

# North Yorkshire Council

18 March 2026

## Assessment of Asset of Community Value Nomination *NYCACV0072 Rathmell Old School, Hesley Lane, Rathmell, Settle, BD24 OLA*

### Report to the Head of Localities

#### 1. PURPOSE OF REPORT

1.1 To determine whether the Rathmell Old School, Settle should be placed on the Council's List of Assets of Community Value (ACVs) under the Localism Act 2011, following a nomination form received on 18<sup>th</sup> December 2025 by Rathmell School Trust, a qualifying nominator. The nomination was validated on 22<sup>nd</sup> January 2026.

#### 2. SUMMARY

2.1 The nomination is for the Rathmell Old School, Settle. The recommendation is that the Head of Localities:

- (i) Determines that the nomination for the Rathmell Old School, Settle 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. 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 Rathmell Old School, Hesley Lane, Rathmell, Settle, BD24 0LA, as required by the Act.

## **4. NOMINATION CONSIDERATION**

### **a) Description of asset**

4.1 Rathmell is a small village near Skipton in North Yorkshire. The village is on the edge of the Yorkshire Dales National Park and is surrounded by countryside. Rathmell has a population of around 320 people, according to the ONS mid-year estimates. The village is a short drive from the market town of Settle.

4.2 Rathmell Old School is close to the centre of the village of Rathmell, there is a small lane leading to the building past a row of houses, there is no footpath or lighting down the lane.

4.3 Records show that the building has been run as a school since the 1800's until it closed in 2017 due to a reduction in pupil numbers. Since then, the trustees of Rathmell School Trust have run it as a community centre. There is some uncertainty regarding the future ownership position, including an ongoing legal matter involving the Diocese of Leeds and the Department for Education. For the purposes of assessing this ACV nomination, ownership information has been drawn from the Land Registry entries for the relevant titles.

4.4 The building is large in size with a good amount of outdoor space including fields, playgrounds, designated off-street parking and outbuildings.

4.5 The nominated site had previously been listed on the Register of Assets of Community Value by Craven District Council (Reference Number 23). The listing expired on 14 January 2026.

### **b) Nomination and Validation**

4.6 The nomination to list Rathmell Old School building, along with the playground and car parking as an Asset of Community Value was received on 18 December 2025 and validated on 22 January 2026. The delay in validation was due to time taken to confirm eligibility of the nominating group and land ownership, the nominating group was kept updated during this period. 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 18 March 2026. The nomination from the Rathmell School Trust was accepted on the basis of the nominating group qualifying as Charity, Registration Number 1188700, whose activities take place in the local authority area or neighbouring area and do not distribute surplus profits to their members.

- 4.7 It was established that the nomination boundary affects three Title Numbers. Part of NYK452312 (excluding the residential property) and all of NYK466036, and NYK305403. Current information from the Land Registry relating to NYK452312 and NYK305403 indicates that these titles are owned by Rathmell School Trust, the Land Registry lists the owner as "Parochial School and The Charities of Clarke and Carr", however this charity is now known as "Rathmell School Trust" (Registered Charity Number 1188700). The change in names is confirmed in the Rathmell School Trust Governance Scheme. The playground under title number NYK466036 is under private ownership.

### **c) Site Visit**

- 4.8 A site visit was undertaken on 30 January 2026, with the following observations made:

- There was an off-street parking area across the road from the school for approx. six cars and a bus stop at the top of the lane around 500m walk away.
- The road leading to the Old School was small with no pavement for those who would like to walk to the building. There were a small number of houses on the approach to the Old School.
- Directly next door and very close to the Old School was a detached residential property.
- The village has very few/no services except for one other community building, the Rathmell Reading Room which appears to host Parish Council meetings and a couple of sporting classes.
- The building itself is set slightly back from the road and has a large main entrance to the front of the building with easy access and a coded entry system, along with other points of entry.
- There was a playground to the right of the building, various wooden outbuildings, benches and a small wildlife/nature corner. The gate to the playground was open and signage states the use of the playground is available at any time for residents and visitors. To the rear of the playground was a large metal fence separating the playground and the field behind.
- During the visit there were multiple people inside the building who appeared to be setting up for a children's birthday party.
- The building looked well-kept and upon looking through the window seemed well used. There was a visible kitchen, small hall, and storage area to be seen.
- There was access to a sports field on the other side of the residential property via a traffic-free footpath, this could also be accessed from the

roadside. The nominating group confirmed the field was not to be included in the boundary for the ACV nomination.

- There was no signage about regular or one-off activities/events, there was a notice board however it was blank with no leaflets or information available. There was also no information about any events at the Old School in another notice board elsewhere in the village.
- A sign in the playground stated “Revival of the Fittest, Live from 8pm”, this appeared to be advertising a live music event.

4.9 Photographs taken on the site visit are available in **APPENDIX B**.

#### **d) Community Value Consideration**

4.10 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.”

4.11 There are examples of community buildings 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
- Local Land Charges
- NYC Environmental Protection
- NYC Community Safety and CCTV
- NYC Food, Farming and Health & Safety
- NYC Licensing
- NYC Localities
- NYC Property – Schools (CYPS)

- Local Councillor

## **NYC PLANNING**

5.2 The planning service were consulted and made the following comments:

### Planning History

- A search of the Council's records indicates the following relevant planning applications relating to the site:
- 5/59/66/A – Extension of school to form additional classroom. Approved with Conditions 29/11/1993.
- 59/2000/0416 – Proposed balcony extension. Approved with Conditions 17/07/2000.
- 59/2001/1230 – 1 no. Detached Dwellinghouse. Refused 30/05/2001.
- 59/2004/4633 – Demolition of redundant structures and boilerhouse, construction of new library / resource area and boilerhouse, and re-siting of oiltank. Approved with Conditions 29/09/2004.
- 59/2007/7707 – Lean-to classroom to north elevation with cloakroom under and first floor administration space above existing flat room. Approved with Conditions 17/09/2007.

### Planning Constraints to Site

- Situated in an area of surface water flood risk
- SSSI Impact Risk Zone

### Current Use and Evidence of Community Value

- At the time of writing, the authorised use of the site remains a school and would be F1 under the provisions of The Town and Country Planning (Use Classes) Order 1987 (as amended) as no other planning history indicates otherwise and there is no current planning application seeking change of use or redevelopment of the site that have been submitted to the Local Planning Authority at the time of writing.
- Based on available information outside Planning resources, the site ceased operating as a school and subsequently functioned as a community hub and there has been a legal dispute regarding ownership. For Development Management purposes, the last confirmed use remains as a school.

### Potential Future Use

- From a planning perspective, the lawful use of the premises as a School remains in place. A formal planning application would be required for any material change from the established use.

## **LOCAL LAND CHARGES**

5.3 A search for Local Land Charges was undertaken and the following information was obtained:

- There were four conditional planning consents from 1992-2007.

## **NYC ENVIRONMENTAL PROTECTION**

5.4 The Environmental Protection service were consulted and made the following comment:

- We have no records for this property.

## **NYC COMMUNITY SAFETY AND CCTV**

5.5 The Community Safety and CCTV service were consulted and made the following comments:

- There are no specific community safety & CCTV issues.

We would suggest that the Group have a clear Booking Policy and specifically consider Prevent.

### Prevent Booking Policy

- The Prevent Booking Policy is designed to ensure that venues and resources are not used to promote extremist views or activities. It includes guidelines for venue hire and booking requirements to comply with the Prevent Duty.
- Key aspects of the policy include:  
Safety and Security: Basic steps to ensure that events do not pose a risk to attendees or the wider community.
- Inclusivity: Promoting an inclusive atmosphere where diversity is respected and all individuals feel valued and safe.
- Transparency: Providing clear guidelines and procedures for booking and using venues, ensuring all users understand their responsibilities.
- Compliance: The policy requires compliance with the Prevent Duty, which involves basic checks to reduce the risk of venues being used for activities that could lead to radicalisation or extremism.

## **NYC FOOD, FARMING AND HEALTH & SAFETY**

5.6 The Food, Farming and Health & Safety service were consulted and had no comments.

## **NYC LICENSING**

5.7 The Licensing service were consulted and made the following comments:

- Licensing has no comments at this stage.
- The Trust should be aware that, depending on how the premises are used in future, it may be necessary to obtain Temporary Event Notices or a Premises Licence. This would apply, for example, if the premises are used for entertainment or for the sale of alcohol, whether directly or indirectly.

## **NYC LOCALITIES**

- 5.8 The Localities service were consulted and made the following comments:
- I can confirm that it is an active local community resource and last September it received a UK Shared Prosperity Fund grant of £3,000 to improve accessibility to the venue and provide a hearing loop.

#### **NYC PROPERTY – SCHOOLS (CYPS)**

- 5.9 The Schools Property Team were consulted and made the following comments:
- North Yorkshire Council does not have any ownership of this site. We did previously own part of the hard standing playground, however, as the Council had no alternative uses for it, the land was transferred to the Rathmell School Trust by agreement dated 23 November 2022.
  - Rathmell CE Primary School officially closed on 31 August 2017, and the Council handed the main School building over to the Trust on 29 September 2017.

#### **LOCAL COUNCILLOR**

- 5.10 The Local Councillor was consulted and had no comments.

#### **6. ASSESSMENT INFORMATION**

- 6.1 In assessing the community value of Rathmell Old School all information received has been considered.
- **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 village community hall. 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 Rathmell School was closed in 2017, and evidence suggests, it has been used as a community hub since 2018. The nomination states that a large number of groups use the facility providing “a safe, secure, warm and well-maintained environment in the village offering a variety of rooms for the support, use and benefit of residents and local business people”.

6.4 The nomination detailed a large variety of uses are held at Rathmell Old School, these are listed below:

- Use by local organisations:
  - Rathmell Young Farmers – average attendance of 40, at least once a month.
  - Quilters Class – average attendance of 16, held once a month
  - Craven Craft Club – average attendance of 12, held twice a month
  - Bowland Farmers Group – average attendance 22, held once a year
  - Ribblesdale Farmers Group – average attendance of 30, held once a year
  - Yorkshire Dales Millenium Trust
  - Settle Brass Band
  - RYF Show Prep Meeting
  - YDMT Meeting
- Use for a variety of events:
  - First aid course – average attendance of 10, held three times a year
  - Yorkshire Air Ambulance Fundraiser Event – attendance of 225, held once a year
  - Rathmell Young Farmers Show – attendance of 195, held once a year
  - Community Lunches – average attendance of 48, held once a month
  - Marine Cadets Trial Weekend
- Other uses include:
  - Land management meetings
  - Exercise classes
  - Pottery Painting
  - Community Spring Clean Up
  - Children's parties

6.5 As identified in paragraph 4.8 on a site visit the building was being used with people setting up for a birthday party. This evidences the statement made in the nomination form and provides an example that demonstrates the building is valued and used by local people where it serves a wider social function, supporting social wellbeing. Overall the site visit confirmed the Old School to be accessible and well used.

6.6 Consultation with NYC's Planning team noted that the site is lawfully classified as a school (Use Class F1) and there is no planning history or current planning application indicating any change of use or redevelopment.

6.7 The frequency, regularity and number of events and attendees can demonstrate that Rathmell School is a well-used community facility, supporting a wide range of local groups and events. Regular users include the Young Farmers, craft and quilting groups, and occasional other farming organisations. The venue also hosts community activities such as first aid

training, annual fundraising events, the Young Farmers Show, and monthly community lunches. Additional uses include land management meetings and exercise classes, demonstrating the building's value as a flexible and accessible community space.

- 6.8 The nomination demonstrates considerable and varied actual use of Rathmell School by the community. A wide range of local groups regularly use the building. The site also hosts numerous community events (paragraph 6.4). ***There is therefore sufficient information provided to demonstrate significant actual use as a community facility for meetings and social and recreational activities that are 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'.
- 6.10 The nomination states that the Old School is now used as a central hub for the community aiming to support people and prevent isolation and loneliness. It also highlights "the village has very little facilities, a post box is available but no streetlights, pavements or shop". The nomination included a range of cultural, social and recreational activities taking place at Rathmell Old School. These are listed at paragraph 6.4 and were evidenced on visiting the site.
- 6.11 The nomination suggests the facility "provides a safe, secure, warm and well-maintained environment in the village and offers a variety of rooms for the support, use and benefit of residents and local business people". Through the information on the nomination and the site visit, it was apparent that the site was used regularly.
- 6.12 The nomination describes how the school has access to a sports field and playground, which were both visible on the site visit. The playground was easily accessible and open. Within the playground there was various outbuildings which appear to be used for storage, children's activities painted on the floor and a play structure which can be used by local residents at any time. Signage within the playground that stated, "this area is for the use of local residents and visitors".
- 6.13 Rathmell Old School hosted an affordable community lunch once a month to "enable social interaction and help people develop friendships to combat mental health issues", these types of activities further social wellbeing and access to such activities can be particularly important in isolated rural locations.
- 6.14 Many of the activities identified above (para 6.4) were good examples of furthering social wellbeing and social interests and include cultural, social and recreational activities currently taking place at the facility. These activities

collectively show that the building is a multipurpose community hub that supports wellbeing through social, physical and educational activities.

- 6.15 As highlighted by NYC Communities team, Rathmell School recently received a UK Shared Prosperity Fund grant of £3,000 to improve accessibility and provide a hearing loop, contributing to social wellbeing that can benefit everyone.
- 6.16 The supporting evidence submitted by the nomination group showed that the Old School offers different opportunities for social wellbeing and social interests with a large variety of events/meeting/classes being held there. The nomination also provides general statements about furthering the social wellbeing and interests of the local community:
- The activities and groups using the site can “support local people and help prevent loneliness for anyone in our community” and “enable social interaction and help people develop friends to combat mental health issues”.
  - “We encourage people of all ages and abilities to use the facilities”.
- 6.17 The events and activities held at the site are attended by a good amount of people as detailed in paragraph 6.4. The nomination did not include information on demographics however, the age ranges of some of the groups can be gauged by some of the activities/groups. This can show that the building is versatile, important to community life and actively used by the community.
- 6.18 The nomination highlights that they “offer high speed, fibre broadband” and offers a variety of rooms which evidences that the space can be flexible and used by a range of people to further social wellbeing and interests.
- 6.19 Whilst the nomination did not explain in detail how the activities such as craft club, pottery painting, community lunches and farmers groups and others, further the social wellbeing and social interests. Many of these are recognised social interests and there are other examples of ACVs where the uses mentioned have been shown to further social wellbeing and social interests.
- 6.20 As noted in paragraph 5.9 the school officially closed on 31 August 2017, and North Yorkshire Council handed the main School building over to the Trust on 29 September 2017. Prior to this records show that the site was used as a school from 1950’s until the time of closure in 2017. Since 2017 it has been used as a community facility.
- 6.21 From the information available it is possible to determine that Rathmell Old School furthers the social wellbeing and social interests of the local community by serving as an active, central hub in a village with very limited facilities. It provides a safe, accessible space where a wide variety of cultural, recreational and social activities take place, helping to reduce isolation and support community connection. Regular events, such as community lunches, craft groups, exercise classes, farmers’ meetings and larger annual

gatherings, show the building is well used and valued by different groups. Recent improvements to accessibility and the flexible layout, including high-speed broadband, further enhance its ability to support inclusive community use. Overall, the range and frequency of activities demonstrate that the Old School plays a vital role in sustaining social interaction, community cohesion and local wellbeing.

6.22 It is recognised in the ACV regime that “social interests” includes in particular cultural, recreational and sporting interests. The nomination identifies a large number and variety, of frequent social interest and social wellbeing uses that are likely to be important and valuable to the local community. The evidence suggests that the differing uses/activities cater for a good age range of residents and provide opportunities for local residents and residents from surrounding villages to socialise, use the facilities and improve health and wellbeing. The Old School has been used as a community hub since 2018 suggesting that the site supports these activities over a reasonable period of time. ***The uses detailed are therefore considered to further the social wellbeing or social interests of the local community and this element of the criteria is therefore met.***

### (iii) Local Community

6.23 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.

6.24 The nomination for Rathmell School is nominated by Rathmell School Trust. As noted by NYC Schools Property Team, Rathmell Primary School was transferred to the Rathmell School Trust by agreement in 2017 and the playground in 2022. The objective of the charity is to protect and care for all the property and grounds, including the former primary school and the provision of facilities to support for enrichment of the local community. This could demonstrate that the Trust is engaged with local groups, residents and community activities suggesting they are working in partnership with the communities’ interests in mind.

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

- “Many local residents and businesses (including charitable organisations) use the Old School to host their meetings and classes for the benefit of other local residents and interested parties from the surrounding area”
- The school “provides a safe, secure, warm and well-maintained environment in the village and offers a variety of rooms for the support, use and benefit of residents and local business people”
- Many classes are hosted at the school “to support local people and help prevent isolation and loneliness for anyone in our community”

6.26 The nomination was submitted by Rathmell School Trust and noted from the nomination that it was used by local community groups and residents:

- Rathmell Young Farmers Group
- Ribblesdale Farmers Group
- Craven Craft Club
- Bowland Farmers Group
- Residents and visitors who attend events, meetings, themed events or private functions
- Residents with children who could use the outdoor facilities at any time
- Business operators

6.27 The nomination stated that the Old School is in Rathmell, near Settle. The location can be accessed via a small country road and has some off-street car parking directly opposite the building. The site visit indicated that the village was a quiet with very little amenities and limited venues that could support social, cultural or sporting interests. The layout of the building and surrounding land appeared very useful and versatile for a range of activities.

6.28 As highlighted in paragraph 6.4, there are a large number of people attending the groups provided at the Old School, although this does lack substantial supporting evidence. The attendee numbers provided ranged from 12-225 for an individual class/event. Given that Rathmell is a small village of only 320 population, the number of average attendees is proportionally large.

6.29 Whilst the nomination lacks detailed information and direct support from local residents or community groups, it does identify local groups and community uses. It is clear from the site visit and additional information that the Old School is an important venue in the heart of the local community, that is owned and run by Rathmell School Trust who are from the local community. It plays a role in fostering social connections and hosting events.

6.30 The nomination states “Rathmell is a tiny, rural village with almost no facilities to accommodate any local or other requirements except in the Old School Premises”. As mentioned above (para 4.8) there is a building named Rathmell Reading Room which appears host activities, there is a noticeboard outside of the building showing various classes that is hosted there as well as use by the parish council. This could be considered an alternative venue to Rathmell Old School, although the Old School appears to offer enhanced facilities, including outdoor spaces.

6.31 The nomination states that the Old School “is now used as a central hub for the community of Rathmell and surrounding area”. If people from outside the immediate community are also using the Old School it demonstrates that the building serves the wider community catchment by drawing people from nearby villages and rural areas, who may not have any equivalent facility.

6.32 ***It is reasonable to determine from the information available that the identification of the local community required by the legislation is***

***Rathmell village and surrounding rural areas, therefore this element of the criteria is 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.**

6.33 The test does not require the likely future use of the relevant building to be determined but rather to determine whether future community use is one of a number of realistic options for the building (**Patel v London Borough of Hackney and Worthy Developments v Forest of Dean DC**).

6.34 It has been established that the threshold to satisfy the “realistic to think” test is low. The First Tier Tribunal in **King v Chiltern District Council** commented that “the test is not a demanding one. “Parliament has chosen to set the bar low”.

6.35 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. Therefore it is the assessment of whether the current uses identified under condition one, can realistically continue, that is required.

6.36 In terms of realistic continued use, the following information has been considered:

- The building and land were not currently for sale or to let.
- Land Registry information available indicated the building was owned by Rathmell School Trust (Charity Reg 1188700), and this was also the nominating group.
- There is some uncertainty regarding the future of ownership due to an ongoing legal matter.
- Rathmell School Trust had been organising and holding activities at the Old School since 2018 and there was no evidence to suggest that this cannot continue.
- There were no comments or evidence from organisations/groups using the site to suggest they are/are not going to continue operating here.
- As highlighted in paragraph 6.30, there was another building a short walk away from the Old School which could be used to host similar activities.
- Consultation with NYC Planning confirmed that, in Planning terms, the lawful use of the site was for a school.
- The nomination included some realistic future ideas for the venue.

6.37 It is clear that the nominating group consider future use to be a realistic prospect “We encourage people of all ages and abilities to use the facilities at the Old School and want to develop a wider network of visitors, groups and possibly

even invite other local primary schools to use the facilities for outreach activities”.

- 6.38 The nominating group provided some suggestions for potential uses, such as:
- Marine Training Corps for training requirements
  - Scouts groups
  - Outreach activities
- 6.39 The site visit confirmed there was another community venue locally. It is unclear what facilities are available at Rathmell Reading Room and if it would be able to host all of the activities that are currently held at the Old School. Also given that the village is small and there are no other amenities along with the understanding that there is a large turnout for all events held at the Old School, it could be said that both the Old School and the Rathmell Reading Room can run alongside each other.
- 6.40 From a planning perspective, it came to light through consultation with NYC Planning that the current lawful use of the Old School was Class F1 (schools and educational establishments). This information from planning was shared with the applicant and they intend to submit a retrospective change of use. There were no recent or current planning applications at the site.
- 6.41 The nomination indicated that the Old School currently provides community focussed activities which contribute to the social wellbeing and social interests of local residents. From the information available there was no reason to believe that the local groups and people who currently used the nominated site would not continue to do so in the future. The ongoing local interest at the site could be a reason to prove future community use is feasible
- 6.42 As stated previously the test for this condition does not require the likely future use of the relevant building to be determined but rather to determine whether future community use is one of a number of realistic options. 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.
- 6.43 While there is some uncertainty regarding future ownership, this factor is not decisive in analysis of Condition Two. The assessment primarily focuses on the potential future function of the asset and whether a community-benefiting use remains realistically achievable. Since several plausible future scenarios exist in which such use could continue, the ownership position, though noted, is not considered a significant barrier for the purposes of the ACV test.
- 6.44 The potential need for a retrospective planning application for change of use also does not present a significant barrier to the Condition Two assessment. Planning status is a separate regulatory matter and does not determine whether future non-ancillary community use is realistic. Many changes of use can be regularised through established Planning processes, and the existence of such a requirement does not prevent the building from being capable of continuing to support its current community-focused activities in the future. The ACV test considers the asset’s suitability and the plausibility of

future community use in at least one realistic scenario, and there is no requirement for certainty in terms of Planning compliance at this stage.

- 6.45 The building is actively used by the Rathmell School Trust, with no indication that current community activities cannot continue. Although another community venue exists nearby, its capacity to host equivalent activities is uncertain, and both venues could reasonably continue to operate alongside each other. The nominating group has expressed clear intentions for continued and expanded community use, supported by examples of potential future activities. The element of uncertainty around future ownership and the requirement for a formal planning application for a material change from the established use are not considered significant barriers for this assessment. Future community use is therefore one of a number of realistic options.
- 6.46 ***Based on the information it is therefore reasonable to determine 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.***

### **c) Conclusion**

- 6.47 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.
- 6.48 A valid nomination to register Rathmell Old School 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 (1) 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 6.1-6.32)**

- 6.49 The information provided demonstrates actual uses of Rathmell Old School, 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 6.33-6.46)**

6.50 Future community use of Rathmell Old School 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.***

6.51 The evidence demonstrates that the nomination meets the definition of community value as detailed in the Localism Act 2011. It is therefore recommended that Rathmell Old School is listed as an Asset of Community Value and placed on the North Yorkshire Council List of Successful Nominations.

6.52 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. ALTERNATIVE OPTIONS CONSIDERED**

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

## **8. 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. FINANCIAL APPLICATIONS**

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. 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. EQUALITIES IMPLICATIONS**

- 11.1 There are no equalities implications.

## **12. CLIMATE CHANGE IMPLICATIONS**

- 12.1 There are no climate change implications.

## **13. CONCLUSIONS**

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

## **14. REASONS FOR RECOMMENDATIONS**

- 14.1 The evidence demonstrates that the nomination for Rathmell Old School, Hesley Lane, Rathmell, Settle, BD24 0LA meets the definition of community value as detailed in the Localism Act 2011.

## **15. ANY ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

- 15.1 None. In considering the nomination for Rathmell Old School, Hesley Lane, Rathmell, Settle, BD24 0LA NYCACV0072, the Council’s responsibilities

required by the Localism Act 2011 and The Assets of Community Value (England) Regulations 2012, are discharged.

## **16. RECOMMENDATION(S)**

It is recommended that the Head of Localities:

- (i) Determines that the nomination for the Rathmell Old School (NYCACV0072) 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

## **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

Head of Localities

Marie-Ann Jackson

County Hall

Northallerton

*18 March 2026*

Report Author – Claire Wilson & Charlotte Large

Presenter of Report – Claire Wilson & Charlotte Large

Website/references:

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

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

[https://www.townandvillageguide.com/North\\_Yorkshire/Rathmell.html](https://www.townandvillageguide.com/North_Yorkshire/Rathmell.html)

<https://www.ons.gov.uk/visualisations/customprofiles/build/>

<https://www.cravenherald.co.uk/news/16317501.back-brink-school-refused-die/>

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

# Community Right to Bid: Assets of Community Value

## Nomination Form

(Office use only) ACV Ref: \_\_\_\_\_

### Section 1: About your organisation

#### 1A. Contact Details

Please provide basic contact details for your organisation

<b>Name of the organisation</b>	RATHMELL SCHOOL TRUST
<b>Address</b>	HESLEY LANE, RATHMELL, SETTLE, BD24 0LA
<b>Organisation website</b>	N/A
<b>Named contact for the organisation</b>	██████████
<b>Position of named contact within the organisation</b>	TRUSTEE TREASURER
<b>Telephone number for named contact</b>	██████████
<b>Email address for named contact</b>	████████████████████

## 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><b>Parish Councils</b></p> <p>This may be for an asset in its own area, or in the neighbouring Parish Council area</p>		
<p><b>Neighbouring Parish Councils</b></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><b>Un-incorporated groups</b></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><b>Please complete additional form in Appendix 1 if this applies to you.</b></p>		
<p><b>Neighbourhood Forums</b></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><b>Community interest groups with a local connection</b></p> <p>These must have one or more of the following structures:</p> <ul style="list-style-type: none"> <li>• A charity</li> <li>• A community interest company</li> <li>• A company limited by guarantee that is non-profit distributing</li> <li>• An Industrial and Provident Society that is non-profit distributing/Community Benefit Society</li> </ul>	X	Charity Reg: 1188700

### 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>RATHMELL SCHOOL TRUST IS BASED IN THE FORMER PRIMARY SCHOOL IN RATHMELL, NEAR SETTLE, WHICH CLOSED TO PUPILS IN 2017.</p> <p>RATHMELL IS A TINY, RURAL VILLAGE WITH ALMOST NO FACILITIES TO ACCOMMODATE ANY LOCAL OR OTHER REQUIREMENTS EXCEPT IN THE OLD SCHOOL PREMISES. MANY LOCAL RESIDENTS AND BUSINESSES (INCLUDING OTHER CHARITABLE ORGANISATIONS) USE THE OLD SCHOOL TO HOST THEIR MEETINGS AND CLASSES FOR THE BENEFIT OF OTHER LOCAL RESIDENTS AND INTERESTED PARTIES FROM THE SURROUNDING AREA.</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)	X
Constitution and/or rules (for other organisations)	
Other	

## Section 2: About the asset

### Section 2A: Basic details


Please provide basic details about the asset

<b>Type of land/building (for example, pub, shop)</b>	FORMER PRIMARY SCHOOL
<b>Name of the premises</b>	RATHMELL OLD SCHOOL
<b>Address of the premises</b>	HESLEY LANE, RATHMELL, SETTLE, BDD24 0LA

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

<b>Name of the owner</b>	VARIOUS TRUSTEES ON BEHALF OF RATHMELL SCHOOL TRUST
<b>Address of the owner</b>	HESLEY LANE, RATHMELL, SETTLE, BD24 0LA
<b>Contact details for the owner</b>	
<b>Name of any other occupier</b>	
<b>Name of any other person with an interest in the premises</b>	
<b>Address of any other person with an interest in the premises</b>	
<b>Contact details for any other person with an interest in the premises</b>	

## 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?

THE OLD SCHOOL IS NOW USED AS A CENTRAL HUB FOR THE COMMUNITY OF RATHMELL AND SURROUNDING AREA. IT PROVIDES A SAFE, SECURE, WARM AND WELL-MAINTAINED ENVIRONMENT IN THE VILLAGE AND OFFERS A VARIETY OF ROOMS FOR THE SUPPORT, USE AND BENEFIT OF RESIDENTS AND LOCAL BUSINESS PEOPLE. WE OFFER HIGH SPEED, FIBRE BROADBAND THROUGHOUT THE BUILDING AND ACCESS TO A PRIVATELY OWNED SPORTS FIELD AND PLAYGROUND SHOULD THE NEED ARISE.

WE HOST FIRST AID LESSONS, LAND MANAGEMENT MEETINGS, CRAFT LESSONS, SEWING CLASSES AND EXERCISE CLASSES AND PLAN TO OFFER MORE CLASSES AND GROUP SESSIONS TO SUPPORT LOCAL PEOPLE AND HELP PREVENT ISOLATION AND LONELINESS FOR ANYONE IN OUR COMMUNITY.

RATHMELL YOUNG FARMERS GROUP USE THE OLD SCHOOL REGULARLY FOR MEETINGS AND EVENTS AND IT IS USED BY YORKSHIRE DALES MILLENIUM TRUST ON OCCASIONS FOR THEIR ACTIVITIES AND GROUP SESSIONS. RIBBLESDALE FARMERS USE THE OLD SCHOOL WHICH ENABLES FARMERS AND ASSOCIATED PEOPLE TO GET TOGETHER AND SUPPORT EACH OTHER.

WE PROVIDE AFFORDABLE COMMUNITY LUNCHESES ONCE A MONTH TO ENABLE SOCIAL INTERACTION AND HELP PEOPLE DEVELOP FRIENDSHIPS TO COMBAT MENTAL HEALTH ISSUES.

**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.**

WE ENCOURAGE PEOPLE OF ALL AGES AND ABILITIES TO USE THE FACILITIES AT THE OLD SCHOOL AND WANT TO DEVELOP A WIDER NETWORK OF VISITORS (PARTICULARLY YOUNG PEOPLE), GROUPS AND POSSIBLY EVEN INVITE OTHER LOCAL PRIMARY SCHOOLS TO USE THE FACILITIES FOR OUTREACH ACTIVITIES.

THE MARINE TRAINING CORPS HAVE EXPRESSED INTEREST TO USE THE OLD SCHOOL FOR WEEKEND VISITS WITH THE CADETS TO FULFIL SOME OF THEIR TRAINING REQUIREMENTS.

WE WOULD LIKE TO INVITE THE SCOUTS AND OTHER GROUPS TO COME AND USE OUR OLD SCHOOL AS WE ARE IDEALLY LOCATED NEAR TO SETTLE, THE YORKSHIRE THREE PEAKS, BOWLAND FOREST OF OUTSTANDING NATURAL BEAUTY, THE LAKE DISTRICT AND THE COAST IS WITHIN A ONE HOUR DRIVE.

**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](mailto:AssetsofCommunityValue.NYC@northyorks.gov.uk)

If you require any assistance, please contact [AssetsofCommunityValue.NYC@northyorks.gov.uk](mailto: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.





CC Reg: 1188700

# RATHMELL OLD SCHOOL 2025

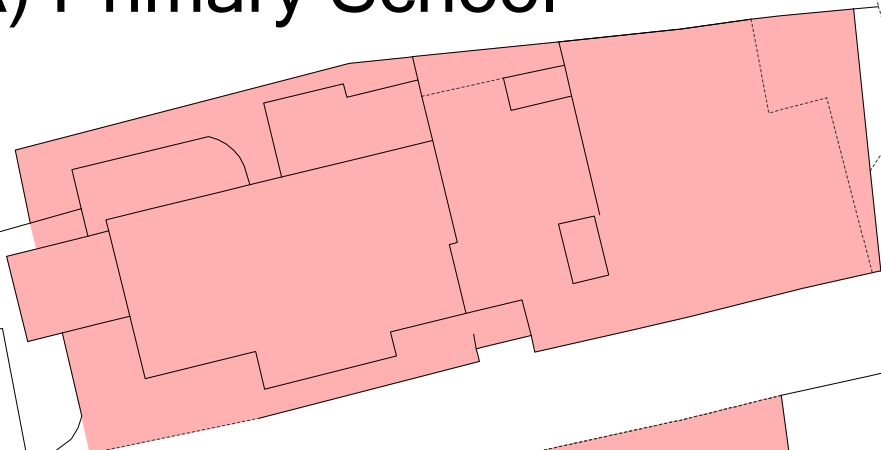
## 2025 EVENTS/MEETINGS/CLASSES

MONTH	WEEK ONE	WEEK TWO	WEEK THREE	WEEK FOUR
January		Rathmell Young Farmers (Tues)	First Aid Course (2 days)	Craven Craft Club (Fri)
February	Rathmell Young Farmers (Tues) Quilters Class (Fri)	Craven Craft Club (Fri)	Ribblesdale Farmers Group Seniors Party (Sat)	Craven Craft Club (Fri)
March	Community Lunch (Sun) Quilters Class (Fri)	Rathmell Young Farmers (Tues) Craven Craft Club (Fri)	First Aid Course (2 days)	Craven Craft Club (Fri)
April	Community Lunch (Sun) Quilters Class (Fri)	Rathmell Young Farmers (Tues) Craven Craft Club (Fri)	YDMT Mtg (Tues)	Craven Craft Club (Fri)
May	Community Lunch (Sun) Quilters Class (Fri)	Craven Craft Club (Fri)	Community Spring Clean Up	Craven Craft Club (Fri)
June	Community Lunch (Sun) Quilters Class (Fri)	Rathmell Young Farmers (Tues) Craven Craft Club (Fri)	Bowland Farmers Group	Craven Craft Club (Fri) Childrens Party (Sat)
July	Community Lunch (Sun) Quilters Class (Fri)	Craven Craft Club (Fri) YAA Fundraising Event (Sat)	RYF Show Prep Mtg	Craven Craft Club (Fri)
August	Rathmell Young Farmers Show Quilters Class (Fri)	Craven Craft Club (Fri)	Pottery Painting Workshop	Craven Craft Club (Fri)
September	Community Lunch (Sun) Quilters Class (Fri)	Craven Craft Club (Fri)	First Aid Course (2 days) Childrens Party (Sat)	Craven Craft Club (Fri) Rathmell Young Farmers AGM
October	Community Lunch (Sun) Quilters Class (Fri)	Craven Craft Club (Fri)	Marine Cadets Trial Weekend	Craven Craft Club (Fri)
November	Community Lunch (Sun) Quilters Class (Fri)	Craven Craft Club (Fri)	Ribblesdale Farmers Group	Craven Craft Club (Fri)
December	Community Lunch (Sun) Quilters Class (Fri)	Craven Craft Club (Fri)		

Group	Average Attendance
Quilters Class	16
Craven Craft Club	12
Rathmell Young Farmers	40
Community Lunches	48
Bowland Farmers Group	22
Ribblesdale Farmers Group	30
First Aid Course	10
YAA Fundraiser Event	225
Rathmell Young Farmers Show	195



# Rathmell C of E (VA) Primary School



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use

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Rathmell Old School, Hesley Lane, Rathmell

Scale: 1:500  
Drawn: DD  
Date: February 2026  
Dwg No: 9970  
OS Grid: 379984 459935



CC Reg: 1188700

# RATHMELL OLD SCHOOL 2025

## 2025 EVENTS/MEETINGS/CLASSES

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### Group

### Average Attendance

Quilters Class	16
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