
Meeting	Decision Session - Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion
Date	12 December 2024
Present	Councillor Lomas (Executive Member)
In Attendance	Nick Collins – Head of Property Services

30. Apologies for Absence (10.01am)

There were no apologies for absence.

31. Declarations of Interest (10.01am)

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests. There were none.

32. Minutes (10.01am)

Resolved: That the minutes of the Decision Session of the Executive Member for Finance, Performance, Major Projects, and Equalities held on 19 September 2024 be approved and signed by the Executive Member as a correct record.

33. Public Participation (10.02am)

It was reported that there had been seven registrations to speak at the meeting under the Council's Public Participation Scheme. All were speaking on agenda item 5 [Application for Community Right to Bid under the Localism Act 2011 - The Victoria Vaults Public House].

On behalf of the Applicant, Nick Love (Campaign for Real Ale Ltd (York Branch) spoke in support of the Victoria Vaults Public House being listed as an Asset of Community Value (ACV). Based on the Localism Act (2011) he explained how The Victoria Vaults met the use of community benefit through live music at the venue. He explained how it could be used in the

future, adding that he had been approached by people in the music industry about running different events there.

Cllr Crawshaw spoke in support of the Victoria Vaults Public House being listed as an Asset of Community Value (ACV) on behalf of the three Micklegate Ward Councillors. He explained that he had looked through the objections and it was misleading to suggest that there were 40 venues for live music when there was two dedicated music venues in York. He listed the reasons for the need to live music venues and noted that it was unlikely that it would be granted planning permission for change of use. He noted that he had been approached by a number of people regarding purchasing the building as a cultural venue.

David Leaper spoke in support of the Victoria Vaults Public House being listed as an Asset of Community Value (ACV). He noted that The Victoria Vaults was a most respected music venue and he listed the different acts that had played there. He noted the different uses of the venue and added that local live music fans were being failed by venues being put forward for development. He added that bands expect a quality PA system and stage to perform on.

Simon Micklethwaite spoke in support of the Victoria Vaults Public House being listed as an Asset of Community Value (ACV). He explained that he used to run the Basement under City Screen and was also in a band. He noted the venues that ran live music events and to lose another central to York, was consistent with the troubles that the music trust faced. He added that The Victoria vaults could provide a space for live music for the next 5-10 years. He noted that it was a good way of engineers, promoters and others tied into live music in gaining experience.

Nabeel Hanif spoke in objection of the Victoria Vaults Public House being listed as an Asset of Community Value (ACV). He noted that he had just completed on the property and had been told that it was a failing business. He had bought the derelict property to bring it back into use and was going to redevelop it into housing. He explained that the building had been marketed for a year and if someone was going to come forward to buy it they would have. He added that they were the only people to come forward to buy the property and he felt like they had been ambushed.

John Parkinson spoke in support of the Victoria Vaults Public House being listed as an Asset of Community Value (ACV). He explained that his son's business had financed the pub's transition into a live music venue. He addressed the points made by the lawyers involved in the purchase of the property. He noted how the operators had failed to run The Vaults and he

felt that the sales process was secretive. He noted that certain parties had offered to purchase the venue which was declined by the operator.

Bob Jackson spoke in support of the Victoria Vaults Public House being listed as an Asset of Community Value (ACV). He noted that the Vaults were worth keeping. He explained that singing in a pub did not make it a music venue and that a live music community was a means of promoting social enterprise. He explained how The Victoria Vaults was run badly and that it wasn't easy watching the place get worse. He added that there had been no attempt to keep it open and that run professionally The Victoria Vaults could be a community venue.

Written representations in support of the of the Victoria Vaults Public House being listed as an Asset of Community Value (ACV) had been received from Vinyl Eddie, Ashley Corbett, Bob Jackson, Zak Stone, Matt Keeley, David Leaper, Rebecca Patchesa, Simon Micklethwaite, Jericho Keys, Gary Langan, Chris Sherrington (on behalf of York Music Venue Network), Elizabeth Matfin, Andrew Wiles, Michael Young, Dr Edward Robinson, Jon Prankitt, Suzanne Francis and Shed Seven.

The Executive Member thanked speakers for their submissions and noted that the written representations and two received after the deadline would be published with the minutes.

34. Applications for Community Right to Bid under the Localism Act 2011 (10.24am)

The Executive Member considered a report that detailed applications to list the New Earswick Swimming Pool and The Victoria Vaults Public House as Assets of Community Value (ACV). The applications have been received, for a decision by the Executive Member in the Council's statutory capacity as an Asset of Community Value (ACV) listing authority. The Head of Property Services outlined the report.

a) New Earswick Swimming Pool

The Head of Property Services reported that the pool was previously listed as an ACV in 2018 and was nominated by the Friends of New Earswick Pool. He noted that there had been no objections to the application. The Executive Member then:

Resolved: That approval be given to the renewal of the listing of:

- a) New Earswick Swimming Pool as an Asset of Community Value (ACV) for the reasons outlined within the report.

Reason: To ensure the Council meets its legislative obligations (pursuant to the Localism Act 2011 and the Assets of Community Value (England) Regulations 2012) and promotes community access to community facilities.

b) The Victoria Vaults Public House

The Head of Property Services reported that The Victoria Vaults had been nominated by CAMRA. He noted that there had been two objections received, from the owner and prospective owner. He explained that the definition of 'land of community value' is set out in section 88 of the Localism Act 2011. To be considered as an asset of community value the land or property must satisfy either of the following criteria as set out in paragraphs 10a and b in the published report. He explained that it had been in that location for 160 years and served the local community and had been a music venue. He added that there was significant precedent for pubs and music venues to be listed as ACVs.

The Executive Member noted that The Victoria Vaults had different kinds of events at the venue, including poetry and book launches as well as being a music venue. She added that they have received advice on the building, and that planning policy D3 would apply. She was happy to list it as an ACV and thanked all for their work to bring it forward as an ACV. She then:

Resolved: That approval be given to the listing of:

b) The Victoria Vaults Public House, 47-49 Nunnery Lane, York as an Asset of Community Value (ACV) for the reasons outlined within the report.

Reason: To ensure the Council meets its legislative obligations (pursuant to the Localism Act 2011 and the Assets of Community Value (England) Regulations 2012) and promotes community access to community facilities.

Cllr Lomas, Executive Member

[The meeting started at 10.00 am and finished at 10.30 am].