

Present: Councillor Calum Watt (*in the Chair*),
Councillor Joshua Wells, Councillor Debbie Armiger,
Councillor Martin Christopher, Councillor Matthew Fido,
Councillor Jackie Kirk, Councillor Jane Loffhagen,
Councillor Rachel Storer, Councillor Naomi Tweddle and
Councillor Emily Wood

Also in Attendance: Marianne Langley (Keep the Tap Running), Councillor
Neil Murray (Portfolio Holder for Economic Growth),
Aaron Joyce (Campaign for Real Ale), Steve Renshaw
(Campaign for Real Ale) and Victoria Poulson
(Democratic Services Officer)

Apologies for Absence: Councillor Hilton Spratt

33. Apologies

Apologies for absence were received from Councillor Hilton Spratt.

34. Confirmation of Minutes - 24 January 2023

RESOLVED that the minutes of the meeting held on 24 January 2023 be confirmed and signed by the Chair as an accurate record.

35. Declarations of Interest

No declarations of interest were received.

36. Assets of Community Value

Councillor Calum Watt, Chair of the Community Leadership Scrutiny Committee, opened the meeting with a brief introduction to guest speakers and the topic of discussion which was Assets of Community Value.

The Committee received a presentation from Councillor Neil Murray, Portfolio Holder for Economic Growth, Marianne Langley (Keep the Tap Running), Aaron Joyce (Chair, Campaign for Real Ale) and Steve Renshaw (Secretary, Campaign for Real Ale). During consideration of the presentation, the following points were noted: -

- Under the Localism Act 2011 (Part 5 Chapter 3) & detailed in Assets of Community Value Regulations 2012, nominated groups were given the right to bid for a listed property if entered onto the property sale market. However, there was no obligation to sell, cooperate or accept a community offer
- There was a large disparity between commercial and residential property, magnified by Lincoln's large student population and the Assets of Community Value (ACV) regime was the only method for communities to demonstrate the value of an asset

- It was important that ACV had meaning in practice and was for the local authority to determine whether an ACV was a material matter during a planning application
- Nomination for an ACV came from suitable nominating bodies such as Parish Councils or groups with a community (geographical/shared interest) connection
- The process typically took up to eight weeks to approve or reject a nomination and if approved, the nominated property would be added to the list of assets for five years or unless sold. The owner retained the right to appeal
- The National Planning Policy Framework (NPPF) was the dominant legislation and Section 8 made provision relevant to ACV. The NPPF made clear provision for the inclusion of public houses
- Lincoln's current pub protection policy fell within LP15 of the Local Plan which laid out three conditions that determined whether the loss of a community facility might be permitted
- Not all public houses could or should be retained and it was important to carefully consider genuine viability
- Mendip Council's Supplementary Planning Document (SPD) 2017 was considered a 'Gold Standard Policy' and contained seven key criteria required to be met for an owner to change a public house into residential dwelling/s
- Planning Committee considered applications carefully and if appropriate, would query officers. The addition of a planning policy document would grant officers and Member of the Committee additional powers
- Campaign for Real Ale (CAMRA) identified that ACV's could be useful in the plight to save public houses
- There was a considerable number of public houses that were now nominated assets and sold on to the local community and ran successfully
- It was important to note that ACV's did not cover public houses exclusively but protected a number of community assets that would otherwise be lost if planning policies did not provide adequate protection

The Chair thanked guest speakers for their work, informative presentation and welcomed comments and questions from the Committee. As a result of the discussions between Members and speakers, the following points were made: -

Question: How many public houses were on the list?

Response: There were two public houses on the list and three assets in total within the City. Knowledge of the ACV regime was not widespread, and assets were listed for only five years.

Comment: A supplementary planning document would support properties in jeopardy.

Comment: Given the breadth of public houses within the City, Members were surprised that there were only two recorded on the list. It would be beneficial for the City of Lincoln Council (CoLC) to promote knowledge of the ACV process. There were a number of public houses such as the Strugglers Inn that were heavily populated and central to the communities that they served.

Comment: It was notoriously difficult to put together an ACV nomination and if knowledge of the process was widespread, it would provide communities the opportunity to register a loved asset, not solely in the instance that the asset faced threat. The landlord of The Joiners Arms nominated the public house because it was a much loved community asset.

Question: Were there any public houses that had been taken over by Community enterprises?

Response: There were no urban community pubs within the East Midlands. Public Houses were individual entities and could not be easily replaced as they served a variety of needs and markets.

Comment: It appeared the LP15 had failed public houses.

Comment: Parish Council's could nominate their own public houses however in Lincoln, there was a noticeable lack of focus as the role was not present.

Comment: Members praised Marianne Langley for her dedicated work for the 'Keep the Tap Running' Campaign. It was noted that the campaign brought the community together and fundraisers were extremely well attended. In addition, local pubs such as The Joiners Arms and The Queen in The West supported the campaign. It was important to ensure ACV's were more accessible for all communities.

Comment: The legislation was problematic and accessibility as local individuals was complex. The local plan went to inspectors in November 2022 and there was an opportunity last year to be added to the local plan of which dictated all considerations under the NPPF.

Response: The local plan did not offer protection to towns or cities and improvement was necessary.

Comment: The local plan was due to be adopted in April 2023 and it was important to include representation from a community perspective. Officers made a determination based on planning regulations and the Planning Committee made decisions based on communities. It was determined that the Sam Scorer Gallery was not considered an ACV in the absence of written constitution. It may have been the case that the necessity of a written constitution was not a known factor.

Response: It may be useful to have a representative that understood the regime and who could provide advice and guidance through the process.

Comment: The Council employed a Planning Policy Manager. A briefing session for all Members would be beneficial.

Comment: Planning legislation was broad and extensive. It would be useful to understand how the SPD process worked legally and the timetable for adoption to ensure individuals were made aware of the timetable.

Question: What support was there within ACV's to offer support to businesses to enable rejuvenation?

Response: Given the rise in food prices and deliveries, many pubs had lost their reliance on food sales and revenue. It was important, especially post lockdown, for individuals to have use of a social space.

Comment: Small scale business such as BeerHeadZ located in the Bailgate, benefitted from purchasing beer directly from the brewery. This removed additional add on costs. There were many community led businesses opening across the country that followed this successful model.

Response: The current ownership model was letting pubs down. The rise of independent pubs was phenomenal.

Question: Did the SPD have to go into the local plan?

Response: Clarification would be sought further to the meeting and circulated to Members of the Committee.

Comment: Community spaces had dwindled over the years. Houses in Multiple Occupancy (HMO) contributed to the loss of community assets. Many students resided within the city only for a fixed period of time and often moved on.

Comment: It was refreshing to gain insight from individuals and businesses who had experienced the process first-hand. Constructive criticism was the only way to improve in the future.

Response: The current process was weighted in favour of the owners. When an owner purchased a pub, it was important for them to consider the meaning of the pub to the local community – it was not merely a development opportunity.

Members expressed their gratitude to guest speakers for the information provided within discussions and for their work for Assets of Community Value.

The Chair echoed comments from Members and thanked all guest speakers for their attendance and contributions to discussions.

RESOLVED that: -

- 1) The Committee make a recommendation to the Executive for the creation of a policy document on Assets of Community Value.
- 2) A Member briefing be arranged when the policy went to full Council.
- 3) An individual be nominated, knowledgeable on the policy document contents, to act as a contact for information and clarification when needed.

Note: Councillor Neil Murray left proceedings at this stage.

37. Work Programme 2023

Consideration was given to the Committee's Work Programme. Further to scoping discussions, the Democratic Services Officer confirmed that the focus of the Committee's work for the remainder of the calendar year would include an update on the Cultural Consortium, Low Wages in the City of Lincoln, an update on the Poverty Truth Commission and Long Term and Emergency Housing.

It was agreed that the Cultural Consortium update would be brought before the Committee in June 2023. The Democratic Services Officer confirmed that attendance had been received from Sukhy Johal, University of Lincoln and Toby Ealden, Zest Theatre.

It was agreed that consideration of Low Wages in the City of Lincoln would be brought before the Committee in June 2023. The Democratic Services Officer confirmed that attendance had been received from Rob Johnston, Trades Union Congress. Further attendance from Resolution Foundation and Federation of Small Businesses had been requested. It was agreed that an invitation for attendance would be offered to Lincoln Business Improvement Group (Lincoln BIG) and the Chamber of Commerce.

Date of Next Meeting: Tuesday 27 June 2023.