

Why The Victoria Vaults is an Asset of Community Value

The Victoria Vaults (aka York Vaults) although currently shut and not trading, was formerly a community based music venue and public house trading in a thriving area of York known as Bishopthill. We believe, based on the current level of interest and the evidence of credible experts in running licensed music venues, that there is a realistic chance that it can re-open and resume its community function.

Historical context

When it was previously trading, it was widely known to musicians and concert goers as a grassroots music venue located 5 minutes from the centre of York, opposite the historic city walls and a brief walk away from the railway station.

It was not part of a pub chain, but a completely independent venue dedicated to providing a platform for new and upcoming musical artists. It was an ideal size for bands to play – holding enough people to make gigs financially viable but not too large that smaller bands may not be able to fill it.

An extensive refurbishment which changed the floorplan to be more gig-friendly, put it at the heart of York's vibrant and diverse music scene providing the best live experience an independent venue could offer, with up and coming bands, great sound, friendly staff, and quality drinks.

It was not just a pub that did music - as has been wrongly characterised - it was a credible music venue and was treated as such by the many bands that played there and music fans that frequented it. People went specifically to go to gigs - not just for a drink and if music happened to be on then all the better.

Prior to 2020, both pubs (A4) and live-music venues (D2) were lawful sui generis uses that could coexist. Since 2020, both are categorised as sui generis, thus eliminating any would-be argument that musical performance constitutes a material change of use.

The "mixed-use pub/music venue" description accurately reflects its long-established operational reality, not an unauthorised change as has been voiced in recent publicly available debate about the building. No enforcement action has ever been taken by the Council.

The pub exceeded the criteria for a community asset - by having a wide appeal to different social groups by offering an alternative to other amenities in the area that appeal to other demographics and tastes. It hosted over 150 gigs a year encompassing a diverse range of musical genres.

Such was its community impact - its significance to the cultural life of the city was acknowledged both nationally and locally.

The government and Arts Council England tacitly acknowledged its community importance and gave it huge validation when they awarded it £92,244 from the Cultural Recovery Fund.

Additionally, the City of York Council also awarded it a grant of £16,000 saying that the grant *"supports City of York Council's standpoint that a thriving, vibrant, diverse and responsibly managed early-evening, evening and night-time offer is a crucial part of the city's economy. It also places emphasis on the council's commitment to live music venues in the city, recognising them as an integral part of York's economy."*

The relisting of the whole building as an Asset of Community Value would be materially important, given there is a current planning application under consideration for change of use.

The current owners clearly stated in the previous ACV decision session that they had bought the York Vaults (formerly known as the Victoria Vaults) as a development opportunity and had no desire to keep the venue in its current use. The whole property was marketed as such by the previous owners who commissioned plans to show the redevelopment of the entire building - calling it an “excellent medium term redevelopment opportunity, subject to planning”..

There are numerous examples in York of lost community venues such as The Jubilee and The Mitre, that have fallen prey to developers who care little for the social and cultural benefits that such institutions bring to local neighbourhoods and The Victoria Vaults should be protected from going the same way.

The reasons why The Victoria Vaults should be made an Asset of Community Value can be summarised thus:

Cultural Significance

Musical Heritage: The Victoria Vaults has a long history of hosting live music, contributing to the city's cultural heritage.

Local Talent: It provided a platform for local musicians to showcase their talents and develop their careers.

Community Hub: It served as a gathering place for people of all ages and backgrounds, fostering a sense of community.

Economic Benefits

Job Creation: It provided local jobs in the music industry, hospitality and retail sectors.

Tourism: Certain higher profile bands attracted musical tourists to the city, boosting the local economy.

Property Values: It is widely acknowledged that the presence of a music pub can positively impact property values in the surrounding area (by up to 10% according to research) and can certainly enhance the area's attractiveness as a place to live with a rich and varied cultural offering – such as the nearby Bishy Rd and Bishophill areas.

Social Value

Safe Space: The Victoria Vaults was known for providing a safe and welcoming environment for people to socialise and enjoy live music.

Health & Wellbeing: The positive impact of using music to support and enhance mental and physical health throughout people's lives has long been documented in a vast body of academic and social research.

Community Building: It helped to strengthen community bonds and prevent social isolation.

Preservation of Local Character: The Victoria Vaults dates back to 1857 as a public house and brewhouse and was rebuilt circa 1935 in its current form. Places such as this are integral to the character and identity of a city such as York. Its loss would erode our heritage.

The Future of The Victoria Vaults - Viability and the "Realistic to Think" test

The "realistic to think" test forms part of the statutory criteria under Section 88 of the UK's Localism Act 2011 for listing closed buildings or land as Assets of Community Value (ACV).

For assets not currently in community use such as The Victoria Vaults, but used in the "recent past" (typically the last 3-5 years), councils assess if "it is realistic to think" there can be non-ancillary community use furthering social wellbeing or interests within 5 years—whether the same or similar.

Tribunals have repeatedly held (*Patel v Hackney*; *Gullivers Bowls Club v Rother DC*; *Worthy Developments v Forest of Dean DC*) that viability and profitability are not determinative. Assets can be listed even where commercial operation is challenging if there is any credible route to community reuse.

The Victoria Vaults is physically intact, and situated in a strong footfall area. There is nothing to make future community use unrealistic: it could reopen in the near to medium future under experienced new management or as a community-run enterprise, a model proven across the UK.

The fallacy of previous failures

The venue has not previously been run well. Several speakers who gave evidence at a previous ACV decision session spoke frankly about the dysfunctional nature of previous owners. Poor management or outdated models often sink businesses, but the underlying assets - like prime locations, loyal customers, or brand equity—can thrive under fresh leadership with smart pivots.

Failure stems from fixable issues: mismanagement (e.g., debt overload), ignoring trends or inflexible operations, not inherent flaws. New owners succeed by controlling costs, innovating offerings, and realigning with demand, turning liabilities into profits—proven in hospitality where sites endure despite closures. There are 3 such examples in York where supposedly failed unviable hospitality businesses have thrived under new management, who knew what they were doing. Look no further than The Golden Ball; The Volunteer Arms and The Slip Inn. The Crescent Community Venue is another example of an excellent multi-faceted space that is agile in supplying a wide canvas of different events to suit all tastes – not just music.

The fallacy of lack of interest

There are a significant number of testimonies that have been submitted to support this ACV application from a variety of parties that have been and still are interested in acquiring the property to re-open it as a music venue / public house. The current owners should not confuse a lack of offers for the building as a lack of interest. The building is currently not for sale so why would any interested party make a bid until there is clarity as to the current planning application for change of use into residential dwellings. There has been no interest in the leasehold at £25,000 rent per annum due to both the uncertain future of the building and we have been told directly by parties wishing to view the property that they have been advised that the owner does not want to show around anyone interested in re-opening the property as a public house due to upstairs accommodation designated

for rental to tourists. We believe that the upstairs accommodation should be solely used for a live-in manager for a business below. For this reason the ACV application is for the whole property and not just the downstairs area.

The credibility of interested parties

The parties expressing support and interest in the re-opening of the Victoria Vaults in the not too distant future are knowledgeable and credible. There are testimonies from a consortium that includes music experts, that have detailed knowledge of how the venue was previously mismanaged and have undertaken viewings of the property; a couple who had an offer accepted by the previous owner then had to withdraw due to unforeseen circumstances; a group that has expressed interest previously regarding the building as an Arts venue, an owner of another music venue in the city and most significantly one of the most credible experts in the running of music venues – The Music Venues Trust.

The Music Venues Trust (MVT) holds impeccable credibility as a UK charity specializing in grassroots music venues, backed by 10+ years of advocacy, data-driven reports, and hands-on interventions.

Since 2014, MVT has saved venues like The Joiners (Southampton) via Music Venue Properties' £2.88M crowdfunds, authored key reports like "Understanding Small Music Venues" (highlighting £789M GVA), and influenced UK Parliament's Culture, Media and Sport (CMS) Select Committee policy - earning endorsements as the go-to authority on venue business models.

Their interest in the property and assertion that it could function as a viable venue should be treated as compelling evidence in meeting the “realistic to think” test granting the listing of the Victoria Vaults as an Asset of Community Value.

In Summary

The Victoria Vaults was previously a valuable asset that enhanced the cultural life of York and the social wellbeing and interests of the local community. There is every reason to suppose, given the current level of interest in the building, that the venue could re-open under the right management and appropriate business model and be a viable and thriving community asset.

VICTORIA VAULTS INDICTIVE BOUNDARY – including external small enclosed beer garden.

