

2013/0031

Application to Nominate a Public House as an Asset of Community Value

Your details

Your Organisation *Friends of The Duke of York Public House Community Group*

Contact name *Chris Nutt*

Position held *Acting Chairman*

Address [REDACTED]

Postcode [REDACTED]

Telephone [REDACTED]

Email [REDACTED]

Your proposal

Details of asset

Please include exact location, address, postcode, size, boundaries, access points and a map if possible

The site address is The Duke of York Public House, York Road, Salisbury SP2 7AS. Access to the building is obtained through a door centrally located at the front of the building with gates enabling service access adjacent to number 40 York Road. The Duke of York Public House is referred to as 'the pub' throughout this application.

Summary of proposal

Why do you want the asset and how will this benefit the local community?

The Friends of the Duke of York community group believe the pub meets the needs of differing communities by maintaining a healthy and varied choice for the consumer in the locality. It provides a place of informal social meeting and drinking provides a place of employment for the Landlord and staff. The pub enlivens the local economy and has a purchasing bias toward local suppliers such as local microbrewers. The pub operates as a genuine community hub where friends and neighbours can meet informally in a safe, managed social setting. The pub is used as a meeting place by a number of sports teams and community groups including the St. Paul's Resident's Association. Appendix 2 lists some key communities who use the asset. Our view is the loss of the pub would lead to a huge loss of community cohesion.

Community use

Please explain how the asset will be used

(Please refer to questions 5-8 in the checklist - CAT02)

Suitability for purpose

Please explain why this asset is suitable for the intended purpose

(Please refer to questions 5-8 in the checklist - CAT02)

Community support and consultation

Please set out who you have consulted about your proposal and how you have addressed any concerns raised

(please refer to questions 9-14 in the checklist - CAT02)

Legal issues

Please set out how you will address any legal, planning, insurance and health and safety matters associated with the asset *(please refer to questions 15-18 in the checklist - CAT02)*

Financial matters

How will you fund future running costs, repairs and maintenance?

(please refer to questions 19-23 in the checklist - CAT02)

Future management

How will you manage the asset and ensure that it continues to contribute to the wellbeing of the local community in the future?

(please refer to questions 24-27 in the checklist - CAT02)

The Duke of York will trade as a traditional 'wet-led' community locals pub with its customer base drawn largely from the St Paul's area. It will specialise in providing real ales from small local breweries and an interesting range of other drinks including soft drinks. The pub shall be a place of rest, recreation & social resort for residents of, and visitors to the City of Salisbury.

The pub is currently open and trading as a successful community pub. It benefits from a high level of community support and scores well in CAMRA's public house viability test. The property benefits from a full on license for the sale of intoxicating liquor issued by Wiltshire council and has planning consent for Use Class A4 'drinking establishments'.

The pub is well patronised currently which is clear evidence of community support. The pub is listed as a recommended outlet in the 2014 edition of the CAMRA Good Beer Guide. The Friends of the Duke of York Public House Community Group met on Friday 22 November and appointed an action committee, the response to our Chairman's first newsletter to residents was overwhelmingly positive, our Facebook page has been set up and has high visitor numbers and we can demonstrate a high level of community support.

A land search has shown no covenants or legal restraints on the property. The continuing use of the building as a public house does not require any new planning applications. The building will require buildings insurance & public liability insurance; this will be procured from a recognised broker or underwriter.

It is anticipated that if the listing application is successful, the Friends of the Duke of York or another suitable body will acquire the pub financed either by a share issue, crowd funding, grant application or other means. The pub will then be let on a commercial basis to a tenant or leasee who will pay a commercial level of rent to fund this borrowing. However, this is not the only possible approach- we will consider other options including running the pub under management, as a co-operative.

The continuing use of the building as a pub is paramount. If we acquire the pub and let it to a tenant or lease we would write into the agreement a number of obligations such as required opening times, the requirement to stock a viable and interesting drinks portfolio, the need to trade primarily as a community the need to continue to support local community teams and groups etc. etc. we

DECLARATION

I confirm that the details included in this application are correct

Signed:

Name (please print): *Chris Nutt*

Date:

Application to nominate a Public House as an Asset of Community Value

CHECKLIST

	Question	Yes	No	Note
Community use	1. Is the asset to be provided for a public purpose?	Yes	<input checked="" type="checkbox"/>	The Council will not list assets for private or commercial use
	2. Will the asset be hired or used by third parties?	Yes	<input type="checkbox"/>	If 'yes' your application should set out how this will work
	3. Will your organisation supervise use of the asset?	Yes	<input type="checkbox"/>	If 'no' your application should explain how use will be supervised
	4. Will the public have access to the asset?	Yes	<input type="checkbox"/>	If 'yes' your application should set out how your liabilities will be covered

	Question	Yes	No	Note
Is the asset fit for proposed use?	5. Is it big enough?	Yes	<input checked="" type="checkbox"/>	The Council will not list assets that are unsuitable
	6. Is it in the right location?	Yes	<input checked="" type="checkbox"/>	The Council will not list assets that increase unnecessary car use
	7. Is it safe?	Yes	<input checked="" type="checkbox"/>	The Council will not list assets that are unsafe
	8. Does it have utilities? (Water, electricity, drainage, etc.)	Yes	<input type="checkbox"/>	If 'no'- your application should explain if they are needed

	Question	Yes	No	Note
Community Support and consultation	9. Have you consulted nearby residents?	Yes	<input type="checkbox"/>	If 'no'- please consult before submitting your application
	10. Have you consulted adjoining owners?	Yes	<input type="checkbox"/>	If 'no'- please consult before submitting your application
	11. Have you consulted others affected by the proposal?	Yes	<input type="checkbox"/>	If 'no'- please consult before submitting your application
	12. Have you consulted the local Wiltshire Councillor?	Yes	<input type="checkbox"/>	If 'no'- please consult before submitting your application
	13. Have you consulted the local Parish Council?	Yes	<input type="checkbox"/>	If 'no'- please consult before submitting your application
	14. Is there community support for change of use?	<input type="checkbox"/>	No	If 'no' - consider carefully whether you wish to proceed with your application

	Question	Yes	No	Note
Legal	15. Are there any covenants or other legal constraints?	<input type="checkbox"/>	No	If 'yes' your application should explain implications
	16. Does the proposed use require planning consent?	<input type="checkbox"/>	No	If 'yes' your application should explain implications
	17. Have you considered insurance cover?	Yes	<input type="checkbox"/>	If 'no' your application must explain implications
	18. Have you assessed health and safety liabilities?	Yes	<input checked="" type="checkbox"/>	Your application must explain how you will deal with risks and liabilities

	Question	Yes	No	Note
Finance	19. Can you meet all capital maintenance costs?	Yes	<input type="checkbox"/>	If 'no' your application should explain how funding will be provided
	20. Can you meet all day-to-day running costs?	Yes	<input type="checkbox"/>	If 'no' your application should explain how funding will be provided
	21. Will you use the asset to generate income?	Yes	<input type="checkbox"/>	If 'yes' your application should provide further details
	22. Will any third party be assisting with the costs?	Yes	<input type="checkbox"/>	If 'yes' your application should provide further details
	23. Do you have any contingency funds?	Yes	<input type="checkbox"/>	If 'no' your application should set out how you will deal with contingencies

	Question	Yes	No	Note
Management	24. Will you manage the asset?	Yes	<input type="checkbox"/>	If 'no' your application should set out who will manage the asset.
	25. Will a management committee be set up?	Yes	<input type="checkbox"/>	If 'yes' your application should set out how this will work
	26. Will users of the asset be involved?	Yes	<input type="checkbox"/>	If 'yes' your application should set out how this will work
	27. Will someone be employed to manage the asset?	Yes	<input type="checkbox"/>	If 'yes' your application should set out how this will work

Appendix 1;
Photograph of front elevation of The Duke of York.



Appendix 2;

Some current community groups and teams that currently use the Duke of York Public House either for formal meetings or informally

- Duke of York FC
- Campaign for Real Ale South Hampshire Branch
- Duke of York Crib Team
- St Paul's Resident's Association
- Salisbury Conservative Association
- St Paul's Choir
- Duke of York 5 a -side league
- Salisbury Literary Dining Club
- St Paul's Neighbourhood watch group
- Salisbury Poker league

Title Number : WT110215

This title is dealt with by Land Registry, Weymouth Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

Neither this extract nor the full copy is an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy.

This extract shows information current on 13 DEC 2013 at 10:50:03 and so does not take account of any application made after that time even if pending in the Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: WT110215
Address of Property	: Duke of York, 34 York Road, Salisbury, (SP2 7AS)
Price Stated	: £175,000
Registered Owner(s)	: GRS PUBS LIMITED (Co. Regn. No. 4111631) of Emerald House, East Street, Epsom, Surrey KT17 1HS.
Lender(s)	: Anglo Irish Bank Corporation PLC

Title number WT110215

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 13 DEC 2013 at 10:50:03. This copy does not take account of any application made after that time even if still pending in the Land Registry when this copy was issued.

This copy is not an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy. If you want to obtain an official copy, the Land Registry web site explains how to do this.

A: Property Register

This register describes the land and estate comprised in the title.

WILTSHIRE

- 1 (14.02.1992) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Duke of York, 34 York Road, Salisbury, (SP2 7AS).

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (29.06.2006) PROPRIETOR: GRS PUBS LIMITED (Co. Regn. No. 4111631) of Emerald House, East Street, Epsom, Surrey KT17 1HS.
- 2 (29.06.2006) The price stated to have been paid on 31 May 2006 was £175,000.
- 3 (29.06.2006) A Transfer dated 31 May 2006 made between (1) Pubfolio Limited and (2) Bankside Developments Limited contains purchasers personal covenants.
NOTE: Copy filed.
- 4 (30.03.2007) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 30 November 2006 in favour of Anglo Irish Bank Corporation PLC referred to in the Charges Register.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (14.02.1992) The part of the land affected thereby is subject to the following rights contained in a Conveyance of the land in this title dated 3 March 1898 made between (1) Thomas Scamell (2) William Jeffrey Brown and (3) John Alfred Folliott and others:-

SUBJECT as to the piece of land Secondly described to any existing rights of way over the same in respect of any adjoining premises.

NOTE: The land hatched blue on the filed plan is the land secondly described referred to.
- 2 (30.03.2007) REGISTERED CHARGE contained in a Debenture dated 30 November 2006 affecting also other titles.

NOTE: Charge reference ST89493.
- 3 (30.03.2007) Proprietor: ANGLO IRISH BANK CORPORATION PLC (incorporated

Title number WT110215

C: Charges Register continued

in the Republic of Ireland) of 10 Old Jewry, London EC2R 8DN.

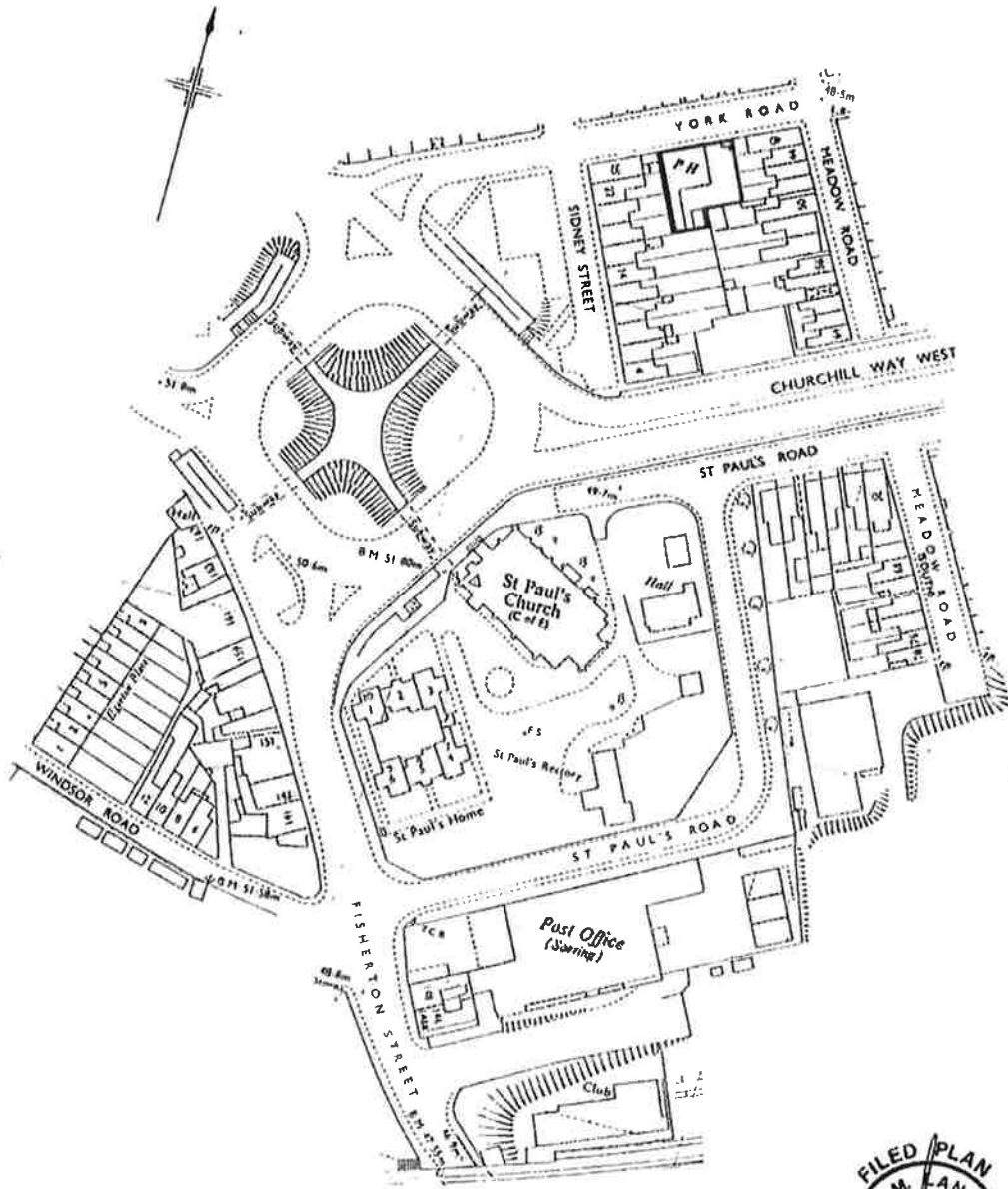
4 (22.12.2008) The land is subject to the lease set out in the schedule of leases hereto.

Schedule of notices of leases

1	22.12.2008	The Duke of York	29.10.2008 25 years from 29.10.2008	WT277380
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End of register

H.M. LAND REGISTRY		TITLE NUMBER WT110215	
ORDNANCE SURVEY PLAN REFERENCE	SU 1330	SECTION N	Scale 1/1250
COUNTY WILTSHIRE	DISTRICT SALISBURY	© Crown copyright 1987	



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