



## Community nomination in respect of

**The Labour In Vain Public House, Yarnfield Lane,  
Yarnfield, ST15 0NJ**

Notice under section 91 of the Localism Act 2011

### 1 Nomination

On 22 May 2023 the Council received a nomination under section 89 of the Localism Act 2011 ('the Act') to list **The Labour In Vain Public House, Yarnfield Lane, Yarnfield, ST15 0NJ** as an asset of community value. The nomination was made by **Yarnfield and Cold Meece Parish Council**. A copy of the nomination is attached at **APPENDIX 1** and a plan showing the boundaries of the nominated land is attached at **APPENDIX 2**.

### 2 Law and Statutory Guidance

Under section 87 of the Act the Council must maintain a list land of community value in its area. A building or other land is of community value if in the Council's opinion an actual current use of the building or other land that is not ancillary use, furthers the social wellbeing or social interests of the local community, and it is realistic to think that there can continue to be non-ancillary use of the building or other land, which will further (whether or not in the same way) the social wellbeing or social interests of the local community.

Under section 89 the Council can only include land in its list of assets of community value in response to a community nomination or where permitted by regulations. A community nomination in England can only be made by either a parish council in respect of land within its area or by a person that is a voluntary or community body with a local connection. Where a valid community nomination is made the Council must consider it and must accept the nomination if the land is within its area and is of community value

### 3 Decision and Reasons

The Council **accepts** the nomination by **Yarnfield and Cold Meece Parish Council** to include the Labour in Vain in its list of assets of community value.

The reasons for this decision are as follows:

1. The Labour in Vain lies within the Borough of Stafford and the Parish of Yarnfield and Cold Meece.
2. Yarnfield and Cold Meece Parish Council is a body eligible to make the application under section 89 of the Act.
3. The Nomination made by Yarnfield and Cold Meece Parish Council meets the requirements of the Assets of Community Value (England) Regulations 2012 ("the Regulations").
4. The public house does not fall within a description of land which may not be included in the list as specified in Schedule 1 of the Regulations.
5. In order for a listing to be successful, a nomination must show that the land is of community value. This can be achieved by showing evidence of an actual, non-ancillary, use of the building that furthers the social wellbeing or social interests of the local community, currently, or that furthered such interests in the recent past.
6. A Nomination was previously made to list the pub in December 2022. Although the previous nomination stated that "In the past the Labour in Vain was popular with residents and provided a place for social gathering and was seen by the community as a significant asset", the nomination did not provide any supportive evidence. It was therefore refused.
7. The current nomination provides further detail on why the pub should be classed as a community asset. It accepts that the pub is currently closed, and it is not known whether its current owners intend to re-open it.
8. The Parish Council state that "in the recent past the pub provided the principal meeting place in the village for residents to come together for social events", and "in the recent past, the Labour In Vain has been a popular pub and eating-house...Following the lifting of Covid-19 restrictions the pub resumed service meals. This included provided an after-match venue for football teams playing at the Wellbeing Park Football Ground, which is located in the parish, providing meals for teams after matches", and The pub has a history of providing music nights and open mic nights that have been widely supported by the community and attracted people from outside the parish too. The most recent of which was in October 2022". The nomination also provides quotes from a number of local residents to support the statements made.
9. The activities and timescales mentioned are sufficient to argue that there is a time in the recent past when an actual use of the building,

that was not an ancillary use, furthered the social wellbeing or interests of the local community.

10. Having established that there was a recent community use of the pub, the Council has to consider whether it is realistic to think that there is a time in the next five years when there could be non-ancillary use of the building that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.
11. The current, and previous, nominations acknowledged that the pub has been closed for extended periods over the last 5 years and that the recent Covid-19 pandemic had an effect on its operation as a pub. Although the previous nomination mentioned that maintenance of the building had declined during this time, I have no evidence to suggest that there would be any specific impediments to the building being used for community use in future.
12. The current nomination mentions that the landowners have submitted a planning application to develop three dwelling houses on part of the pub car park. At the time of this decision, planning application 23/37093/OUT is shown on the Council's planning register as awaiting a decision. The planning statement clarifies that the application is for "outline planning permission on part of the car park to the northeast of the Labour in Vain for the erection of 3 no. dwellings". The application site does not include the pub building itself and the application also confirms that "the pub car park would be retained and 17 no. parking spaces would be delineated". The application itself does not, therefore, appear to prevent the building and its remaining car park from future community use.
13. If the application were successful, then part of the current pub car parking area would potentially be developed and become unavailable for community use. However, no decision has yet been made regarding the application, and its current use appears to be ancillary to the pub. On that basis, at the time of this decision, it is still realistic to think that there could be a community use of the pub and its car park within the next 5 years.
14. For the reasons set out above, the nomination of this land is successful, and the land will be listed on the register of community assets.

#### **4 Next Steps**

**The Labour In Vain Public House, Yarnfield Lane, Yarnfield, ST15 0NJ** will be included in the list of assets of community value maintained by the Council under section 87 of the Act.

In accordance with section 91 of the Act the Council will send this notice to:-

- (a) the owner of the land
- (b) the occupier of the land if the occupier is not the owner
- (c) **Yarnfield and Cold Meece Parish Council** as the nominee body

## **5 Consequences of Listing**

The land will remain on the list of assets of community value for a period of 5 years from the date of this notice unless removed with effect from some earlier time in accordance with the provision of the Regulations.

Inclusion of the land in the list of community assets is a local land charge under the Local Land Charges Act 1975.

The Council is required under Schedule 4 of the Regulations to apply to the Land Registry for a restriction to be added to the registered title of the land that "No transfer or lease is to be registered without a certificate signed by a conveyancer that the transfer or lease did not contravene section 95(1) of the Localism Act 2011".

Under section 95 of the Act an owner must notify the Council by writing to the Head of Law and Administration, Stafford Borough Council, Civic Centre, Riverside, Stafford ST16 3AQ if they wish to enter into a relevant disposal of the land. Relevant disposal is defined in section 96 and (subject to exemptions in section 95(5) and Schedule 3 of the Regulations) means, a freehold disposal or the grant or assignment of a qualifying leasehold interest, with vacant possession.

A moratorium period is triggered by notification under section 95 to allow any community interest group to submit a written request to be treated as a potential bidder for the land. Owners are advised to refer to the Part 5 Chapter 3 of the Act and the Regulations in full and to seek legal advice if they wish to dispose of the land. A disposal of listed land which contravenes the requirements of Act and Regulations will be ineffective.

## **6 Right of Review**

In accordance with section 92 of the Act the owner of the land is entitled to request a review of this decision. The review will be carried out by a senior officer of the Council nominated by the Chief Executive. A request must be made in writing and received by the Council within 56 days of the date of this notice or such longer period as the Council may agree in writing. Please ensure that the request explains on what grounds the decision should be reviewed.

If a request is made the Council will complete the review within 56 days of receiving the request or such longer period as is agreed with the owner in writing. A request must be addressed to the Chief Executive, Stafford

Borough Council, Civic Centre, Riverside, Stafford ST16 3AQ.

## **7 Right to Compensation**


In accordance with paragraph 14 of the Regulations an owner or former owner of the land is entitled to claim compensation from the Council of such amount as the Council may determine, where they have incurred loss or expense in relation to the land which would be likely not to have been incurred if the land had not been listed.

A claim for compensation must be made in writing within 91 days of the loss or expense being incurred (or as the case may be) finish being incurred; must state the amount of compensation sought for each part of the claim and be accompanied by supporting evidence for each part of the claim.

If a claim is made the Council will consider the claim as expeditiously as possible. A request must be addressed to the Head of Law and Administration, Stafford Borough Council, Civic Centre, Riverside, Stafford ST16 3AQ.

## **8 Additional Help**

Further information about assets of community value is available from the website [mycommunityrights.org.uk/community-right-to-bid/](https://mycommunityrights.org.uk/community-right-to-bid/) If you need any additional support in relation disposal of the land, the right of review or right to compensation you are advised to seek independent legal advice.

Signed: 

Dated: 23 June 2023  
Head of Law and Governance



YARNFIELD AND COLD MEECE  
PARISH COUNCIL

ACV Application - Labour in Vain  
May 2023

## Section 1 - About Your Community Organisation

Q1 Name and address of your organisation	
Organisation name:	Yarnfield and Cold Meece Parish Council
Address and postcode:	c/o 5 De Havilland Drive Yarnfield Staffs ST15 0SX
Registration number (if you are a charity, company, CIC or social enterprise)	

Q2 Please specify what type of organisation you are	
Category	Tick ✓
Parish/Town Council	✓
Unconstituted / unincorporated Community Group whose members include at least 21 individuals who appear on the electoral roll	
<b>Neighbourhood Forum</b> designated as pursuant to section 61F of the Town and Country Planning Act 1990	
<b>Industrial and Provident Society</b> which does not distribute any surplus it makes to its members	
<b>Company Limited by Guarantee</b> which does not distribute any surplus it makes to its members	
<b>Community Interest Company</b> which satisfies the requirements of Part 2 of the Companies (Audit, Investigations and Community Enterprise) Act 2004	
Charity	

Q3 Who should we contact to discuss this nomination?	
Name:	John Fraser
Address and postcode:	5 De Havilland Drive Yarnfield Staffs ST15 0SX
Telephone number	07546 456 771
Email address	ycmclerk@gmail.com

## Section 2 - About The Property To Be Nominated

Q4 Which asset do you wish to nominate?	
Name of property:	The Labour in Vain
Address and postcode:	Yarnfield Lane Yarnfield ST15 0NJ
Name of property owner	Stonegate Group
Address and postcode:	3 Monkspath Hall Road, Solihull, West Midlands, B90 4SJ
Telephone number	0121 272 5000
Email address (if known)	
Current occupier's name (if different from property owner)	Vacant
Details of occupier's interest in property	

## Section 3 - Demonstrating The Community Value Of The Asset

Q5 Why do you feel the property is an asset of community value?

Please give as much information as possible about the current use of the asset i.e. what activities take place, what groups use the facility currently or in the recent past etc. Continue on a separate sheet if necessary. Definition of an asset of community value can be found in the guidance document.

**Note:** Any information entered into this section only may be copied and passed onto the owner of the property you are nominating.

### The Labour in Vain, Yarnfield

#### Asset of Community Value Resolution to Submit

Yarnfield and Cold Meece Parish Council at their meeting on 5 April 2023, resolved to submit to Stafford Borough Council this application, that the Labour in Vain public house is listed as an asset of community value.

Like many public houses the forced closure of the Labour in Vain during the Covid-19 pandemic had an effect on its operation. Efforts were made by the various landlords to take on the running of the Labour in Vain after the Covid-19 restrictions were lifted. At the centre of the Parish Council's concern, and the reason for the submission of this application, is the desire to see the pub being part of the community, to have it service the community and provide a place to which residents and local groups can go. The submission of this application supports the Parish Plan 2022.

#### Parish Ambition – 3 Community

- To build pride in the parish through activities that are guided by the community and local business and enhance the wellbeing of everyone living in the parish.

#### Planning Application

At the time of submission of this application there is a planning application to build three dwelling houses on part of the pub car park being considered by the Borough Council. The Ei Group Ltd Planning Statement states:

“Throughout this review often surplus land, car parking and pubs that have been unviable business operations are identified. This now presents an opportunity to release additional value which can be re-invested into the estate, including within the identified site or within the overall portfolio.”

The Parish Council notes that the planning application does not aim to remove the pub but only relates to land that the owners consider to be surplus to requirements. The Parish Council has submitted its representations on this application and will rely on the planning process to determine whether the application should be allowed.

## Description of the Labour in Vain

Situated at the heart of Yarnfield the pub has been a central part of the village and has provided many and varied services to the local community and has in the past also served as the village shop and post office.

The pub was closed during the Covid-19 pandemic. It reopened in autumn 2021 and has since seen three landlords take on the running of the premises. However, the pub is again closed, and it is not known when, or if, the Ei Group intend to reopen the pub.

## Social wellbeing and interests of the local community

The building has in the recent past had a non-ancillary use which furthers the social wellbeing and interests of the local community. As an integral part of the community, it provided a place that people look to for personal, social and community activities. Yarnfield and Cold Meece are thriving communities where there is a strong sense of connection between residents and a willingness to support and help one another. In the recent past the pub provided the principal meeting place in the village for residents to come together for social events.

Yarnfield has a small village hall which is a single room building that is well-used by residents but is insufficient to cater for all the activities and events that took place in the Labour in Vain. The closure of the pub has resulted in many of the community groups relocating to other public houses in Stone and surrounding villages. Were the pub to reopen on a stable footing these groups would return.

In the recent past the Labour in Vain has been a popular pub and eating-house. Providing a welcome atmosphere and good service offering breakfasts, lunch and evening meals. Following the lifting of Covid-19 restrictions the pub resumed service meals. This included provided an after-match venue for football teams playing at the Wellbeing Park Football Ground, which is located in the parish, providing meals for teams after matches.

The pub has a history of providing music nights and open mic nights that have been widely supported by the community and attracted people from outside the parish too. The most recent of which was in the October 2022. The pub has played a central role in the festivities around Bonfire Night, Christmas, New Year and Burns Night. It has also been used for family events and celebrations.

*"As busy full-time workers we really valued having the Labour in Vain open for food and would treat ourselves to dinner at the pub most Thursdays. It was great to be able to walk from home and support the local business. In the autumn and winter there would be an open fire and there was always a warm welcome with bar and restaurant servers we got to know. The pub was busy and lively, bringing people together in the community."*

*SP local resident*

*I have used the LIV regularly (until the pandemic) and have attended many ad-hoc meetings there especially for the Village Fete organising etc.*

*I have also dined there on occasion for breakfasts, lunch and evening meals.*

*DC, Local resident*

*Over the years we have been involved with the pub in many ways. Our daughters have worked there, we have eaten there regularly, attended various community meetings, held open mic nights and been to and hosted discos. My husband has played live music there in several bands and we have enjoyed many other live music events.*

*SB, Local resident*

Local clubs and groups have used the pub as the place to meet with darts, pool, dominoes, quiz nights and whist teams all using the pub. It has been used by organising groups such as the Fete Committee and local Cubs' group. The Pub has been a place to find out what is going on in the village and to find help for anything (there is always someone who knows someone). It has always supported local events such as the Village Fete by offering a place for planning meetings and providing an outdoor bar at the fete. It has been a meeting place for other local organisations too.

*1st Yarnfield Cub Scout leader and we had our meetings in there and often popped in after a cub night. We were also planning to partner up with the pub and have some fun sessions with the cubs learning about the environment!*

*TJ – Local Resident*

*We have lived in the village for over 20 years and in that time we have seen may licensees come and go. There have been darts, pool, dominoes and whist teams over the years too, which give people a chance to get out and about in the surrounding area. Also, many quiz nights which were always well attended. Major sporting events have been televised which is great for those who can't view them at home and like to enjoy the atmosphere of a group of supporters cheering for the same team.*

*It has been a place to find out what is going on in the village and to find help for anything (there is always someone who knows someone). It has always supported local events such as the Village Fete by offering a place for planning meetings and providing an outdoor bar. It has been a meeting place for other local organisations too.*

*SB – Local Resident*

*Since moving to Yarnfield 30 years ago, the Labour has been an important part of my family's lives. From going there for many meals and drinks, especially when we had a power outage on our side of the village! To celebrating my wedding reception there plus my 50th birthday and my husbands 50th.*

*PS – Local Resident*

## Conclusion

The Parish Council, representing the interests of the local community, recognises the significant role of the Labour in Vain in supporting the social wellbeing of the local community. The Localism Act 2011 introduced a regime giving local community groups the right to make a bid to buy a property that has a community use

when it comes up for sale. The purpose of this ACV application is to give to the parish council the right to make such a bid.

Q6 What do you consider to be the boundary of the property?

Please give as much detail as you can and include a plan if possible.

Attached Land Charges Plan of the Labour in Vain and car park

#### Attachment checklist

☒ Copy of group constitution (if applicable)

☒ Names and home addresses of 21 members registered to vote in nomination area (if group is not constituted)

☒ Site boundary plan (if possible)

☒ Evidence of current community use e.g. activity programmes, website links etc

The quotes provided in this application have been given by residents. Attached as a separate document to the application is a page of photographs taken at various events in the pub.

It is disappointing to see that the most recent Facebook page for the Labour in Vain, which contained information and posts about activities at the pub, and was a useful source of information, has had entries removed, presumably by the former tenant.

#### Declaration

I can confirm that to the best of my knowledge the information contained in this nomination form is complete and accurate.

Signed:



Print Name: John Fraser

Position in Organisation: Yarnfield and Cold Meece Parish Council

Date:

#### FOR OFFICE USE ONLY

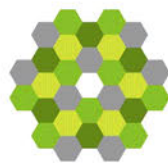
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Decision deadline:

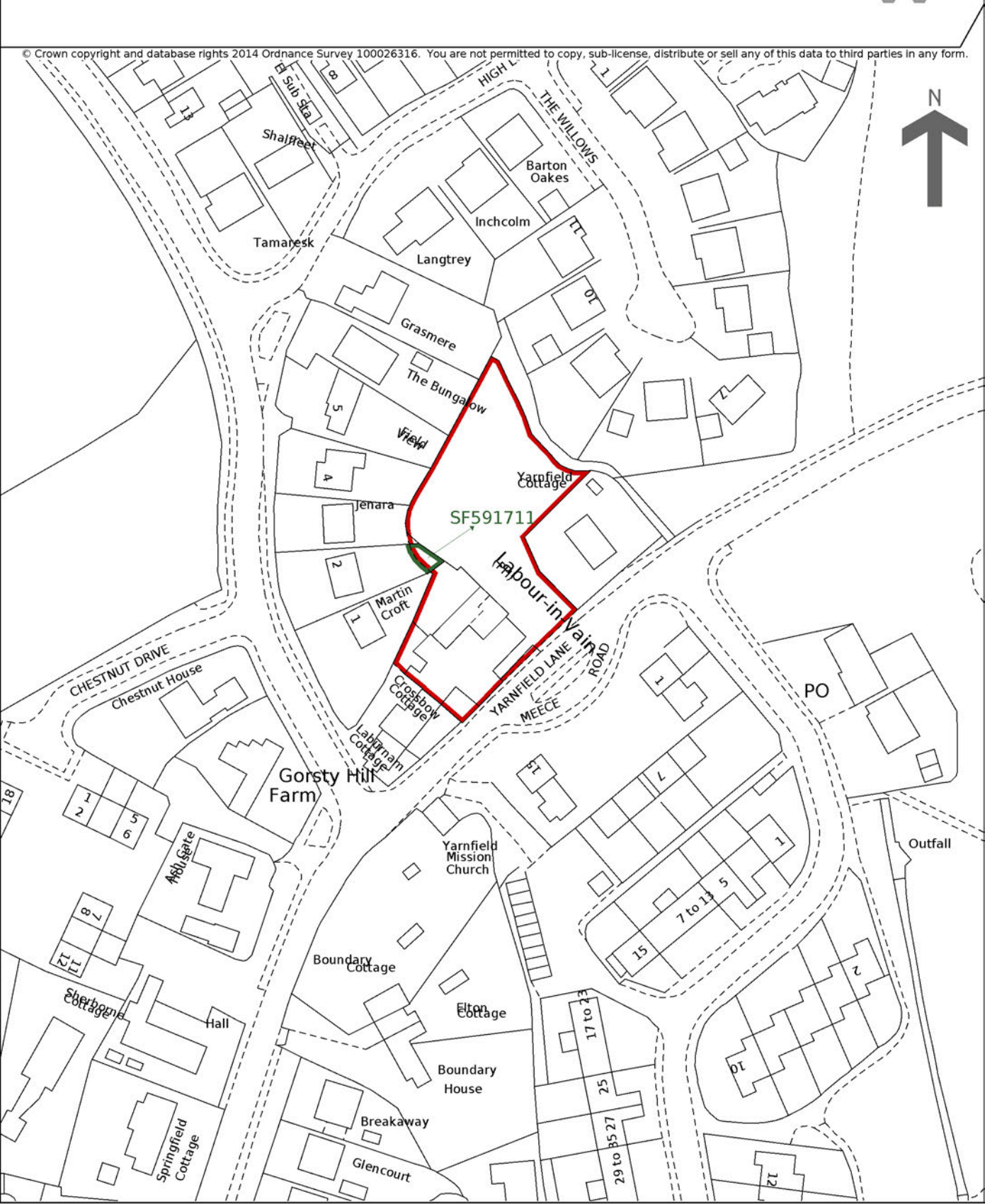
# HM Land Registry

## Current title plan

Title number **SF413631**  
Ordnance Survey map reference **SJ8632NW**  
Scale **1:1250 enlarged from 1:2500**  
Administrative area **Staffordshire : Stafford**



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