

Stafford Borough Council

Asset of Community Value: Internal Review of Listing Decision

Decision based upon written representations

Asset: Labour In Vain, Yarnfield

Reviewer: Tim Clegg, Chief Executive

Owner: Stonegate Group/Ei Group Ltd

Nominator: Yarnfield and Cold Meece Parish Council

Representations:

The Nominator made written representations both within its nomination, dated 22nd May 2023, and by email dated 11th September 2023.

The Owner made written representations contesting the listing of this asset by letters, dated 25th July 2023 and 11th September 2023.

Since the original listing decision was made, 2 further events of note have occurred:

- The Owner served a notice on the Council of their intention to sell the property on 18th August 2023. The Parish Council expressed an interest in being treated as a potential bidder on 10th September.
- The Councils planning committee resolved to approve planning permission 23/37093/OUT, on 20th July 2023. The permission gives outline consent for development of part of the listed land for three residential dwellings. The permission relates to the majority of the current pub car park ("the Development Land") but does not affect the current pub building and a retained area of car parking.

A summary of the owner's grounds for requesting the review are:

- (a) They dispute whether there is sufficient evidence to support an argument that there has been a recent use, that furthered the social wellbeing or social interests of the local community, due to previous periods of closure and the fact that many community groups have relocated activities elsewhere.
- (b) They dispute whether it is realistic to consider that the property can continue to further community use due to insufficient previous use by the local community.
- (c) Since the listing decision, part of the land has been granted outline planning permission for residential development and should no longer be listed in any event.

Reasoning:

I have reviewed the submissions from both the Parish Council and the owners (via their representative Gosschalks LLP) and I note that:

The Parish Council has listed a range of community activities that have taken place at the public house in the recent past and provided some evidence of community engagement by including quotes from members of the community in their submission. The owner of the pub does not deny that community events were hosted in the pub up to October 2022.

Both the Parish Council and the owner identify the role of the community centre as a community venue that provides for other activities. Neither party has suggested that the community centre replaces the role of the pub but rather it seems to be complementary to it.

The owner suggests that there is no detriment to the community from the closing of the pub as many local clubs/ groups have relocated to other public houses in the area. I see this as evidence of the strength and cohesion of the local community rather than evidence of the lack of importance of the pub as a community asset. The continuance of these groups despite the closure of the pub suggests that it is reasonable to see a future role for the pub as a community asset that could bring together these groups for benefit of the community.

The Parish Council asks that the unprecedentedly difficult trading context resulting from the Covid 19 pandemic and associated periods of lockdown be born in mind when considering the level of use of the pub by the community. This has been followed by a cost-of-living crisis.

In considering whether it is realistic to think that there can be a time in the next five years when there could be a non-ancillary use of the property which will further the social wellbeing or social interests of the local community I note that:

The owner argues that a lack of evidence provided by the parish council shows they do not actually believe it is a community asset or that they actually wish to bid.

However, in their recent submission, the Parish Council confirm that a community event was attended by over 70 people where there was unanimous support to return the pub to community use. Some 313 people have so far signed a petition to save the pub. A core group of residents has been formed to prepare a bid to purchase the premises and they are working with the Plunkett Foundation to identify an appropriate operating model and funding opportunities.

Notwithstanding any decision to list the public house use, I have also considered whether the “Development Land” remain listed as an asset of community value also.

In this regard the owner states that they intend to obtain full planning permission for residential use and it is not therefore realistic to think that the Development Land will be used for community purposes in future.

Decision:

I determine that:

1. There is sufficient evidence to support a decision of recent community use at part of the property. In addition, the level of community activity from local groups displaced to other public houses and the response to the Parish Council’s meeting and petition suggest that there is a realistic possibility to think that there can be a community use of the public house and the adjacent area set out with 20 parking spaces in next 5 years. The public house and 20 parking spaces adjacent to it should therefore remain listed as an asset of community value.
2. The development land use (consisting of that part of the property that has received outline planning permission for three houses and six associated parking spaces to serve them) is unlikely to be used by the community in next 5 years. This part of the site should therefore be removed from the listing as an asset of community value.

Signed: 

Tim Clegg, Chief Executive

Date: 22 September 2023