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Meeting	Decision Session - Executive Member for Finance and Performance
Date	15 August 2016
Present	Councillor Steward

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## **6. Declarations of Interest**

The Executive Member was asked to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests that he may have in the business on the agenda. None were declared.

## **7. Minutes**

Resolved: That the minutes of the Decision Session held on 11 July 2016 be approved and signed as a correct record.

## **8. Public Participation**

It was reported that there had been had been two registrations to speak at the meeting under the Council's Public Participation Scheme.

Mr Phil Harding, member of the Groves Association, spoke in support of the application for Community Right to Bid – Grove House (agenda item 4). He stated that Grove House was an asset to the community and explained the Association's vision, as outlined in the application form (Annex 3 of the report). Mr Harding stated its importance to the social and wellbeing of the community and commented that communal living would be incidental to the wider aim of the Association. It was envisaged that the land would be held in a land trust. Mr Harding asked that the Council worked with the Association to allow it time to demonstrate the benefits of the proposal.

Ms Joyce Green, Chair of White Rose House Committee and representing North Yorkshire South Girlguiding County Commissioner, spoke in respect of agenda item 4 – Application for Community Right to Bid – White House, Wheldrake. She expressed her concern that the address on the initial application had been incorrect and hence the letter that had been sent by the Council had not been received. Ms Green stated that she endorsed the written comments that had been submitted by the County Commissioner and stated that the primary use of the building was by the Girlguiding Association and that other use by the community was very limited.

The speakers were thanked for their contributions.

#### **9. Applications for Community Right to Bid under the Localism Act 2011**

The Executive Member considered a report that presented applications to list the following assets as Assets of Community Value (ACV):

- White Rose House, 79 Main Street, Wheldrake, York, YO19 6AA
- Grove House, 40/48 Penley's Grove Street, York, YO31 7PN

Referring to the White Rose House application and the letter from the County Commissioner Girlguiding North Yorkshire South, the Executive Member stated that he believed that further consideration was required as to whether the community use of the building was more than an ancillary use of the building. To enable further time for these issues to be explored, and to enable the application to be given broader consideration, he was therefore referring the matter to the Executive for consideration at their meeting in September 2016.

Referring to the Grove House application, the Executive Member stated that he was mindful of community activity within the Groves and noted their aspirations for the use of the building. However, the decision he was being asked to make at the meeting was whether or not to approve the application for Grove House to be listed as an Asset of Community Value. The Council would make decisions regarding the disposal of the buildings in due course.

The Executive Member stated that he was mindful of the legal advice that had been given in respect of the interpretation of the ACV Regulations regarding residential properties. It was for this reason that he was intending to reject the application to list Grove House as an Asset of Community Value.

- Resolved: (i) That the application to list White Rose House, Wheldrake as an asset of community value be referred to the Executive.<sup>1</sup>
- (ii) That the application to list Grove House, Penley's Grove Street as an asset of community value be rejected.

- Reasons: (i) As the Executive Member believed that the application merited broader consideration, and to provide an opportunity to explore in more depth the information provided by the owners of the property.
- (ii) As the application is excluded from the definition of an Asset of Community Value set out in legislation.

#### Action Required

1. Include on Forward Plan

CC

Councillor Steward, Executive Member  
[The meeting started at 4.45 pm and finished at 5.00 pm].