an underpass is available
- The site included a restored wind vane commemorating Royal Air Force Scorton, part of the site had been a Word War II airfield
- There were different wildlife habitats and places to observe nature and wildlife, there were a lot of different species of birds around the lakes, in large quantities

d) Community Value Consideration

4.9 In terms of making a decision on this matter, the nomination, together with any additional information received within the agreed timescale, has been used to assess if

the property/land nominated meets the definition of community value as detailed in the Localism Act 2011 (Section 88). As the nominated site is still in use, assessment is based on the conditions at Section 88 (1) and shown below:

“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 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 a non-ancillary use of the building or land which will further the social wellbeing or social interests of the local community, although the use does not have to be the same.”

4.10 There are examples of public open spaces as having community use and assets have been listed on this basis by local authorities. Each nomination is, however, assessed individually and it is for local authorities to determine whether each one meets the definition of community value as detailed in the Localism Act 2011.

5 CONSULTATION UNDERTAKEN AND RESPONSES

5.1 The following consultees were notified of the nomination:

- NYC Planning
- NYC Waste and Minerals
- Local Land Charges
- NYC Environmental Protection
- NYC Community Safety and CCTV
- NYC Food, Farming and Health & Safety
- NYC Licensing
- NYC Localities
- NYC Revenues and Benefits
- Local Councillor

NYC PLANNING

5.2 The NYC Planning service were consulted and made the following comments:

- The nominated site was subject to a Section 106 agreement to restore the site to lakes, woodland and grassland once mining/quarrying operations had ceased, the current use of the site is in accordance with the Section 106 agreement
- Information linked to planning reference 22/00752/EIASCR contained the most relevant information in relation to the current use of the site
- The full planning history of the site is covered by five Unique Property Reference Numbers, this is shown in the table below:

UPRN	Address	Planning Reference	Proposal
010012779678	Scorton Quarry Scorton Road Brompton On Swale Richmond North Yorkshire DL10 7EQ	01/01001/CM	Review of Old Mining Permissions
010012783207	Tancred Quarry Scorton Richmond North Yorkshire	00/00656/CM	Proposed Extension of Time Limit for Completion of Development Involving Disposal of Inert Waste
As above	As above	00/00756/CM	Full Planning Permission for Proposed Integrated Waste Management Facility
As above	As above	01/00053/CM	Full Planning Permission for Extension of Workings and Implementation of Revised Working and Restoration Method in Respect of Existing Workings at Tancred Quarry and Erection of Replacement Processing Plant at Scorton Quarry
As above	As above	01/01002/CM	Application for Review of Mineral Workings
As above	As above	03/00415/CM	Full Planning Permission for a Variation of Planning Conditions 1, 19, 20, 21 and 22 of Permission C1/39/34E and Relating to Revised Method and Phasing of Mineral Extraction
As above	As above	04/01714/CM	Planning Application for Extension To Existing Waste Transfer Station And Recycling Facility to Include Composting Pad
As above	As above	05/00542/CM	Application for Modification of Conditions to Allow Extension of Time for Completion of Tipping of Inert Waste and Completion of Restoration
As above	As above	08/00092/CM	Application Under Condition 3 of Planning Permission C1/39/34J/CM to Allow Construction of a New Waste Transfer/ Recycling Building and the Treatment (Sorting) of Mixed Commercial Waste on the Existing Pad, Including 4m High Litter Nets and

UPRN	Address	Planning Reference	Proposal
			Associated Access, and Under Conditions 3 and 6 to Allow Alteration of Existing Recycling Building, Comprising Installation of New Doors, Vehicular Access and Car Park and to Allow Construction of 3 No. Additional Passing Places on Main Access Road
As above	As above	08/00741/CM	Application Under Section 73 of the Town and Country Planning Act 1990 for the Purposes of Tipping of Inert Waste Under Planning Permission C1/39/34K/CM - 1) Without Complying with Condition 3 in Order to Extend the Time Period for the Completion of Tipping Operations to 30 June 2016, 2) Without Complying with Condition 28 in Order to Extend the Time Period for the Completion and Restoration of the Application Site Until 30 June 2020 and 3) Submission Under Condition 33 Seeking Approval for the Processing of Inert Waste at the Site for recycling Purposes
As above	As above	12/00245/CM	Consultation on planning application for the purposes of the application to vary condition no. 10 of planning permission C1/39/34M/CM to allow for the extension of existing operating hours
As above	Scorton Quarry Scorton Road Brompton On Swale Richmond North Yorkshire DL10 6AA	16/00507/CM	Consultation on Planning Application Accompanied by an Environmental Statement for Variation of Condition Nos 1, 20, 23 and 52 of Planning Permission C1/39/34G to Allow the Continuation of Sand and Gravel Extraction for a Further 4 Year Period Until 31.12.20 with Final Restoration by 31.12.21 and Removal of the Plant Site by 31.12.22 and Amendments to the Phasing and Direction of Working and a Reconfigured Layout for the Conveyor
As above	As above	22/00752/EIAS CR	Environmental Impact Assessment Scoping Request for Proposed Eco Holiday and Retirement Park
010034641253	Scorton Quarry Scorton	79/00019/AA	Erection of double-sided sign

UPRN	Address	Planning Reference	Proposal
	Richmond North Yorkshire DL10 6NP		
As above	As above	79/00016/AA	Erection of 3 Board. Non-Illuminated Signboard
As above	As above	79/00018/AA	Erection of Non-Illuminating Sign Board
As above	As above	79/00014/FULL	Erection of sign
As above	As above	86/00012/FULL	Importation and tipping of topsoils, subsoils, clay to restore part of quarry
As above	As above	06/00618/CM	Proposed Extension to Sand and Gravel Extraction with Restoration to Lake, Woodland and Grassland
As above	As above	06/00789/CM	Proposed Aggregate Bagging Plant
As above	Scorton Quarry Banks Lane Scorton North Yorkshire DL10 6NP	14/00418/CM	Consultation on Planning Application for the Purposes of the Application for the Variation of Conditions 6 and 9 of Planning Permission Ref. C1/12/196/PA which Relates to Amended Restoration Scheme and Aftercare Scheme
As above	As above	15/00300/CM	Consultation on Planning Application for the Purposes of the Application for the Approval of Details Reserved by Condition 14 of Planning Permission Ref. C1/39/34G Which Relates to the Importation of Aggregate
As above	As above	16/00765/CM	Re-Consultation on Planning Application Accompanied by an Environmental Statement for Variation of Condition No's 1, 20, 23 and 52 of Planning Permission Ref: C1/39/34G to Allow the Continuation of Sand and Gravel Extraction for a Further 4 Year Period Until 31 December 2022 and Amendments to the Phasing and Direction of Working and a Reconfigured Layout for the Conveyor
As above	As above	16/00784/CM	Consultation on Planning Application for the Purposes of the Variation of Condition No. 3 of Planning Permission Ref: No. C1/39/34H(I)/CM Which Relates to the Duration of Development to Allow for an Extension of Time of the Aggregate Bagging Plant Until December 2022

UPRN	Address	Planning Reference	Proposal
010012783206	Tancred Quarry Scorton North Yorkshire DL10 7EQ	03/00631/CM	Full Planning Permission for Construction and Use of Waste Transfer Station, Weighbridge, Weighbridge Office and Associated Facilities Including Access
010004786571	Tancred Grange Back Lane Bolton On Swale Richmond North Yorkshire DL10 6AB	97/00101/AA	Display of Post Mounted Sign

NYC WASTE AND MINERALS

5.3 The NYC Planning service were consulted and made the following comments:

- The relevant most recent planning application in relation to the Scorton quarry site is NY/2019/0094/ENV, dated 23rd November 2017. This application can be viewed on:
<https://onlineplanningregister.northyorks.gov.uk/Register/Planning/Display/NY/2016/0094/ENV>
- There are significant amounts of documents on the online planning register including the committee report, decision notice and S106 agreement, due to file sizes I can't add all of these to this email. The application included a condition for a 5-year aftercare scheme and a S106 for an additional long term management period for 25 years on top of the 5-year aftercare scheme. A long-term management plan for the 25-year period was approved through the application
- NY/2024/0105/AFT - Aftercare 5-year commencement date requested to back date to 1st January 2023
 - 2406 Tarmac Scorton Final Restoration Report 2023 - this document explains what the minerals operator completed in regard to the restoration of the site
 - 280325 5-year aftercare Letter 0105 AFT" – this letter approved the restored minerals site into aftercare. The 5-year statutory period was backdated to 1 January 2023 and therefore will expire on 2nd January 2028, after which there is a 25-year long term management period. The letter also states that the minerals operator is required to hand the site over to a conservation body for the end of the 5-year period (2nd January 2028).
- The lawful use of the nominated site – the site is currently in a 5-year aftercare period as required by the planning condition for permission (NY/2019/0094/ENV) and has a requirement under the S106 for this same permission for a further 25 years.

- A principal (“non-ancillary”) use of the asset furthers (or has recently furthered) the social well-being or social interests of the local community (which include cultural, recreational, or sporting interests) – the site during the aftercare period is required to be transferred to a conservation body for nature conservation, public access and recreation. After the 5-year statutory aftercare period and 25-year long term management the planning authority would then have no control over the site and future requirements
- It is realistic to think that there could continue to be a principal use of the asset (or it will do so again in the next five years) which will further the social well-being or social interests of the local community (whether or not in the same way as before) - Yes, there is a requirement in the S106 for the site to be transferred to a conservation body for nature conservation, public access and recreation for the 5-year statutory aftercare period and 25-year long term management period. So, in my view during this period starting 2nd January 2023 the site is required to be kept as this

LOCAL LAND CHARGES

- 5.4 A search for Local Land Charges was undertaken. There were nine local land charges relating planning agreements and consents relating to parts of the nominated site.

NYC ENVIRONMENTAL PROTECTION

- 5.5 The Environmental Protection service was consulted and had no concerns.

NYC COMMUNITY SAFTY AND CCTV

- 5.6 The Community Safety and CCTV service were consulted and had no concerns.

NYC FOOD, FARMING AND HEATH & SAFETY

- 5.7 The Food, Farming and Health & Safety service were consulted and had no comments to make.

NYC LICENSING

- 5.8 The Licensing service were consulted and made the following comments:

- There were no licenses on record for the site, including for events

NYC LOCALITIES (COMMUNITIES) TEAM

- 5.9 The Localities service was consulted and supported the site being registered as an ACV on account of the level of use and the health and wellbeing benefits to the local community. The following detailed feedback about the site and nomination was provided:

- The site comprises seven lakes which have been formed from gravel extraction during the 20th Century. The lakes are accessed by a series of circular and interlinking walks on paths and bridleways which are accessible to all

- Land use around the lakes comprises sections of woodland and grazing for livestock as well as areas set-aside for wildflower and nature colonisation. Planting of new species along boundary fences is also in evidence
- The reserve is currently managed by the Rural Estate Management Service (REMS) for Tarmac Holdings Limited. The site is split between the north and south areas, bisected by the Northallerton to Brompton Rd; an underpass allows users to travel safely between the two sections of the site
- The site is evidently well-used; a visit to the site on a Monday afternoon at 3pm there were a total of 25 cars parked in the two car parks
- Car parking is spacious and free and consequently, it attracts people walking, dog walking and running
- There are also a number of bridleways cross-cutting the site
- Not everyone came by car; some walked from the village of Scorton itself
- It is also worth noting that the site sits on the Coast-to-Coast path and the route is well-marked
- The site is home to a range of bird, insect, butterfly species and rare plants
- It has been awarded Biodiversity Benchmark by The Wildlife Trust on account of the species habitats it supports
- Given the site's proximity to the communities of Scorton, Catterick Village and Catterick Garrison, this extensive amenity area is an asset well used by the local community and clearly plays a part in the health and wellbeing of local residents
- The future of the site is threatened by the proposals made by Tancred Gravel for the development of 171 two and three storey holiday homes and 155 apartments along with a farm shop, a gym, spa, bar/café, play area, trim track and tennis courts (planning application reference 22/00752/EIASCR)
- A campaign against the future development of the site has been set up

LOCAL COUNCILLOR

5.10 The Local Councillor was consulted, and no comments were received.

6 ASSESSMENT INFORMATION

6.1 In assessing the community value of the Scorton Lakes all information received has been considered.

(a) CONDITION ONE - An actual current use of the building or land that is not an ancillary use furthers the social wellbeing or social interests of the local community

I. Actual current use that is not an ancillary use

6.2 The actual uses were specified in the nomination and were typical of a public open space, used for leisure and exercise. The term "ancillary use" is not defined in the Act, and it is left to each local authority to determine. In the context of assessment, the frequency, regularity and whether uses are still in place have been identified as factors for consideration. It was thought that this condition meant that the community use had to be the primary use of the asset, but this was dispelled by Judge Warren in **Firoka (Oxford United Stadium) Limited v Oxford City Council** (9 May 2014) and the test is whether the use is significant, which does not require it to be the predominant use.

- 6.3 The nominated site is managed by Tarmac Ltd and appears to have a link with a local Royal Society for the Protection of Birds group. The nomination highlights that the area has been “pro-actively managed to create a mosaic of habitats and it now attracts a wide range of birds, flora, amphibians and other wildlife. It has become a sanctuary for nature including for many “red list””. It references careful management that ensures visitors can enjoy the amenity, nature and wildlife without disturbing habitats.
- 6.4 The nomination states that it is used by hundreds of visitors each week and this was evidenced by a site visit (paragraph 4.8) and comments from the Communities Team (paragraph 5.9) which demonstrated the site was frequently used, on a regular basis by significant numbers of people.
- 6.5 The site visit took place without notice on a weekday morning, the weather was overcast. This visit therefore provides a snapshot of typical daily use of the site at an ‘off-peak’ time. The visit evidenced good attendance with around 40 people using the site. This was for a variety of uses which evidenced the statements made in the nomination form and are summarised below:
- Leisurely stroll (alone and in small groups)
 - Dog walking
 - Cycling
 - Hiking
 - Jogging
 - Horse riding
- 6.6 There are a good selection of well-maintained, accessible walking routes including a number of public rights of way (footpaths and bridleways) through and adjacent to the site. The nomination states there are approximately 10 miles of footpaths and walkways.
- 6.7 The consultation response from Planning and Waste and Minerals (paragraphs 5.2 and 5.3) confirmed that, the nominated site was subject to a Section 106 agreement and aftercare conditions to restore the site to lakes, woodland and grassland once mining/quarrying operations had ceased. The current use of the site is in accordance with these Section 106 agreement and aftercare agreements, which means the site to be transferred to a conservation body for nature conservation, public access and recreation. The area is popular with the public for walking, meeting others, and general leisure activities.
- 6.8 Based on the available information, the area is popular with the public for walking, meeting others, and general leisure activities and appears to be well-used on a daily basis. Evidence shows regular use by people of various age groups engaging in a range of activities linked to health and wellbeing ***There is therefore sufficient information provided to demonstrate significant actual use as an open space for leisure activities that is non-ancillary and therefore this element of the criteria is met.***

II. Furthering social wellbeing or social interests

- 6.9 There are no clear definitions provided in the legislation as to what constitutes 'social wellbeing/interests' except that social interests can include 'cultural, recreational and sporting interests'. The nomination refers to general recreational and conservationist interest. This is also supported by the existence of the public rights of ways that implies recreational use which can be considered as social wellbeing/interest use.
- 6.10 The nomination and site visit demonstrated that people use the site for a variety of leisure activities (para. 6.5) that are recognised social interests. The nomination provided further examples referencing social wellbeing, detailed below:
- Accessible carparks, footpaths and walkways – provides an important way for those in the community with access or disability issues to easily enjoy the area alongside others
 - Birdwatchers and naturalists visit because of the nature conservation areas and diverse wildlife habitats
 - Parents visit with small children who can ride their bikes and let off some steam
 - The area is tranquil and therefore enhances wellbeing – “to get some fresh air and escape the strains and pressures of a busy workload or modern life or just to be outside in peaceful space”
 - The location is convenient and therefore used by hundreds of visitors each week
 - The area is a valuable place for exercise and meeting friends
 - Social interest uses:
 - Nature conservation and appreciation – recreational activity
 - Walking/hiking – recreational/sporting activity
 - Jogging - sporting activity
 - Cycling - sporting activity
 - Bird watching/naturalist – recreational/cultural activity
 - Horse riding – sporting activity
- 6.11 The nomination included a letter of support from 'Save Scorton Lakes' Group. This letter referenced the uses listed above and noted it was a place “for just being in the fresh air in a safe place surrounded by nice views and nature”. The letter highlighted that the site was part of a local network of other nature areas including the River Swale, and this wider network attracted a community of people who have an interest in the nature of the area.
- 6.12 The nomination included a letter of support from Brompton-on-Swale Parish Council, this noted:
- “This space plays a vital role in the life of our local community. It is not just a piece of land it is a place where residents of all ages gather, connect, and benefit from open air, recreation, and social interaction. The area is used for a variety of purposes including:
- Recreational activities such as walking, playing, exercising, and picnicking
 - A safe space for children and families to enjoy nature and outdoor play
 - An essential green space contributing to the wellbeing and mental health of residents
 - A valuable area for wildlife and biodiversity, enhancing our natural environment”

6.13 It is recognised in the ACV regime that “social interests” includes in particular cultural, recreational and sporting interests. The nomination identifies a number and variety, of frequent social interest uses. The evidence suggests Scorton Lakes plays a significant role in furthering social interests and social wellbeing through a variety of activities that foster environmental appreciation and enhance wellbeing. ***The uses evidenced are therefore considered to further the social wellbeing or social interests and this element of the criteria is therefore met.***

III. Local Community

6.14 There is no definition or guidance as to what constitutes the ‘local community’. The judgement in **Pullan v Leeds City Council** (25 April 2016) was that, in relation to the Old Cock public house, the entire town of Otley was considered to be the local community.

6.15 The nominating group, Scorton Parish Council, has existed since 1897, the site nominated was almost entirely in the Scorton Parish Council area. Other neighbouring Parish Councils were informed about the nomination.

6.16 The nomination included letters of support from:

- Uckerby Parish Meeting
- Moulton Parish Meeting
- Brompton on Swale Parish Council
- Save Scorton Lakes Group

6.17 In terms of local community there are references in the nomination including:

- “The area is used by hundreds of visitors each week, including local residents and visitors from further afield”
- “It is the nature and public access value of the site that underpins the social and wellbeing value of the local community. That the community can continue to visit this place and enjoy: its nature, its convenience, its accessible footpaths, the safe outside space it affords, a place to be outside, to enjoy and relax surrounded by nature and fine views – this must be protected for all and for the future.”
- “Scorton Lakes and Nature Reserve has become an important and valued place for the local and wider community”

6.18 The nomination highlights the importance of the site for people in the community who value the accessible footpaths, and that these are available to enjoy, without barriers and alongside others.

6.19 The supporting letter from Save Scorton Lakes noted that a community has been built around the network of local lakes and nature area:

- “This makes it part of a network and patchwork of related habitats for nature and wildlife species that thrive there day and night, season by season. This in itself attracts a community of people who come to the area to observe this nature.”

- 6.20 In the letter of support, Moulton Parish Meeting note the ACV proposal was considered at a meeting and, “residents expressed their support for continued use of the area as this provides valuable access to nature, wildlife and leisure facilities. Residents support “Save Scorton Lakes” initiative in campaigning to keep this nature reserve available for all.”
- 6.21 The nomination and information available demonstrate support from four parish councils (including the nominating group). The information available notes it is used regularly by people in the immediate and wider local area, including people who drive there and people who likely walk there from one of the nearby villages (e.g., Scorton, Brompton on Swale, Bolton on Swale). The information suggests that Scorton Lakes is well-used and highly valued by the communities close to the site and from further afield and a ‘community’ has formed based on people with an interest in nature in the local area.
- 6.22 ***Based on the information available it is reasonable to determine that the identification of the local community required by the legislation is people from the parishes surrounding the nominated site including those where accessibility is an issue and the community of nature enthusiasts, this element of the criteria is therefore met.***
- (b) **CONDITION TWO It is realistic to think that there can continue to be a non-ancillary use of the building or land which will further the social wellbeing or social interests of the local community, although the use does not have to be the same.**
- 6.23 This criteria requires the realistic assessment that there can continue to be non-ancillary use of the building or land which will further (whether or not in the same way) the social wellbeing or social interests of the local community. It is therefore the assessment of whether the current uses identified can realistically continue that is required.
- 6.24 The test does not require the likely future use to be determined but rather to determine whether future community use is one of a number of realistic options (***Worthy Developments v Forest of Dean DC16 paragraphs 18 and 19***, 29 September 2014) The test is also not whether such future use is wholly unrealistic but whether it is realistic to think that there could be a relevant non-ancillary use in the next five years (***Judge Lane at paragraph 26 in General Conference of the New Church v Bristol CC supra***. 12 February 2015). It is common for nominations not to have a business plan put forward by those supporting the listing and judges have not regarded this as significant when considering whether future community use in the next five years is a realistic prospect.
- 6.25 In terms of realistic continued use the following information has been considered:
- The nominated site has been used as a place for leisure and nature conservation a number of years – restoration is a Section 106 and aftercare condition requirement linked to the permission to quarry the site
 - The aftercare covers a five-year period from Jan 2023-Jan 2028, after which there is 25-year long-term management plan – these require the minerals

operator to hand the site over to conservation body for nature conservation, public access and recreation

- There is commitment and involvement of a group to preserve the current site (Save Scorton Lakes)
- The site is owned by Tancred Gravel Ltd, who instructed Saddington Taylor to submit an Environmental Impact Assessment Scoping Request for Proposed Eco Holiday and Retirement Park in 2022, a copy of the report is available [here](#)
- At the time of writing this report there has been no planning application or decision relating to the eco holiday and retirement park
- The site is currently well-used by hundreds of people each week

- 6.26 Assessment of Condition One demonstrated the site is a well-used place for leisure, it is valued for its biodiversity and it forms part of a larger network of natural habitats. The restoration of the site has been a long-term commitment and was required due to a planning condition. The nomination states this condition was for restoration (to nature), ongoing maintenance and public access and “it is important that this continues to be the guiding principle by which the area is managed into the future.”
- 6.27 The landowner was contacted with details of the nomination but did not provide any comments on the ACV nomination or future use of the site.
- 6.28 The Section 106 agreement and aftercare conditions includes a requirement for the site to be transferred to a conservation body for nature conservation, public access, and recreation, covering both a five-year statutory aftercare period and a 25-year long-term management period starting from 2 January 2023. This arrangement supports the continued community-focused use of the site during that time.
- 6.29 In 2022 Saddington Taylor submitted an Environmental Impact Assessment Scoping Request for Proposed Eco Holiday and Retirement Park on behalf of the landowner.
- 6.30 A potential planning application that could alter the use of a large part of the nominated site may raise concerns about whether the land can continue to be used in a way that furthers the social interests or social wellbeing of the local community. In *Punch Partnerships v Wyre BC* (paragraph 17), it was suggested that if planning permission were granted for a retail unit to be built on part of the pub car park and grassed area, this could justify an application to have that land removed from the Assets of Community Value (ACV) list. However, the Judge did not clarify whether removal should be triggered by the grant of planning permission itself or by its implementation.
- 6.31 In this case no planning permission has been granted and therefore the area continues to have the same use. Any change of use would be subject to future planning determinations and implementations. In addition, the potential area of development only relates to part of the site nominated as an ACV. In terms of ACV determination, the potential for a future planning decision not yet taken cannot be taken into account.
- 6.32 The test for this condition does not require the likely future use of the relevant building or site to be determined but rather to determine whether future community use is one of a number of realistic options.

- 6.33 In summary the Scorton Lakes site has been used for a number of years, and is currently well-used by hundreds of people each week. The Section 106 and aftercare conditions require the site to be kept as an area for nature conservation, public access and recreation for a period of 30-years (from Jan 2023). There is an organisation in place dedicated to preserving the current uses of the site. There is the potential for development at the site however no planning applications have been submitted or determined, it is likely that development plans would not affect the whole site and the potential for a future planning decision cannot be taken into account. The nomination, site visit and information available provided strong evidence of significant, regular community use that further the social wellbeing or social interests of the local community, and there is no reason to believe that these uses could not continue.
- 6.34 ***Based on the information available it is reasonable to determine that there can continue to be a non-ancillary use of the land which will further the social wellbeing or social interests of the local community, although the use does not have to be the same.***

(c) CONCLUSION

- 6.35 The aim of Part 5 Chapter 3 of the Localism Act and the Assets of Community Value Regulations is to encourage community-focused, local-led action to save and take over assets which are significant to them. The scheme is intended to give communities the opportunity to identify assets of community value and have them listed and, when they are put up for sale, have more time to raise finance and prepare a bid for them. These assets could include the village shop, community centre or pub but assessment is based on the evidence submitted and it is for the local authority to determine each nomination.
- 6.36 A valid nomination to register the Scorton Lakes as an Asset of Community Value was received for assessment. The assessment is whether the details within the nomination, together with any additional information received, satisfy the two criteria as detailed in the Localism Act 2011(Section 88) see below:

Condition one - There is an actual current use of the building or land that is not an ancillary use furthers the social wellbeing or social interests of the local community

(See paragraphs 6.2 – 6.22)

- 6.37 The information provided demonstrates significant actual uses of Scorton Lakes that are non-ancillary, and further the social wellbeing or social interests of the local community. ***This Condition is therefore met***

Condition Two - It is realistic to think that there can continue to be a non-ancillary use of the building or land which will further the social wellbeing or social interests of the local community, although the use does not have to be the same

(See paragraphs 6.23 - 6.34)

- 6.38 Future community use is one of a number of realistic options. It is therefore reasonable to determine that there can continue to be non-ancillary use of the building or land which will further the social wellbeing or social interests of the local community, noting

that the use does not have to be the same as existing uses. ***This Condition is therefore met.***

- 6.39 The evidence demonstrates that the nomination meets the definition of community value as detailed in the Localism Act 2011. It is therefore recommended that Scorton Lakes is listed as an Asset of Community Value and placed on the North Yorkshire Council List of Successful Nominations.
- 6.40 The Council must keep the list under review and remove assets as soon as practicable considering any circumstances that may change the opinion that land/property listed is of community value.

7.0 ALTERNATIVE OPTIONS CONSIDERED

- 7.1 None. In considering the nomination for Scorton Lakes, the Council's responsibilities required by the Localism Act 2011 and The Assets of Community Value (England) Regulations 2012, are discharged.

8.0 IMPACT ON OTHER SERVICES/ORGANISATIONS

- 8.1 If successful, the fact that land/property is listed as an Asset of Community Value may be taken into account as a material consideration for any future planning application.

9.0 FINANCIAL IMPLICATIONS

- 9.1 If the decision is to list the property, the owner can make a claim for compensation for which the Council is liable

10.0 LEGAL IMPLICATIONS

- 10.1 If the property is placed on the List of Successful Nominations all parties will be advised of the outcome of the decision, and the council's reasoning for it.
- 10.2 The owner will be advised of the implications of the listing, and the right to seek a review of the council's decision. This is required to be within 8 weeks of the decision
- 10.3 The listing will be registered as a Local Land Charge against the property/land and an application made to the Land Registry to enter details on the title to the property/land
- 10.4 If the property/land is listed the council is required to apply to the Land Registry for entry of a restriction on the Land Register. This restriction will be in a form of wording in Schedule 4 to the Rules, as Form QQ. This is "No transfer or lease is to be registered without a certificate signed by a conveyancer that the transfer or lease did not contravene section 95(1) of the Localism Act 2011". An owner of previously unregistered listed land, who applies to the Land Registry for first registration (or a mortgagee who applies for first registration on behalf of the owner), is required at the same time to apply for a restriction against their own title. The local authority is also required to apply to the Land Registry for cancellation of the restriction when it removes an asset from its list.

- 10.5 If the property/land is listed and the owner/leaseholder wishes to dispose of it, they must notify the council. Once this has taken place an interim moratorium period (6 weeks) will apply where disposal of the property may not take place (except if sold to a community interest group which can take place at any time). If, before the end of the interim moratorium period the council receives a written request from a community interest group to be treated as a potential bidder then a full moratorium period applies. Disposal may then not take place within 6 months from the date the Council receives notification from the owner (except if sold to a community interest group).
- 10.6 When a listed asset is disposed of, and a new owner applies to the Land Registry to register change of ownership of a listed asset, they will therefore need to provide the Land Registry with a certificate from a conveyancer that the disposal (and any previous disposals if this is the first registration) did not contravene section 95(1) of the Localism Act (the moratorium requirements).

11.0 EQUALITIES IMPLICATIONS

- 11.1 There are no equalities implications.

12.0 CLIMATE CHANGE IMPLICATIONS

- 12.1 There are no climate change implications.

13.0 CONCLUSIONS

- 13.1 The owner and other parties will be informed of the decision.

14.0 REASONS FOR RECOMMENDATIONS

- 14.1 The evidence demonstrates that the nomination for the Scorton Lakes meets the definition of community value as detailed in the Localism Act 2011.

15.0 RECOMMENDATIONS

It is recommended that the Head of Localities:

- (iii) Determines that the nomination for the Scorton Lakes (NYCACV0069) is successful and meets the definition of community value as detailed in the Localism Act 2011
- (iv) It should be placed on the North Yorkshire Council Assets of Community Value List of Successful Nominations

APPENDICES:

Appendix A – Nomination Form and Site Plan

BACKGROUND DOCUMENTS:

Localism Act 2011
The Assets of Community Value Regulations (England) 2012
Community Right to Bid: Non-statutory advice note for local authorities

Report to

Head of Localities
County Hall
Northallerton
19 November 2025

Report Author – assetsofcommunityvalue.NYC@northyorks.gov.uk
Presenter of Report – assetsofcommunityvalue.NYC@northyorks.gov.uk

Website/references:

<https://www.legislation.gov.uk/ukpga/2011/20/contents>

<https://www.legislation.gov.uk/uksi/2012/2421/regulation/5/made>

<https://www.saddingtontaylor.co.uk/tancred-waterside-brompton-road-scorton/>

<https://www.scortonlakes.org/>

<https://planning.richmondshire.gov.uk/online->

[applications/applicationDetails.do?activeTab=externalDocuments&keyVal=RKOC7PNA0E
T00](https://planning.richmondshire.gov.uk/online-applications/applicationDetails.do?activeTab=externalDocuments&keyVal=RKOC7PNA0ET00)

[https://onlineplanningregister.northyorks.gov.uk/Register/Planning/Display/NY/2016/0094/
ENV](https://onlineplanningregister.northyorks.gov.uk/Register/Planning/Display/NY/2016/0094/ENV)

<https://group.rspb.org.uk/richmondshireandhambleton/local-wild-places/scorton-lakes/>

<https://www.bailii.org/>

1B. Organisation type

Please place an 'X' in the middle column against the appropriate organisation type

Organisation Type	X	Registration number of charity/company (if applicable)
<p>Parish Councils</p> <p>This may be for an asset in its own area, or in the neighbouring Parish Council area</p>	X	
<p>Neighbouring Parish Councils</p> <p>If the Parish Council borders an un-parished area, then they may nominate an asset within the neighbouring District Council or Unitary Council.</p>		
<p>Un-incorporated groups</p> <p>Nominations can be accepted from any un-incorporated group with membership of at least 21 local people who appear on the electoral roll within the local authority, or a neighbouring local authority. This will for instance enable nomination by a local group formed to try to save an asset, but which has not yet reached the stage of acquiring a formal charitable or corporate structure.</p> <p>Please complete additional form in Appendix 1 if this applies to you.</p>		
<p>Neighbourhood Forums</p> <p>There can only be one neighbourhood forum for an area and the way they are set up is clearly defined by the Council as a planning authority. The procedure for becoming a neighbourhood forum is set out in Section 61F of the Town and Country Planning Act 1990.</p> <p>Please complete additional form in Appendix 1 if this applies to you.</p>		
<p>Community interest groups with a local connection</p> <p>These must have one or more of the following structures:</p> <ul style="list-style-type: none"> • A charity • A community interest company • A company limited by guarantee that is non-profit distributing • An Industrial and Provident Society that is non-profit distributing/Community Benefit Society <p>Please complete additional form in Appendix 1 if this applies to you.</p>		

1C. Local connection

Additionally, your organisation is required to have a local connection. This means that its activities are wholly or partly concerned with the administrative area of North Yorkshire or a neighbouring local authority. Please provide details about your organisation's local connection.

Details regarding local connection
<p>Scorton Parish Council represents the interests of the Parish of Scorton. The parish has a population of approximately 1000.</p> <p>Scorton PC has existed since 1897. The application area almost wholly is included within the civil parish boundary of Scorton.</p>

Finally, please provide, if available, a copy of your organisation's rules/constitution. Please indicate which documents you intend to provide below by placing an 'X' against the relevant document type.

Type of document	X
Memorandum and Articles of Association (for a company)	
Trust Deed (for a trust)	
Constitution and/or rules (for other organisations)	X
Other	

Section 2: About the asset

Section 2A: Basic details

Please provide basic details about the asset

Type of land/building (for example, pub, shop)	An area of land incorporating bodies of water (lakes) and nature reserve.
Name of the premises	Scorton Lakes Nature Reserve
Address of the premises	Scorton Lakes Nature Reserve. Scorton. North Yorkshire. DL10

In addition to the above information, please attach a clear plan which identifies the land/buildings you wish to nominate with a line drawn around the boundary of the area you wish to nominate. This could be a Title Plan from Land Registry, or any other map which gives us enough detail to identify the site.

Section 2B: Ownership

Please provide details about the asset's ownership, if it is known to you

Name of the owner	Tancred Gravel Ltd
Address of the owner	Tancred Grange, Scorton, North Yorkshire. DL10 6AA
Contact details for the owner	
Name of any other occupier	
Name of any other person with an interest in the premises	
Address of any other person with an interest in the premises	
Contact details for any other person with an interest in the premises	

Section 2C: The premises as an Asset of Community Value

Please explain why you feel the land/premises meets the definition of an Asset of Community Value. Provide as much information as possible. Please note, it is likely that these comments will be shared with the asset owner.

ACV Definition

A building or other land in a local authority's area is considered 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 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 a 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.

If there is no current use:

- (c) The definition is extended to land which has furthered the social wellbeing or social interests of the local community in the recent past, and which it is realistic to consider will do so again during the next five years.

How does the current main use of the building/land – or a use in the recent past – further the social interests or social well-being of the local community?
<p>The land is currently made up of a mixture of lakes, nature conservation areas, diverse wildlife habitats, hedges, woodland, parkland and meadows with largely accessible footpaths and walkways. It also includes two car parks.</p> <p>Since the end of quarrying in recent years the area has become a tranquil place, recognised for its valuable nature and wildlife habitats as well as for its public amenity value.</p> <p>The area has been pro-actively managed to create a mosaic of habitats and it now attracts a wide range of birds, flora, amphibians and other wildlife. It has become a sanctuary for nature including for many “red list” endangered species.</p> <p>The area allows for nature and visitors to co-exist with careful management ensuring visitors can enjoy the amenity, nature and wildlife but without having direct access to important (seasonal) habitats – around the lake shores for example – ensuring minimal disturbance of nature.</p> <p>The area is used by hundreds of visitors each week, including local residents and visitors from further afield, who have come to value its nature and public amenity advantages. Visitors come for the nature. Birdwatchers and naturalists, for example, or those who simply like to connect with the nature around them. They come to walk dogs, run or jog, meet up with friends, take a stroll along the paths around the lakes and through the rides, parents with small children who can ride their bikes and let off some steam. Many come and enjoy the area for wellbeing reasons – perhaps to get some fresh air and escape the strains and pressures of a busy workload or modern life or just to be outside in peaceful space.</p> <p>Most of the 10 or so miles of footpaths and walkways are accessible (through design) to wheelchair or mobility scooters and prams, etc. thus providing an important way for those in the community with access or disability issues to easily enjoy the area.</p> <p>Scorton Lakes and Nature Reserve combines accessibility and convenience for hundreds of visitors each week to an area rich in nature and wildlife and valuable for exercise, general enjoyment and wellbeing. As such it has become a valuable and valued place where the local communities can get some much needed and quality time in green and blue spaces, surrounded by nature.</p>

Please explain how there can continue to be a main use of the building/land which will further the social interests or social wellbeing of the local community, whether or not this is in the same way as before.

Recognising that Scorton Lakes and Nature Reserve has become an important and valued place for the local and wider community it is important that it continues to be so, well into the future.

For the social interests and wellbeing of those communities to continue, it is important that the place continues to be allowed to naturally develop over the coming years but with some proactive landscape and nature habitat management. This is currently provided for in the post extraction management agreement (the Section 106 agreement) and as a pre-condition of the planning permission.

This agreement provides for the restoration and on-going maintenance of the asset as a nature reserve with public access. It is important that this continues to be the guiding principle by which the area is managed into the future.

Also, for there to be no commercial or residential or building development on the site which could cause the site to be compromised in terms of its nature and conservation value and public access.

It is the nature and public access value of the site that underpins the social and wellbeing value of the local community. That the community can continue to visit this place and enjoy: its nature, its convenience, its accessible footpaths, the safe outside space it affords, a place to be outside, to enjoy and relax surrounded by nature and fine views – this must be protected for all and for the future.

If not currently used for the purposes listed above, is it realistic to think that within five years the building/land can be brought back into a use that furthers the social interests or wellbeing of the local community, whether or not in the same way as before?

Section 3: Checklist and Declaration

In addition to the form, please confirm any attachments if provided.

Document	X
Copy of organisation's constitution/rules/other	x
A clear plan defining the land/premises being nominated	x

Finally, in order to confirm that the information contained within this nomination form is correct and complete and that the required documents are attached, an appropriate authorised officer must sign the below declaration.

We can accept electronic signatures.

Full name	██████████
Signature	██████████

Please return this form and any accompanying materials to the appropriate e-mail address below:

AssetsofCommunityValue.NYC@northyorks.gov.uk

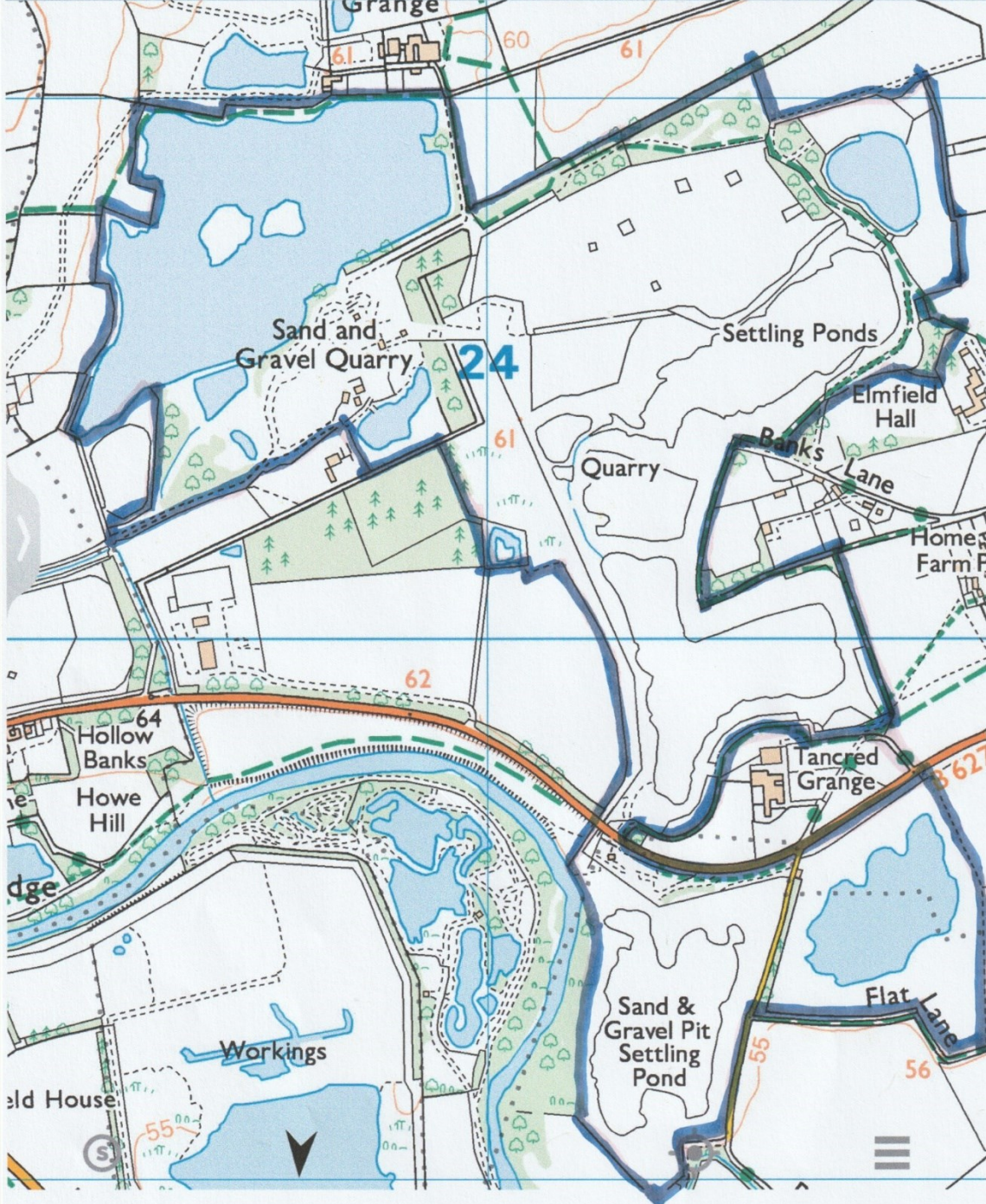
Before completing this form, please check the guidance notes at the end of the document. If you require any assistance, please contact AssetsofCommunityValue.NYC@northyorks.gov.uk

Privacy notice

Please retain a copy of this form for your records and should your circumstances or contact details change then please let the appropriate contact officer know.

This information will be held in accordance with NYC Privacy Notices.

Direction 177°	Speed	Distance
Altitude	Grid Location	Time 13:45



ACV Nomination: Scorton Lakes Nature Reserve, Site Plan

UCKERBY PARISH MEETING

THE OLDE BARN
UCKERBY
SCORTON
RICHMOND
NORTH YORKSHIRE
DL106DA
30-9 2025

Clerk to Scorton Parish Council

[REDACTED]

Since 2222 the Parishioner of Uckerby have raised concern over the possible development consisting of Holiday Homes along with Retirement Homes on the Tancred Quarry site, I write to say how pleased to see Scorton Parish Council have taken the initiative to Reg the land as a Asset of Community Value, which hopefully will enable the site to remain in its current state of reinstatement, complying as it does with the original Planning Approval

Kind Regards

[REDACTED]

Chair Uckerby Parish Meeting

[REDACTED]
Clerk to Scorton Parish Council

30th September 2025

Dear [REDACTED]

Re: Scorton Lakes and Nature Reserve Asset of Community Value

As requested, please find some comments in support of the Parish Council application to register the Scorton Lakes as an asset of community value which we would fully support.

Since the end of quarrying, which happened for many decades on the outskirts of the village, the area has been carefully managed to revert back to a place important for nature and wildlife as well as social wellbeing for local communities.

These communities include obviously those local to the village but also from a much wider area and include the “communities of visitors and users” who value the lakes for a wide range of uses. People go there to walk, run and exercise, walk their dogs, to observe nature and wildlife, socialising with friends, wellbeing walks, cycling, parents with young children, horse riding or for just being in the fresh air in a safe place surrounded by nice views and nature. And increasingly important, because of its largely accessible network of footpaths, the area is a valued place for those less physically able – who can enjoy it alongside others for the same reasons.

Important to note also is the relationship of Scorton Lakes and the nature reserve to the network of other lakes and nature areas locally as well as the river swale. This makes it part of a network and patchwork of related habitats for nature and wildlife species that thrive there day and night, season by season. This in itself attracts a community of people who come to the area to observe this nature.

I hope these comments underline the value of the area as a real community asset and I hope the Council will look favourably on your application.

[REDACTED]
On behalf of Save Scorton Lakes

Moulton Parish Meeting

Parish Meeting held 16 September 2025

Scorton Lakes Nature Reserve

At the meeting held above, residents expressed their support for continued use of the area as this provides valuable access to nature, wildlife and leisure facilities.

Residents support “Save Scorton Lakes” initiative in campaigning to keep this nature reserve available for all.

To this extent, Moulton Parish Meeting supports Scorton Parish Council’s proposal to establish Scorton Lakes Nature Reserve as an Asset of Community Value.



Moulton Parish Meeting

17 September 2025

moultonparishmeeting@yahoo.com

30 September 2025

To Whom it May Concern

Scorton Lakes – Asset of Community Value

Brompton-on-Swale Parish Council are writing to express our full support for the nomination of Scorton Lakes as an **Asset of Community Value (ACV)** under the Localism Act 2011.

This space plays a vital role in the life of our local community. It is not just a piece of land—it is a place where residents of all ages gather, connect, and benefit from open air, recreation, and social interaction. The area is used for a variety of purposes including:

- **Recreational activities** such as walking, playing, exercising, and picnicking
- A **safe space** for children and families to enjoy nature and outdoor play
- An essential **green space** contributing to the wellbeing and mental health of residents
- A valuable area for **wildlife and biodiversity**, enhancing our natural environment

The loss or change of use of this space would be deeply felt by many residents. As our community grows and urban spaces become more densely developed, preserving open spaces like this is increasingly critical.

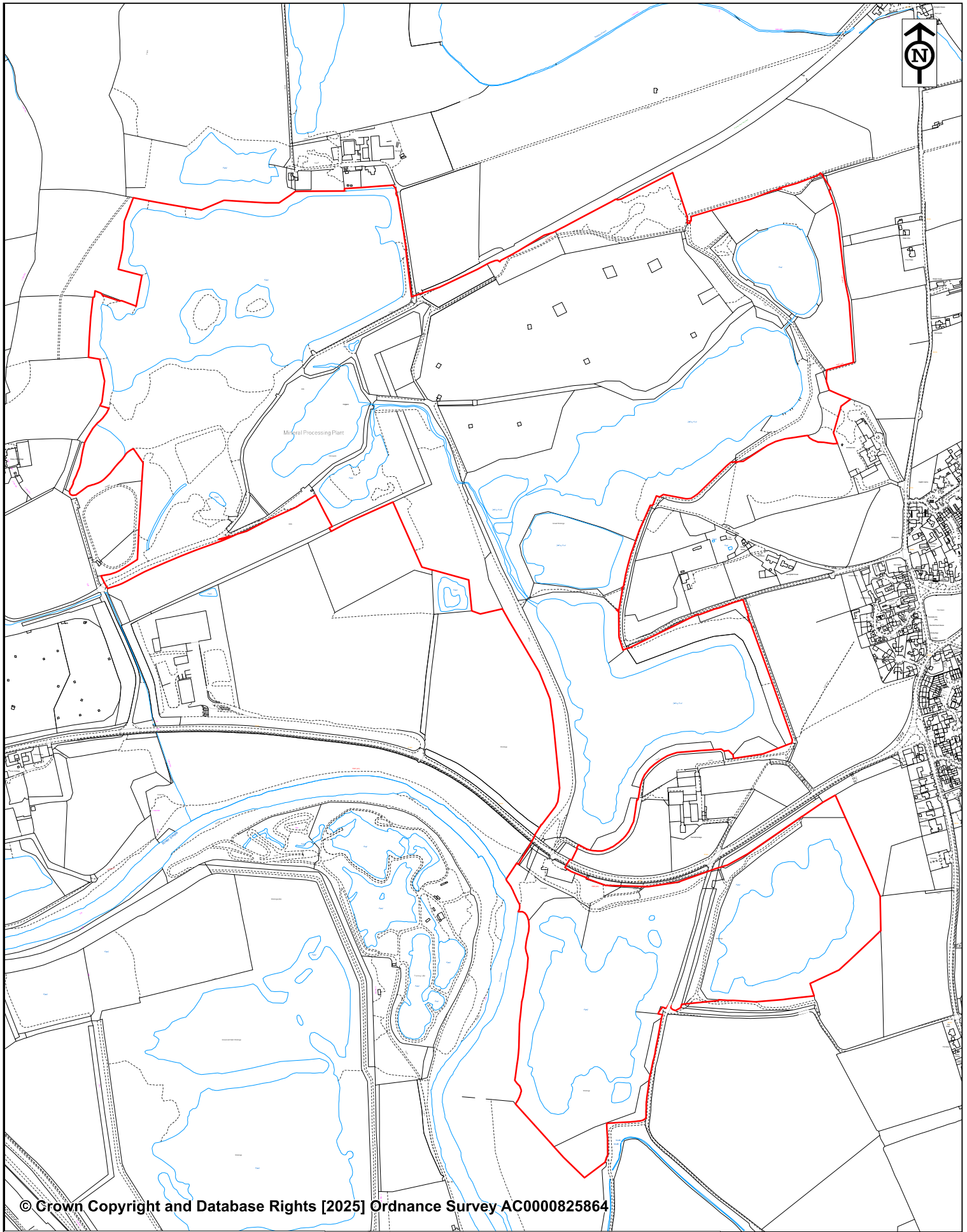
Designating this land as an Asset of Community Value will help ensure that it remains protected and accessible for current and future generations. It supports social cohesion, public health, and the character of our local area.

I strongly urge the Council to approve this nomination and to recognize the significant and enduring value this space holds for our community.

Kind Regards



Clerk to Brompton-on-Swale Parish Council



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Scorton Lakes Boundary Plan

Scale: 1:10000
Drawn: AS
Date: November 2025
Dwg No: 9789
OS Grid: 424140 500470