

North Yorkshire Council

11 August 2025

Assessment of Asset of Community Value Nomination *NYCACV0062 The Wadkin Arms, Cliffe Road, Osgodby, Selby YO8 5HU*

Report to the Head of Localities

1. PURPOSE OF REPORT

1.1 To determine whether The Wadkin Arms, Osgodby should be placed on the Council's List of Assets of Community Value (ACVs) under the Localism Act 2011, following a valid nomination form received on 16 June 2025 by Osgodby Village Institute, a qualifying nominator.

2. SUMMARY

2.1 The nomination is for The Wadkin Arms, Cliffe Road, Osgodby, Selby YO8 5HU. The recommendation is that the Head of Localities:

- (i) Determines that the nomination for The Wadkin Arms, Osgodby (NYCACV0062) is successful and meets the definition of community value as detailed in the Localism Act 2011
- (ii) It should be placed on the North Yorkshire Council Assets of Community Value List of Successful Nominations

3. BACKGROUND

3.1 The Localism Act 2011 requires the Council to consider all valid nominations for properties and/or land to be placed on the List of Assets of Community Value. This is also known as the 'community right to bid'. Land or property considered of community value can be nominated by a voluntary or community body that complies with Regulation 5.

3.2 When a listed asset comes up for sale, an ACV is subject to a protected period (moratorium). The purpose is to create a "window of opportunity" for a community interest group to secure funding and bid for the property on the open market. The owner is not obliged to accept a bid from a community interest group and can sell to whomever they choose at the end of the moratorium period.

3.3 The Assets of Community Value (England) Regulations 2012 provide a mechanism for the owner of land listed as an ACV to request an internal review and also appeal to the first-tier tribunal against the listing. Although first-tier tribunal decisions are not binding precedents any appeal decisions provide judicial guidance to the operation of the legislation. The guidance

provided by these decisions is becoming increasingly useful to local authorities in the assessment of Assets of Community Value nominations.

3.4 Private owners may claim compensation from the Council for loss and expenses incurred through their property being listed. More details are provided in the 2012 Regulations.

3.5 This report ensures that the Council considers the nomination for The Wadkin Arms, Osgodby, as required by the Act.

4. NOMINATION CONSIDERATION

a) Description of asset

4.1 Osgodby is situated in the Vale of York approximately two and a half miles north from the town of Selby. Osgodby sits within Barlby and Osgodby Parish area. There are around 5,600 people in Barlby with Osgodby Parish, according to the Office for National Statistics 2022 Mid-Year Population Estimates.

4.2 The Wadkin Arms was previously listed as a successful Asset of Community Value from 2020-2025 by Selby District Council.

4.3 The Wadkin Arms is described as a local, community pub, it sits just off the main A63 road in the village of Osgodby. The pub is set back from the main road and sits on a corner plot in a residential area. There is a large area beside the pub for parking. The entrance to the pub includes a small vestibule with posters and leaflets advertising events and activities. To the side of the building is large fenced outdoor area with seating and a small play park with plenty of green space, there is also a covered seating area. The history of the pub goes back centuries with the building originally being built as a working farm, it has been selling alcohol since 1875.

b) Nomination and Validation

4.4 The nomination to list The Wadkin Arms as an Asset of Community Value was received on 16 June 2025 and validated on 17 June 2025. A copy of the nomination form is attached at **APPENDIX A** and in accordance with the Assets of Community Value (England) Regulations 2012 a decision is required by 11 August 2025. The nomination from the Osgodby Village Institute was accepted on the basis of the nominating group qualifying as a charity (Registered Charity Number: 1181642), whose activities take place in the local authority area or neighbouring area.

4.5 It was established that the property is owned by Star Pubs & Bars (Heineken Ltd UK) and is operated by Punch Partnerships (PTL) Limited on behalf of Star Pubs & Bars.

4.6 It was established that the property is occupied by a landlord.

c) Site Visit

4.7 A site visit was undertaken on 27 June 2025, with the following observations made:

- During an informal discussion with a member of staff the following comments were noted:
 - Often birthday parties, celebrations & live music (visiting band) were held in the large outdoor space.
 - The kitchen in the building no longer serves food regularly – although food vans are organised to attend in the car park and are very popular.
 - There are different and regular raffles with donations from the community and local businesses.
 - The pub has a darts club and has recently introduced a weekly dart competition which are popular and have regular attendees.
 - The pub is well used by the local community and can get very busy during events.
- Whilst visiting the site a local butcher visited to deliver a meat pack for a BBQ meat raffle, this was evidenced by posters advertising the raffle.
- Internally there was evidence of sporting activities, a dart board and TV showing sports.
- There were lots of leaflets advertising activities which were visible in many areas of the pub.
- Seating inside was ample, the pub was dog friendly.
- Externally, there was a large grass area to the back and side of the building, this was enclosed by a fence with lots of picnic tables and a small play park for children, all in good condition.
- There was a covered area with seating to the rear of the building.
- The pub had toilets available for customer use.
- To the side of the building there was a large space (tarmac and gravel) for parking and often hosts food vans.
- To the front of the building there was a small outdoor seating area with a white picket fence surrounding.
- Entrance to the building is off a road but is flat and easily accessible.
- The building is in good condition with a permanent sign describing the history of the building as a public house.
- The village institute, where a range of activities were hosted, adjoined the car park
- There was a bus stop opposite the pub with busses going towards Selby.
- In the local area, and a short walk from the pub, in one direction there was a duck pond and green space a short walk from the nominated asset, in the other direction there was Selby Garden Centre and Barlby & Osgodby Methodist Church.

d) Community Value Consideration

4.8 In terms of making a decision on this matter, the nomination, together with any additional information received within the agreed timescale, has been used to assess if the property/land nominated meets the definition of community value as detailed in the Localism Act 2011 (Section 88). As the nominated site is still in use, assessment is based on the conditions at Section 88 (1) and shown below

“A building or other land in a local authority’s area is land of community value if in the opinion of the authority-

- a) an actual current use of the building or land that is not an ancillary use furthers the social wellbeing or social interests of the local community, and,
- b) it is realistic to think that there can continue to be a non-ancillary use of the building or land which will further the social wellbeing or social interests of the local community, although the use does not have to be the same.”

4.9 There are examples of pubs, as having community use and assets have been listed on this basis by local authorities. Each nomination is, however, assessed individually and it is for local authorities to determine whether each one meets the definition of community value as detailed in the Localism Act 2011.

5. CONSULTATION UNDERTAKEN AND RESPONSES

5.1 The following consultees were notified of the nomination:

- NYC Planning
- Local Land Charges
- NYC Environmental Protection
- NYC Community Safety and CCTV
- NYC Food, Farming and Health & Safety
- NYC Licensing
- NYC Localities
- Local Councillor

5.2 The nominating group also provided comments from the following local groups:

- Osgodby Residents Association
- Osgodby Heritage and History Group
- Barlby and Osgodby Town Council

NYC PLANNING

5.2 The planning service were consulted and made the following comments:

Planning history

2007/0557/FUL - Proposed erection of a decking area with solid roof covering and 20 inset lights – Permitted 24 July 2007.

No further planning history in relation to the use has been identified. Upon review of the planning history, it is noted that the lawful use of the building is public house which falls within sui generis use class.

It is also noted that the public house was nominated by Osgodby Village Institute Community Association and designated as an Asset of Community Value (ACV) on 30 July 2020 and that its listing will expire on 30 July 2025.

Planning policy

It appears from the submission that the Osgodby Village Institute is in the process of application for a community right to bid in order to have an opportunity to have a better chance to raise finance, develop a business and to make a bid to buy the pub on the open market in order to re-open the pub and potentially introduce additional facilities to be used by the community and visitors.

It is noted that the site is located within the development limits of Osgodby and planning policy SP13 B (1) of the Selby District Core Strategy supports the more efficient use of existing employment sites and premises within defined Development Limits through modernisation of existing premises, expansion, redevelopment, re-use, and intensification with policy SP14 A supporting local shops and services, including village shops and services, by resisting the loss of existing facilities and promoting the establishment of new facilities to serve the day-to-day needs of existing communities and the planned growth of communities.

Conclusion

On the basis of the above, it is therefore concluded that there are no objections to the community bid so far as planning matters are concerned.

LOCAL LAND CHARGES

5.3 A search for Local Land Charges was undertaken and the following information was obtained:

- There were two conditional planning consents from 2007 and 1982 that related to changes to covered decking/lighting and external signage for the pub.

NYC ENVIRONMENTAL PROTECTION

5.4 The Environmental Protection service were consulted and no comments were received.

NYC COMMUNITY SAFETY AND CCTV

5.5 The Community Safety and CCTV service were consulted and commented that there were no issues with the site/nomination.

NYC FOOD, FARMING AND HEALTH & SAFETY

5.6 The Food, Farming and Health & Safety service were consulted and made the following comments:

- I can confirm that the Wadkin Arms, Osgodby is currently a registered food business with North Yorkshire Council. I have no further comments to make regarding the above nomination as far as Farming, Food and Health's interests are concerned.

NYC LICENSING

5.7 The Licensing service were consulted and made the following comments:

- The above premises has the following premises licence in place:
LN/000003141
The licence holder is:

Star Pubs Trading Limited
45 Mortimer Street
London
W1W 8BE

The licence, which shows the licensable activities that can be carried out at the premises include:

- Live music
- Recorded Music
- Any Similar Regulated Entertainment
- Sale of Alcohol

We have no outstanding issues or concerns with the premises.

NYC LOCALITIES

5.8 The Localities service were consulted and made no comment.

LOCAL COUNCILLOR

5.9 The Local Councillor was consulted and made no comments.

OTHER COMMENTS

Osgodby Residents Association

5.10 Osgodby Village Institute consulted with the Osgodby Residents Association and the following comments were made:

- We are writing in full and unconditional support of the application to renominate the Wadkin Arms in Osgodby as an Asset of community Value.
- The Wadkin Arms is the only pub in the village and has been serving the community for the best part of two hundred years making it an integral part of the community and a vital social hub, the loss of which would be disastrous. It is a real asset to the community in terms of social well-being and social interests.
- Residents of Osgodby and neighbouring villages all use the pub for social events on a regular basis, with parties, baby showers, community events, craft markers and even wakes regularly being held there.
- If it were to be sold to a developer who intended to convert the site to another use (such as housing), this community-focussed business and social hub would be lost, so it is vital for the well-being of residents and the community that it is protected.

Osgodby Heritage and History Group (OOHG)

5.11 Osgodby Village Institute consulted with the Osgodby Heritage and History Group (OOHG) and the following comments were made:

- OOHG fully support the renomination of the Wadkin Arms as an Asset of community value.
- As part of a Heritage Lottery Funded Project, research has been carried out on the history of the building and its occupants dating back to the 1700's. The pub is of historic interest and has been the social hub of the village since farmer, George Morritt started selling beer from the property around 1840. Having been the focus of social gatherings and community hub for almost two hundred years it would be shameful to allow the pub to be lost to future generations.
- OOHG has contributed old photographs of the village which are displayed in the Wadkin Arms. We take part in the many community and fund raising events organised and held there. We host our Summer and Christmas Socials there, and have a team partake in the bi-weekly Quiz.
- The loss of this, the only pub in the village, would be detrimental to the community well-being and remove a well-used and much-loved place of community interaction.
- We know that the local community are proud of their heritage, and we wholeheartedly stand behind the retention of the Wadkin Arms as an Asset of Community Value.

Barlby and Osgodby Town Council

5.12 Osgodby Village Institute consulted with Barlby and Osgodby Town Council and the following comments were made:

- The Town Council, after due discussion, is pleased to support your application for the inclusion on the register. I understand there has been a hostelry on this site since the 1840's.

- It is encouraging to hear that the Wadkin Arms continues to be supported by the community as a much-valued asset, providing not only refreshment and a pleasant outdoor space, but also hosting community events such as the community Christmas event with a large festive tree.
- Community venues are more than just a meeting place, they promote inclusion and combat social isolation. The site also has the advantage of a sizeable care park which prevents congestion on the Cliffe Road and nuisance parking in the area.
- The Town Council continues to support the inclusion of the Wadkin Arms on the Register.

6. ASSESSMENT INFORMATION

6.1 In assessing the community value of the Wadkin Arms all information received has been considered.

- **CONDITION ONE - An actual current use of the building or land that is not an ancillary use furthers the social wellbeing or social interests of the local community.**

(i) Actual current use that is not an ancillary use

6.2 The actual uses were specified in the nomination and were typical of a well-used community pub. The term “ancillary use” is not defined in the Act, and it is left to each local authority to determine. In the context of assessment, the frequency, regularity and whether uses are still in place have been identified as factors for consideration. It was thought that this condition meant that the community use had to be the primary use of the asset, but this was dispelled by Judge Warren in *Firoka (Oxford United Stadium) Limited v Oxford City Council* (9 May 2014) and the test is whether the use is significant, which does not require it to be the predominant use.

6.3 The nomination states that regular and one-off events and celebrations are held here, these are listed below:

- Celebrations are held here such as Christenings and wakes.
- Dominoes
- Darts
- Quizzes
- Bingo
- Live Music
- Pensioners Christmas party
- Easter egg hunts
- Afternoon tea
- All day summer events
- Charity events
- Raffles
- Venue for food trucks

Local organisations

- Osgodby Residents Association noted that they use the venue for social events on a regular basis for events such as parties, baby showers, craft markets and wakes (see paragraph 5.10).
- OOHG notes that they take part in many community and fund-raising events as well as the bi-weekly quiz. They also host Summer and Christmas socials at the venue (see paragraph 5.11).
- Pub darts club

Other uses

- Barlby and Osgodby Town Council identified the sizeable car park prevents congestion and nuisance parking in the area.
- The nomination states that the all-day summer events draw a wide range of age groups supporting the many charitable events.

6.4 As mentioned at paragraph 4.8 the venue has a play park to the exterior of the building which would suit young children and their families.

6.5 The Wadkin Arms was used by local organisations to attend organised events.

6.6 Consultation with NYC's Planning team noted that the lawful use of the building is public house which falls within sui generis use class, and is subject the development limits that seek to maximise existing facilities to serve the day-to-day needs of existing communities and the planned growth of communities.

6.7 The information detailed in the nomination, which included supporting statements from three local organisations, was supported by evidence during the site visit and the comments of local community organisations. The information available indicates there were a wide range of current community uses for the building, that were frequent, regular and catered for different interests. The pub was accessible and there were no other pubs close by. **There is sufficient information provided to demonstrate significant actual use as a village pub, and significant social and recreational activities that are non-ancillary take place there, and therefore this criteria is met.**

(ii) Furthering social wellbeing or social interests

6.6 There are no clear definitions provided in the legislation as to what constitutes 'social wellbeing/interests' except that social interests can include 'cultural, recreational and sporting interests'.

6.7 The nomination evidences a range of social events and activities, along with a site visit it is evident that the local people consider the pub to be a valuable asset that delivers a high-quality service enhancing the social wellbeing and social interests of local residents and has for a number of years. The nomination states "the Wadkin Arms has been at the heart of social activities of the local community for 180 years". The nomination also identifies that the

Wadkin Arms “is a vibrant asset to the local community and an important part of contributing to social life and well being”.

- 6.8 In addition to the pub being a meeting place, it is a place where activities and events can take place. The type of events, activities and celebrations are noted at paragraph 6.3 and this demonstrates a wide-range of activity types the venue supports, including cultural, recreational and sporting interests.
- 6.9 The Wadkin Arms also contribute to the social interests of the community by providing the community with a large Christmas tree to celebrate Christmas.
- 6.11 Whilst the nomination did not explain in detail how the activities such as quiz, bingo nights and fundraising activities further the social wellbeing and social interests, this can be inferred. Some examples are below:
- Quizzes and bingo could promote social interests by encouraging interaction, teamwork, and friendly competition in a relaxed setting. They help build connections, reduce social isolation, and create opportunities for learning and shared enjoyment across diverse groups.
 - Fundraising activities enhance social wellbeing by providing vital resources to support community services and foster a sense of unity and purpose.
 - Paragraph 6.3 identifies how some of the local groups use the pub, however this did not include information about regularity or attendance.
 - The nomination identified that the “all day summer events draw a wide range of age groups”, other events and facilities were aimed at young children (easter egg hunt, play area) and older people (pensioners Christmas party), use of the site for live music, social and family gatherings was also identified. It is likely that, due to the variety of events, it attracts people from different demographics.
 - As noted in paragraph 4.8 ‘the pub is easily accessible with ample parking and plenty of space indoors and outdoors.
- 6.10 It is recognised in the ACV regime that “social interests” includes in particular cultural, recreational and sporting interests. The nomination identified a good number and variety of social interest and social wellbeing uses that were important and valuable to the local community, though the nomination did not include how frequent these activities were. It can be inferred that the differing uses/activities catered for a good age range of residents with differing needs and interests. The evidence suggests the Wadkin Arms supports recognised social interests and enhances social wellbeing, over a long period of time.
The uses detailed are therefore considered to further social wellbeing or social interests and this criteria is therefore met.

(iii) Local Community

- 6.14 There is no definition or guidance as to what constitutes the ‘local community’. The judgement in **Pullan v Leeds City Council (25 April 2016)** was that, in relation to the Old Cock public house, the entire town of Otley was considered to be the local community.

6.15 In terms of local community there are some references in the nomination including:

- The Wadkin Arms has been at the heart of social activities of the local community for 180 years
- It is a vibrant asset to the local community
- It supports a wide range of traditional pub activities for the local community including dominoes, darts, quizzes, bingo and live music, along with special event days such as pensioners Christmas party, an easter egg hunt or afternoon tea gatherings.

6.16 The nomination was supported by two local community groups and the local parish council (Barlby and Osgodby Town Council). These groups provided the following comments about the pub's connection to the local community:

- The Wadkin Arms is the only pub in the village
- It has been serving the community for the best part of 200 years
- Residents of Osgodby and neighbouring villages all use the pub for social events on a regular basis
- The local residents association confirmed the pub was used by local people as a venue for important family gatherings and celebrations
- OHHG host Summer and Christmas socials at the pub and also partake in bi-weekly quiz.
- The local community are proud of their heritage

6.17 The nomination form stated that the pub was a vibrant asset to the community and an important part of contributing to social life and wellbeing for local residents. The location of the pub is easily accessible by the local community with ample parking and a bus stop over the road. The site visit indicated that there were limited other venues in the village that could support social, cultural or sporting interests and there were no other public houses.

6.18 It was noted during the site visit that food trucks from outside of the local community are invited along to serve food outside of the pub.

6.19 Located on the side of the pub is a plaque detailing the history of the Wadkin Arms along with photographs. Some key points from the plaque are:

- From 1845 it was also licensed as a beer house
- In 1854 George Morritt owner the pub and his daughter Mary Ellen Morritt married Joseph Wadkin and the two of them inherited the pub in 1898
- In the 1800's the pub had stabling for 20 horses
- After several failed attempts to extend the beer house licence, it was not until 1875 that Joseph Wadkin was successful in being granted a licence to sell beer, wines and spirits to be consumed on the premises
- In 1882, The Wadkin Arms was sold to Bentleys Yorkshire Breweries Ltd

- 6.20 The Wadkin Arms receives donations from local businesses for raffles that are hosted at the pub.
- 6.21 The Wadkin Arms is clearly a cherished and vital hub for the local community, with a rich history spanning nearly two centuries. It plays a central role in fostering social connections, hosting traditional activities and special events that bring residents together. Strongly supported by community groups and the parish council. The nominating group presented information that shows the pub to be an important place for local residents, for leisure but also as a symbol of heritage and pride. ***From the information available it is therefore reasonable to determine that the identification of the local community required by the legislation is residents of the village of Osgodby and neighbouring villages, and this criteria is therefore met.***

(iv) Section 88(1) Condition One – Conclusion

- 6.22 Condition One requires that there is actual use of the building or land, that is not ancillary, furthered the social wellbeing or interests of the local community. The conclusion is based on the assessment of each component of this condition in the previous sections.
- 6.23 Evidence from the nomination, site visit, and community feedback indicates that the Wadkin Arms is used frequently and regularly for a wide range of community focused activities. These uses are central to the buildings function and serve diverse local interests. With no other nearby pubs, its accessibility and role as a venue for community engagement further support its non-ancillary use.
- 6.24 The nomination highlights a range of cultural, recreational and sporting activities at the Wadkin Arms that contribute to social wellbeing and interests. While activity frequency wasn't specified, the variety suggests a broad community engagement across age groups.
- 6.25 The Wadkin Arms is a vital social hub for Osgodby and surrounding villages, bringing the local community together through regular activities and events. As the village's only pub, it's widely used and supported by residents and community groups reflecting its long-standing role in local life and heritage.
- 6.26 **Based on the information available it is therefore reasonable to determine that there is actual use of the building or other land that is not an ancillary use furthers the social wellbeing or interests of the local community. Therefore, Condition One is met.**
- **CONDITION TWO - It is realistic to think that there can continue to be a non-ancillary use of the building or land which will further the social wellbeing or social interests of the local community, although the use does not have to be the same.**
- 6.27 The test does not require the likely future use of the relevant building to be determined but rather to determine whether future community use is one of a

number of realistic options for the building (**Patel v London Borough of Hackney and Worthy Developments v Forest of Dean DC**).

6.28 It has been established that the threshold to satisfy the “realistic to think” test is low. The First Tier Tribunal in **King v Chiltern District Council** commented that “the test is not a demanding one. “Parliament has chosen to set the bar low”.

(v) Section 88(1) Condition Two - Consideration

6.29 This criteria requires the realistic assessment that there can continue to be non-ancillary use of the building or land which will further (whether or not in the same way) the social wellbeing or social interests of the local community. Therefore, it is the assessment of whether the current uses identified under Condition One, can realistically continue, that is required.

6.30 In terms of realistic continued use, the following information has been considered:

- The building was not currently for sale or to let.
- There was no reason to believe that the local people who currently used the nominated site would not continue to use it in the future.
- The Osgodby Residents Association noted ‘the loss of the pub would be disastrous’.
- The nomination described that the pub has been at the heart of social activities of the local community for 180 years.
- There were no other public houses in the village.
- There was a limited number of other spaces/venues locally, that could be viable options to host the types of activities that currently took place at the pub.
- There were no current or historic planning applications for change of use, and no objections to the nomination so far as planning matters were concerned.
- The nomination included future ideas for the pub including essential meals and internet connection point.
- The nomination was supported by two local community groups and the local parish council (Barlby and Osgodby Town Council). These groups provided comments about the pub’s connection to the local community.

6.31 It is clear through to nomination and additional evidence from local groups that the Wadkin Arms has been a community hub for a significant period of time, perhaps since the 1840s, and no evidence was available to suggest that this could not continue.

6.32 Although the village institute is next door to the Wadkin Arms, the two venues work well together in providing the local community with events and activities which differ and complement each other. Information available alongside the nomination highlights that the Wadkin Arms is the only pub in the village.

- 6.33 The NPPF was revised by the Government in December 2024, it sets out that planning policies and decisions should enable the retention of public houses such as the Wadkin Arms.
- 6.34 The nomination indicated that the activities and events hosted at the site furthered the social interests and social wellbeing of local residents (as detailed in 6.3 - 6.21). They are successful and well-attended, emphasising that they could continue to take place.
- 6.35 Whilst it is not currently for sale, and no comments on the nomination were provided by the owner, the nominating group indicate that there is an appetite for future community-ownership. The nomination stated: "It would become a community-owned asset (by shares) and built on, the existing successful contribution to the local community as a licenced premises".
- 6.36 The nomination states that additional community support/services could be provided by the pub site, "it would be developed to include an outlet for Selby essential meals and potentially provide other local services, for example, an internet connection point to meet the needs as identified by the local community"
- 6.37 The range of facilities, activities and events supported by the Wadkin Arms were successful, current and ongoing, with no reasons provided to indicate they could not continue. The pub was clearly still actively used by the local community. The uses detailed were found to further the social interests and social wellbeing of the local community including different age groups and demographics. The Government's planning policies support the retention of public houses. Future community use is therefore one of a number of realistic options.

(ii) Section 88(2) Condition Two - Conclusion

- 6.35 As referenced at paragraphs 6.27 – 6.28 assessment is based on whether it is reasonable to determine that there can continue to be a non-ancillary use of the building or land which will further the social wellbeing or social interests of the local community, although the use does not have to be the same.
- 6.36 The pub has been a central part of village life for around 180 years, offering a central and accessible space for social interaction and community events. The pub is not currently for sale or subject to any planning applications for change of use, and planning policy supports its retention as a public house. The nomination indicates there is strong local support for its continued operation, including from community groups and the parish council. It is the only pub in the village of Osgodby, and alternative venues are limited, reinforcing its value as a social hub.
- 6.37 The nomination also outlines potential future plans to enhance the pub's community role, such as offering essential meals and internet access. These proposals, along with the ongoing successful use of the venue, support the view that continued community use is not only possible but likely.

6.38 Overall, the evidence supports a conclusion that the pub can realistically continue to further the social wellbeing and interests of the local community, and therefore Condition Two is met.

c) Consideration Of Existing Asset of Community Value Status

6.39 It is recognised that the Wadkin Arms was listed as an ACV by Selby District Council in 2020, this listing is due to expire on 29 July 2025, and the property will be removed from the ACV Register on that date. There is no provision to extend or renew an ACV listing and any subsequent re-nomination is considered individually based on the evidence and information available with the nomination. Consideration of this nomination is therefore after the previous listing has expired.

d) Conclusion

6.38 The aim of Part 5 Chapter 3 of the Localism Act and the Assets of Community Value Regulations is to encourage community-focused, local-led action to save and take over assets which are significant to them. The scheme is intended to give communities the opportunity to identify assets of community value and have them listed and, when they are put up for sale, have more time to raise finance and prepare a bid for them. These assets could include the village shop, community centre or pub but assessment is based on the evidence submitted and it is for the local authority to determine each nomination.

6.39 A valid nomination to register the Wadkin Arms, Osgodby as an Asset of Community Value was received for assessment. The assessment is whether the details within the nomination, together with any additional information received, satisfy the two criteria as detailed in the Localism Act 2011 Section 88 (1) see below:

Condition One - There is an actual current use of the building or land that is not an ancillary use furthers the social wellbeing or social interests of the local community

(See paragraphs 6.2-6.26)

6.40 The nomination and information available provided adequate evidence that the Wadkin Arms currently furthered the social wellbeing and interests of the local community in a non-ancillary way. This is summarised below:

- **Social interests and social wellbeing:** hosted regular events such as quiz nights, music nights, sporting activities, and sports screening, which foster social interaction and reduce isolation.
- **Accessibility:** easily accessible, offering disabled access.
- **Community hub:** served as a safe, central meeting place, which is especially important in a rural village location.

6.41 The information provided demonstrates a large number of actual uses of the Wadkin Arms, that are non-ancillary, and further the social wellbeing or social interests of the local community. ***This Condition is therefore met.***

Condition Two - It is realistic to think that there can continue to be a non-ancillary use of the building or land which will further the social wellbeing or social interests of the local community, although the use does not have to be the same

(See paragraphs 6.27-6.38)

6.42 The nomination and information available provided adequate evidence to support the conclusion that it is realistic to expect continued community use of the Wadkin Arms. This is summarised below:

- There were potential plans for the future including services that met community needs such as providing an internet hub
- The pub had a proven track record of success over the past five years
- The parish council, Osgodby Residents Association and Osgodby Heritage and History Group (OHHG) expressed a strong desire to retain the pub for future generations
- There were no current or historic planning applications for change of use and planning policies afforded some protection.

6.43 Future community use is one of a number of realistic options. It is therefore reasonable to determine that there can continue to be non-ancillary use of the building or land which will further the social wellbeing or social interests of the local community, noting that the use does not have to be the same as existing uses. ***This Condition is therefore met.***

6.44 The evidence demonstrates that the nomination meets the definition of community value as detailed in the Localism Act 2011. It is therefore recommended that the Wadkin Arms is listed as an Asset of Community Value and placed on the North Yorkshire Council List of Successful Nominations.

6.45 The Council must keep the list under review and remove assets as soon as practicable considering any circumstances that may change the opinion that land/property listed is of community value.

7. ALTERNATIVE OPTIONS CONSIDERED

7.1 None. In considering the nomination for The Wadkin Arms the Council's responsibilities required by the Localism Act 2011 and The Assets of Community Value (England) Regulations 2012, are discharged.

8. IMPACT ON OTHER SERVICES/ORGANISATIONS

8.1 If successful, the fact that land/property is listed as an Asset of community Value may be taken into account as a material consideration for any future planning application.

9. FINANCIAL APPLICATIONS

- 9.1 If the decision is to list the property, the owner can make a claim for compensation for which the Council is liable.

10. LEGAL IMPLICATIONS

- 10.1 If the property is placed on the List of Successful Nominations all parties will be advised of the outcome of the decision, and the council's reasoning for it.
- 10.2 The owner will be advised of the implications of the listing, and the right to seek a review of the council's decision. This is required to be within 8 weeks of the decision.
- 10.3 The listing will be registered as a Local Land Charge against the property/land and an application made to the Land Registry to enter details on the title to the property/land.
- 10.4 If the property/land is listed the council is required to apply to the Land Registry for entry of a restriction on the Land Register. This restriction will be in a form of wording in Schedule 4 to the Rules, as Form QQ. This is "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". An owner of previously unregistered listed land, who applies to the Land Registry for first registration (or a mortgagee who applies for first registration on behalf of the owner), is required at the same time to apply for a restriction against their own title. The local authority is also required to apply to the Land Registry for cancellation of the restriction when it removes an asset from its list.
- 10.5 If the property/land is listed and the owner/leaseholder wishes to dispose of it, they must notify the council. Once this has taken place an interim moratorium period (6 weeks) will apply where disposal of the property may not take place (except if sold to a community interest group which can take place at any time). If, before the end of the interim moratorium period the council receives a written request from a community interest group to be treated as a potential bidder then a full moratorium period applies. Disposal may then not take place within 6 months from the date the Council receives notification from the owner (except if sold to a community interest group).
- 10.6 When a listed asset is disposed of, and a new owner applies to the Land Registry to register change of ownership of a listed asset, they will therefore need to provide the Land Registry with a certificate from a conveyancer that the disposal (and any previous disposals if this is the first registration) did not contravene section 95(1) of the Localism Act (the moratorium requirements).

11. EQUALITIES IMPLICATIONS

- 11.1 There are no equalities implications.

12. CLIMATE CHANGE IMPLICATIONS

12.1 There are no climate change implications.

13. CONCLUSIONS

13.1 The owner and other parties will be informed of the decision.

14. REASONS FOR RECOMMENDATIONS

14.1 The evidence demonstrates that the nomination for The Wadkin Arms, Osgodby (NYCACV0062) meets the definition of community value as detailed in the Localism Act 2011.

15. RECOMMENDATIONS

It is recommended that the Head of Localities::

- (i) Determines that the nomination for the Wadkin Arms, Osgodby (NYCACV0062) is successful and meets the definition of community value as detailed in the Localism Act 2011
- (ii) It should be placed on the North Yorkshire Council Assets of Community Value List of Successful Nominations

APPENDICES:

Appendix A – Nomination Form and Site Plan

BACKGROUND DOCUMENTS:

Localism Act 2011

The Assets of Community Value Regulations (England) 2012

Community Right to Bid: Non-statutory advice note for local authorities

Head of Localities - Marie-Ann Jackson

County Hall

Northallerton

11 August 2025

Report Author – Claire Wilson & Charlotte Large

Presenter of Report – Claire Wilson & Charlotte Large

Website/references:

<https://www.legislation.gov.uk/ukpga/2011/20/contents>

<https://www.legislation.gov.uk/uksi/2012/2421/regulation/5/made>

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates>
https://www.researchgate.net/publication/273167768_Community_Cohesion_and_Village_Pubs_in_Northern_England_An_Econometric_Study
<https://www.facebook.com/TheWadkinArms/>
<https://osgodbyvillage.uk/>

Community Right to Bid: Assets of Community Value

Nomination Form

(Office use only) ACV Ref: _____

Section 1: About your organisation

1A. Contact Details

Please provide basic contact details for your organisation

Name of the organisation	OSSODBY VILLAGE INSTITUTE
Organisation postal address	WIFFE RD. OSSODBY SELBY YO8 - 5HU
Organisation website	osgodby.village.institute.uk
Named contact for the organisation	[REDACTED]
Position of named contact within the organisation	Treasurer
Telephone number for named contact	[REDACTED]
Email address for named contact	[REDACTED]

1B. Organisation type

Please place an 'X' in the middle column against the appropriate organisation type

Organisation Type	X	Registration number of charity/company (if applicable)
<p>Parish Councils</p> <p>This may be for an asset in its own area, or in the neighbouring Parish Council area</p>		<p>BAWLEY OSFORDS TOWNS COUNCIL</p>
<p>Neighbouring Parish Councils</p> <p>If the Parish Council borders an un-parished area, then they may nominate an asset within the neighbouring District Council or Unitary Council.</p>		
<p>Un-incorporated groups</p> <p>Nominations can be accepted from any un-incorporated group with membership of at least 21 local people who appear on the electoral roll within the local authority, or a neighbouring local authority. This will for instance enable nomination by a local group formed to try to save an asset, but which has not yet reached the stage of acquiring a formal charitable or corporate structure.</p> <p>Please complete additional form in Appendix 1 if this applies to you.</p>		
<p>Neighbourhood Forums</p> <p>There can only be one neighbourhood forum for an area and the way they are set up is clearly defined by the Council as a planning authority. The procedure for becoming a neighbourhood forum is set out in Section 61F of the Town and Country Planning Act 1990.</p> <p>Please complete additional form in Appendix 1 if this applies to you.</p>		
<p>Community interest groups with a local connection</p> <p>These must have one or more of the following structures:</p> <ul style="list-style-type: none"> • A charity • A community interest company • A company limited by guarantee that is non-profit distributing • An Industrial and Provident Society that is non-profit distributing/Community Benefit Society <p>Please complete additional form in Appendix 1 if this applies to you.</p>	<p>X</p>	<p>Charity Commission Ref - 1181642.</p>

1C. Local connection

Additionally, your organisation is required to have a local connection. This means that its activities are wholly or partly concerned with the administrative area of North Yorkshire or a neighbouring local authority. Please provide details about your organisation's local connection.

Details regarding local connection
<p>Osgodby Village Institute has a long association with both the village and the residents of Barlby & Osgodby Parish. It is a community building held in trust since 1930 for all to use, run by volunteers.</p> <p>This event space is extremely well used seven days a week for regular daytime and evening classes along with one off party events and meetings.</p> <p>We work with the local council and businesses including the Wadkin Arms to host community based activities ideal for all age groups contributing to alleviating loneliness and social exclusion, helping the overall social wellbeing of the community.</p>

Finally, please provide, if available, a copy of your organisation's rules/constitution. Please indicate which documents you intend to provide below by placing an 'X' against the relevant document type.

Type of document	X
Memorandum and Articles of Association (for a company)	
Trust Deed (for a trust)	
Constitution and/or rules (for other organisations)	X
Other	

Section 2: About the asset

Section 2A: Basic details



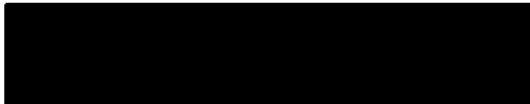
Please provide basic details about the asset

Type of land/building (for example, pub, shop)	PUBNIA HOUSE
Name of the premises	THE WADKIN ARMS
Address of the premises	WHIFFE RD, OSGODBY, SELBY YO8 5HU

In addition to the above information, please attach a clear plan which identifies the land/buildings you wish to nominate with a line drawn around the boundary of the area you wish to nominate. This could be a Title Plan from Land Registry, or any other map which gives us enough detail to identify the site.

Section 2B: Ownership

Please provide details about the asset's ownership, if it is known to you

Name of the owner	
Address of the owner	
Contact details for the owner	
Name of any other occupier	 - LANDLORD
Name of any other person with an interest in the premises	 MANAGER
Address of any other person with an interest in the premises	
Contact details for any other person with an interest in the premises	

Section 2C: The premises as an Asset of Community Value

Please explain why you feel the land/premises meets the definition of an Asset of Community Value. Provide as much information as possible. Please note, it is likely that these comments will be shared with the asset owner.

ACV Definition

A building or other land in a local authority's area is considered land of community value if, in the opinion of the authority:

- (a) an actual current use of the building or other land – that is not an ancillary use – furthers the social wellbeing or social interests of the local community; and
- (b) it is realistic to think that there can continue to be a 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.

If there is no current use:

- (c) The definition is extended to land which has furthered the social wellbeing or social interests of the local community in the recent past, and which it is realistic to consider will do so again during the next five years.

How does the current main use of the building/land – or a use in the recent past – further the social interests or social well-being of the local community?

The Dodkin Arms has been at the heart of social activities of the local community for 180 years. Its heritage is of a farm house which served as a Beer House since 1840 + since 1878 has been a licensed establishment for the sale of beer wines + spirits. The Dodkin Arms is a vibrant asset to the local community and an important part of contributing to social life + wellbeing. It is a place for celebrations including christenings through to the lives of those who have passed away. It supports a wide range of traditional "pub activities" dominoes, darts, quiz, bingo + live music with special events days - pensioners xmas party - easter egg hunt + afternoon tea. All day summer events draw a wide range of age groups supporting the many charitable events contributed too.

Please see attached 3 letters of support from
Bartho Osgodby Town Council
Osgodby Residents Association
Osgodby Heritage + History Group.

Please explain how there can continue to be a main use of the building/land which will further the social interests or social wellbeing of the local community, whether or not this is in the same way as before.

It would become a community-owned ^{asset} (by shares) and built-on the existing successful contribution to the local community as a licensed premises. It would be developed to include an outlet for selling essential supplies, the nearest shop being 1.5 miles away & resume serving meals? & potentially provide other local services (for example, internet collection point) to meet the needs as identified by the local community.

If not currently used for the purposes listed above, is it realistic to think that within five years the building/land can be brought back into a use that furthers the social interests or wellbeing of the local community, whether or not in the same way as before?


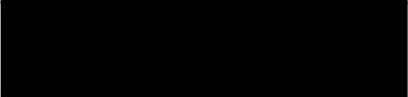
Section 3: Checklist and Declaration

In addition to the form, please confirm any attachments if provided.

Document	
Copy of organisation's constitution/rules/other	X
A clear plan defining the land/premises being nominated	X

Finally, in order to confirm that the information contained within this nomination form is correct and complete and that the required documents are attached, an appropriate authorised officer must sign the below declaration.

We can accept electronic signatures.

Full name	
Signature	

Please return this form and any accompanying materials to the appropriate e-mail address below:

AssetsofCommunityValue.NYC@northyorks.gov.uk

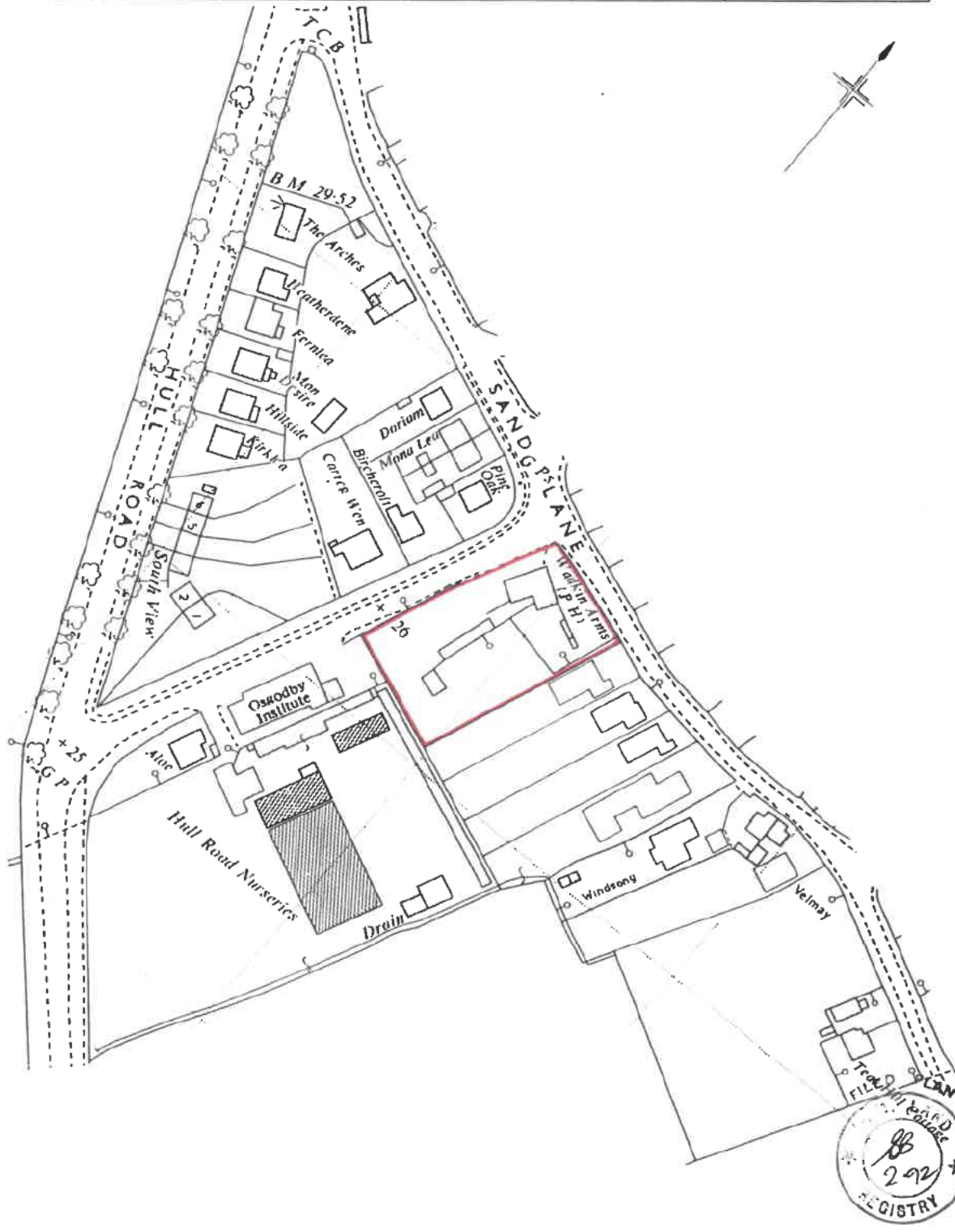
Before completing this form, please check the guidance notes at the end of the document. If you require any assistance, please contact AssetsofCommunityValue.NYC@northyorks.gov.uk

Privacy notice

Please retain a copy of this form for your records and should your circumstances or contact details change then please let the appropriate contact officer know.

This information will be held in accordance with NYC Privacy Notices.

H.M. LAND REGISTRY		TITLE NUMBER	
		NYK 115344	
ORDNANCE SURVEY PLAN REFERENCE	SE 6433	SECTION D	Scale 1/1250 Enlarged from 1/2500
COUNTY NORTH YORKSHIRE	DISTRICT SELBY	© Crown copyright 1989	



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Re: Renomination of the Wadkin Arms, Osgodby as an Asset of Community Value

We are writing in full and unconditional support of the application to renominate the Wadkin Arms in Osgodby as an Asset of Community Value.

The Wadkin Arms is the only pub in the village and has been serving the community for the best part of two hundred years making it an integral part of the community and a vital social hub, the loss of which would be disastrous. It is a real asset to the community in terms of social well-being and social interests.

Residents of Osgodby and neighbouring villages all use the pub for social events on a regular basis, with parties, baby showers, community events, craft markets and even wakes regularly being held there.

If it were to be sold to a developer who intended to convert the site to another use (such as housing), this community-focussed business and social hub would be lost, so it is vital for the well-being of residents and the community that it is protected.

Yours faithfully,

Osgodby Residents' Association

Re: Renomination of the Wadkin Arms, Osgodby as an Asset of Community Value

Osgodby Heritage and History Group (OHHG) fully support the renomination of the Wadkin Arms as an Asset of Community Value.

As part of a Heritage Lottery Funded Project, research has been carried out on the history of the building and its occupants dating back to the 1700s. The pub is of historic interest and has been the social hub of the village since farmer, George Morrith started selling beer from the property around 1840. Having been the focus of social gatherings and community hub for almost two hundred years it would be shameful to allow the pub to be lost to future generations.

OHHG has contributed old photographs of the village which are displayed in the Wadkin Arms. We take part in the many community and fund raising events organised and held at there. We host our Summer and Christmas Socials there, and have a team partake in the bi-weekly Quiz.

The loss of this, the only pub in the village, would be detrimental to community well-being and remove a well used and much loved place of community interaction.

We know that the local community are proud of their heritage and we wholeheartedly stand behind the retention of the Wadkin Arms as an Asset of Community Value.

Osgodby Heritage & History Group

BARLBY AND OSGODBY TOWN COUNCIL

Council Manager : Mrs Dianne Dumbell
Barlby Library and Community Hub
Howden Road, Barlby, SELBY, Y08 5JE
Tel/Fax : 01757 213121
Email : barlby.pc@btinternet.com

[REDACTED]
Osgodby Village Institute
Cliffe Road
SELBY
Y08 5HU

31st March 2025

[REDACTED]

Wadkin Arms – Asset of Community Value

Thank you for your recent correspondence outlining the case for re-registration of the Wadkin Arms (and associated land) on the North Yorkshire Council Community Asset Register.

The Town Council, after due discussion, is pleased to support your application for inclusion on the Register. I understand that there has been a hostelry on this site since the 1840's.

It is encouraging to hear that the Wadkin Arms continues to be supported by the community as a much valued asset, providing not only refreshment and a pleasant outdoor space, but also hosting community events such as the community Christmas event with a large festive tree.

Community venues are more than a just a meeting place, they promote inclusion and combat social isolation. The site also has the advantage of a sizeable car park which prevents congestion on Cliffe Road and nuisance parking in the area.

The Town Council continues to support the inclusion of the Wadkin Arms on the Register and wishes you well with the application.

Please don't hesitate to contact me if I can be of any further assistance.

Yours Sincerely

D E Dumbell

Council Manager