

Meeting	Decision Session - Executive Member for Finance and Performance [previously Executive Leader (inc. Finance & Performance)]
Date	16 September 2019
Present	Councillor Ayre (Executive Member)

15. Declarations of Interest

The Executive Member was invited to declare, at this point in the meeting, any personal interests not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests, which he have in the business on the agenda. No additional interests were declared.

16. Minutes

Resolved: That the minutes of the Executive Member for Finance and Performance Decision Session held on 12 August be approved and then signed by the Executive Member as a correct record.

17. Public Participation

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

18. Application for Community Right to Bid under the Localism Act 2011

The Executive Member considered a report that presented the Lord Nelson Public House (Nether Poppleton), Blacksmiths Arms (Skelton) and Lendal Post Office (York) as Assets of Community Value (ACV), for consideration by the Executive Member in the Council's statutory capacity as an Asset of Community Value (ACV) listing authority.

The Asset Managers and Assistant Director for Regeneration and Asset Management were in attendance to present the applications.

The Asset Manager outlined the applications. In relation to the application to list Lendal Post Office, York, as an ACV, the Assistant Director for Regeneration and Asset Management explained why it could not be listed as an ACV. This was because that having taken detailed legal advice on the matter and despite the legislation on ACV being open to interpretation, on the grounds that the building when in use as a Post Office, it was exempt from the ACV legislation due to being an operational business premises.

The Asset manager was asked and explained how the Lord Nelson had previously been taken off the register and delisted as an ACV. He was asked and confirmed that there was no risk of compensation being sought CYC for any financial costs or losses arising from listing as an ACV.

The Assistant Director for Regeneration and Asset Management was asked and gave clarification on why Lendal Post Office could not be listed as an ACV.

Resolved: That;

- a) The Lord Nelson Public House, 9 Main Street, Nether Poppleton, York be listed as an Asset of Community Value (ACV) as it meets the criteria for listing.
- b) The Blacksmiths Arms Public House, Shipton Road, Skelton, York, be listed as an Asset of Community Value (ACV) as it meets the criteria for listing.
- c) The application to list Lendal Post Office, 22 Lendal, York, as an Asset of Community Value be rejected on the grounds that the building when in use as a Post Office was exempt from the ACV legislation due to being an operational business premises.

Reason: To ensure the Council meets its legislative requirements of the Localism Act 2011 and promotes community access to community facilities.

Cllr N Ayre, Executive Member

[The meeting started at 3.00 pm and finished at 3.10 pm].