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Meeting	Decision Session - Leader (incorporating Finance and Performance)
Date	29 June 2015
Present	Councillor Steward

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### **1. Declarations of Interest**

The Executive Leader 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.

### **2. Minutes**

Resolved: That the minutes of the Decision Session held on 19 March 2015 be approved and signed as a correct record.

### **3. Public Participation**

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

Mr Andy Johnson spoke in respect of agenda item 4 (Applications for Community Right to Bid under the Localism Act) in support of the bid from the Clementhorpe Community Association. He drew attention to sections of the Localism Act and stated that the requirement for the property to have been used by the local community in the recent past had been met. Mr Johnson also stated there had not been sufficient community consultation regarding the pending sale of the building and gave examples of how other malt house had been utilised in other parts of the country.

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

The Executive Leader considered a report that presented the following applications to be listed as Assets of Community Value (ACV):

- Melbourne Public House, 6 Cemetery Road, York (from Friends of Melbourne Public House)
- Holgate Allotments, Ashton Lane, Holgate (from Holgate Allotment Association)
- Clementhorpe Malt House, 19/21 Lower Darnborough Street, York (from Clementhorpe Community Association)

Officers outlined the applications. They explained the reasons why their recommendation was that the application in respect of the Clementhorpe Malt House not be approved, as it did not meet the required criteria including not having been used in a way which furthered the wellbeing or social interests of the community.

The Executive Leader stated that he supported the applications in respect of the Melbourne Public House and the Holgate Allotments as they met the criteria required. In respect of the Clementhorpe Malt House, he noted the strong feelings in the community regarding the property but was of the view that the necessary criteria had not been met to approve it as an Asset of Community Value as its previous usage had been for storage.

- Resolved:
- (i) That the application to list The Melbourne Public House, Cemetery Road as an Asset of Community Value be approved, as the criteria has been met for the reasons set out in the report.
  - (ii) That the application to list Holgate Allotments as an Asset of Community Value be approved, as the criteria has been met for the reasons set out in the report.
  - (iii) That the application to list the Clementhorpe Malthouse as an Asset of Community Value be rejected as the criteria have not been met for the reasons set out in the report.

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

**5. Pioneer Business Park – Application to remove restrictive covenant**

The Executive Leader considered a report that set out details of an application to lift the restrictive covenant of an office site on the Pioneer Business Park for low-cost residential development. The application was in accordance with the Asset Management Policy on lifting restrictive covenants on Clifton Moor and a capital receipt had been agreed in accordance with the policy.

The Executive Leader noted that two applications for the removal of restrictive covenants at the Pioneer Business Park had previously been approved and that this application would complement the existing development.

The Executive Leader stated that he approved the removal of the restrictive covenant and supported the innovative approach that was being taken.

Resolved: That the request to remove the restrictive covenant be approved in return for the capital sum of £122,250.

Reason: To enable the provision of apartments at reasonable cost in an area of surplus office accommodation.

Executive Leader

[The meeting started at 5.00 pm and finished at 5.15 pm].