

North Yorkshire Council

3 October 2025

Assessment of Asset of Community Value Nomination *NYCACV0066 Ye Olde Sun Inn, Colton, LS24 8EP*

Report to the Head of Localities

1. PURPOSE OF REPORT

- 1.1 To determine whether Ye Olde Sun Inn, Colton, should be placed on the Council's List of Assets of Community Value (ACVs) under the Localism Act 2011, following a nomination from Colton Village Community Group Limited, a qualifying nominator, validated on 11 August 2025.

2. SUMMARY

- 2.1 The nomination is for Ye Olde Sun Inn, Colton. The recommendation is that the Head of Localities:
- (i) Determines that the nomination for Ye Olde Sun Inn, Colton (NYCACV0066) is unsuccessful and does not meet 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 Unsuccessful 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) during which a community interest group bid for the asset. The purpose is to create a "window of opportunity" 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 Ye Olde Sun Inn, Colton, LS24 8EP, as required by the Act.

4. NOMINATION CONSIDERATION

a) Description of asset

- 4.1 The small parish of Colton is close to Tadcaster. According to the Office for National Statistics there are 200 people in Colton (based on 2022 mid-year population estimates). It is close to the major A64 road which links Leeds, York and Scarborough.
- 4.2 The nomination is for Ye Olde Sun Inn, Colton. The building is currently used as a bar, bookable venue, distillery and accommodation. It is not currently open day to day to the public, it opens for pre-booked events, and it opens to the public as a bar on a Friday and Saturday night. It is a prominent building on a large plot on the main road through the village. The building has previously been a traditional public house, with longer opening hours, serving food and drink.
- 4.3 The nominated building is Grade II Listed Building. Except for a church, there are not any other services in the village of Colton. There is limited public transport links which is limited to a bus service with buses travelling to and from York in the daytimes.
- 4.4 The website for Ye Olde Sun Inn stated that since 2022 it has been known as “Ye Old Sun Inn, The home of Fairfax Distillery” and “Unfortunately we no longer open for casual visits on a daily basis, instead we are open for events and key dates throughout the year”. The events advertised at the time of writing this report were blending sessions (two per month), cocktail masterclasses (one per month) and a set menu for Christmas day. The website also noted the venue could be hired for special events and there was accommodation for up to four people available in the “Barn Studio”.

b) Nomination and Validation

- 4.5 The nomination to list Ye Olde Sun Inn, Colton as an Asset of Community Value was received on 8 August 2025 and validated on 11 August 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 5 October 2025..

- 4.6 The nomination on behalf of Colton Village Community Group Limited was accepted on the basis of the nominating group qualifying as a Community Benefit Society (Registration Number 9482), satisfying Section 89 (2)(b) of the Localism Act 2011.
- 4.7 It was established that the property was owned by the occupiers Ashley and Kelly McCarthy. This was confirmed through a Land Registry search (Title Number NYK117076).

c) Site Visit

- 4.8 A site visit was undertaken on 19 August 2025, with the following observations made:
- Colton was a small, quiet village
 - The building had plenty of parking spaces including disabled bays
 - There was a section of land (to the right of the building when looking at it from the road) that appeared to be unused, it was confirmed that this came under the same Title
 - On the opposite side to the carpark there was a large outdoor seating area, with more outdoor seating area to the front of the building, there was well- used picnic benches and outdoor furniture
 - Accessible building with grab handles on entrance to the building and also ramp to assist with step
 - There were bus stops about 100m away with a fairly regular buses to York
 - Locally there was a church, there were no other pubs, shops, cafes or services in the village
 - The nominated site was in a residential area
 - No posters suggesting events/activities or opening times
 - The building was not open to the public at the time of visiting/no internal inspection undertaken
 - There appeared to be various seating areas, bar/restaurant areas inside
 - To the left of the property there was a large summerhouse adjoining the outdoor seating area, this had a plaque from “pub is the hub” that stated “This pub has been recognised for its important role at the heart of local community services”
 - The signage on the building was “Ye Old Sun Inn. The Home of Fairfax Distillery. Distillery & Chocolatiers. Distillery, Bar & Venue. www.fairfaxdistillery.co.uk”
 - There was a sticker in the window displaying the business was a Member of the British Institute of Innkeeping for 2025
 - There were two noticeboards in the village, there were no posters or notices advertising community events at the pub or any other venues locally

Community Value Consideration

- 4.9 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):

Section 88(1):

“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.”

Section 88(2):

“A building or other land in a local authority's area that is not land of community value as a result of subsection (1) is land of community value if in the opinion of the local authority—

- a) there is a time in the recent past when an actual use of the building or other land that was not an ancillary use furthered the social wellbeing or interests of the local community, and
- b) 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 or other land that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.

4.10 There are many examples of public houses and shops 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 (Communities Team)
- Local Councillor

- 5.2 A detailed objection to the nomination was received from the owner, this submission included nine emails/letters from others raising objections to the nomination.
- 5.3 Letters in support for the nomination were received from the local Parish Council and the Member of Parliament.

NYC PLANNING

- 5.4 The Planning Service were consulted and made the following comments:

Planning history

The relevant planning history is set out below:

CO/1986/1233

Alt ref: 8/77/27B/PA

Description: Proposed alterations and extension

Decision: PER

Decision Date: 05-JAN-87

CO/1986/1234

Alt ref: 8/77/27C/LB

Description: Listed building consent for alterations and extension

Decision: PER

Decision Date: 05-JAN-87 CO/2001/1210

Alt ref: 8/77/27F/PA

Description: Retrospective application for the retention of a polytunnel

Decision: PER

Decision Date: 20-FEB-02

2005/0742/COU

Alt ref: 8/77/27G/PA

Description: Change of use of existing storeroom to shop unit (A1)

Decision: PER

Decision Date: 17-AUG-05

2005/1182/FUL

Alt ref: 8/77/27H/PA

Description: Proposed change of use of storehouse into living accommodation

Decision: PER

Decision Date: 05-JAN-06

2006/0456/FUL

Alt ref: 8/77/27L/PA

Description: Resubmission of previously withdrawn application 8/72/27K/PA for the erection of raised decking to create external drinking area

Decision: PER

Decision Date: 19-MAY-06

2009/1121/FUL

Alt ref: 8/77/27P/PA

Description: Change of use of existing dairy shop to enlarge the kitchen and provide staff toilet facilities to public house together with extension to provide food preparation area and conversion of part of public house together with an extension to create new dairy shop and additional seating area for public house

Decision: PER

Decision Date: 19-APR-10

2009/1122/LBC

Alt ref: 8/77/27Q/LB

Description: Listed Building Consent for extensions to the side and internal alterations including removal of internal walls and the creation of a new doorway

Decision: PER

Decision Date: 19-APR-10

2010/1125/DPC

Alt ref: 8/77/27R/PA

Description: Discharge of conditions 2 (archaeology scheme of investigation), 3 (materials), 4 (painting finish) and 5 (materials) in relation to approval 8/77/27P/PA (2009/1121/FUL) for works

Decision: COND

Decision Date: 17-NOV-10

2010/1125/DPC

Alt ref: 8/77/27R/PA

Description: Discharge of conditions 2 (archaeology scheme of investigation), 3 (materials), 4 (painting finish) and 5 (materials) in relation to approval 8/77/27P/PA (2009/1121/FUL) for works

Decision: COND

Decision Date: 17-NOV-10

2013/0856/FUL

Alt ref: 8/77/27W/PA

Description: Erection of a 2 storey dwelling and associated parking, following demolition of existing lean to shelter

Decision: REF (Allowed on appeal (APP/N2739/A/14/2214302) dated 11.08.2014)

Decision Date: 16-OCT-13

2014/1178/DPC

Alt ref: 8/77/27Y/PA

Description: Discharge of conditions 1 (time), 2 (drawings), 3 (materials), 4 (access) and 5 (boundary) of approval 2013/0856/FUL for erection of 2 storey dwelling and associated parking following demolition of existing lean-to shelter

Decision: COND

Decision Date: 05-FEB-15

2017/1264/FUL

Alt ref: 8/77/27AC/PA

Description: Retrospective application for a 3 year temporary permission to site a log cabin

Decision: PER

Decision Date: 11-MAY-18

2020/0348/FUL

Description: Application for alterations to existing car park (retrospective)

Decision: PER

Decision Date: 26-FEB-21

2022/0426/FUL

Description: Erection of 1 No dwelling

Decision: REF

Decision Date: 15-MAY-23

ZG2024/0127/TNO2

Description: Five day notice to fell 1No Willow tree and 1No Ash tree covered by TPO 2/2017 (part retrospective)

Decision: PER

Decision Date: 09-FEB-24

Upon review of the planning history, it is noted that the lawful use of the building is a public house which falls within sui generis use class.

Planning policy

It appears from the submission that the Colton Village Community Group Limited is in the process of application for a community right to bid in order to have an opportunity to develop a business and to make a bid to buy the pub on the open market in order to re-open the pub to the general public, 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 Colton and planning policy SP13B(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 SP14A 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.

LOCAL LAND CHARGES

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

- There were 18 local land charges that related to planning applications at Ye Olde Sun Inn plus one relating its status as a Listed Building

NYC ENVIRONMENTAL PROTECTION

- 5.6 The Environmental Protection service was consulted, and no comments were received.

NYC COMMUNITY SAFTY AND CCTV

- 5.7 The Community Safety and CCTV service were consulted and confirmed there were no concerns from a Community Safety perspective.

NYC FOOD, FARMING AND HEATH & SAFETY

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

I can confirm that the Ye Old Sun Inn is currently a registered food business with North Yorkshire Council and the premises is subject to routine food hygiene inspections.

I have no further comments to make regarding the above nomination as far as Farming, Food and Health's interests are concerned.

NYC LICENSING

- 5.9 The Licensing service were consulted and made the following comments:

- Confirmed there was a license in place for the provision of regulated entertainment, late night refreshment and the retail sale of alcohol on and off the premise
- The licence holder was currently Ashley McCarthy of Ye Olde Sun Inn, who was also the designated premises supervisor

NYC COMMUNITIES TEAM

- 5.10 The Communities Team was consulted and they provided the following response:

Colton is a fairly isolated and small community (c.200 residents in 2022 mid-year estimates in 80 households 2021 Census). A high proportion of residents are economically active / in employment (67.6%), and only 7.2% do not have a car or van. However, there are only two buildings able to potentially offer community space – the Church and the pub. The loss of the pub as a social space would therefore make it more likely that people travel out of the village for social interaction, diminishing the ability to forge local connections and support networks of the type which were so vital during covid. Although only a small proportion of residents (2.4%) state that their health is bad or very bad there are a number of residents providing

significant unpaid care. Our communities are generally ageing and declining health and the risk of isolation can hit those used to managing a very independent life, commuting for work and leisure very significantly. It appears that community members are taking action, which has succeeded in other places, to reduce the risk of this happening in Colton. The community skill base appears strong but the small size of the community will make the challenge of potentially running a community pub challenging.

LOCAL COUNCILLOR

5.11 The Local Councillor was consulted, and no comments were received.

OWNERS OBJECTION TO NOMINATION

5.12 The owners submitted 100 pages of information in response to the nomination. The owners strongly opposed the nomination as an ACV. Their submission included the following:

- A direct response to the information submitted by the nominating group
- A document detailing customer numbers and turnover for the previous five months
- A timeline detailing business operations/dialogue with local people
- Copies of emails and screenshots of messages to and from local people about the operations of the pub and its future
- A newspaper article from 2019 “Award-winning free house on sale for £900k”
- A screenshot showing a podcast with five episodes available
- An email from NYC enforcement from January 2025 detailing that the current operations (distillery) were a breach of planning control and retrospective planning application was required to remedy this
- Copies of nine different letters/emails objecting to the ACV nomination

5.13 Where relevant, information provided by the Owners will be considered in the assessment of the nomination.

PARISH COUNCIL COMMENTS

5.14 The local Parish Council of Bolton Percy, Colton and Steeton submitted a letter of support in response to the nomination. This included the following points:

- Colton is a close-knit village, and Ye Olde Sun Inn is centrally located, making it ideal as a community hub offering various services.
- If, in the future, the nominating group acquired the pub, the Parish Council would expect its uses to benefit the entire village and surrounding areas, and align with the ACV criteria of furthering social well-being and social interests

- The Parish Council would expect a secure and viable business plan to be implemented

MEMBER OF PARLIAMENT

5.15 The local Member of Parliament, Sir Alec Shelbrooke, submitted a letter of support in response to the nomination. This included the following points:

- The public house dated back to 1700s and was an important, historic building
- Apart from the church, it is the only other public amenity available to the residents of Colton
- The pub had a long history as a vital community hub
- The pub plays an essential role in hosting many local events and meetings (coffee mornings, village shows, music nights, quiz nights, seasonal celebrations)
- Loss of the facility would be devastating for the community
- The pub was a lynchpin for the community during Covid
- The building should be protected so it can continue to serve the village and the wider community in the future

6 ASSESSMENT INFORMATION

6.1 In assessing the community value of Ye Olde Sun Inn, Colton all information received has been considered.

a) Section 88(1) 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 by the owner, the operation is not typical of a village pub because the business focus has shifted to a distillery, chocolate shop and venue space. Times when the building is open as a public bar are limited and not widely advertised. 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 Ye Olde Sun Inn is Colton’s only pub and has a central location in the village. The uses identified in the nomination are listed below:

- Community events including Santa Claus meet and greets and gingerbread house making
- Colton's Got Talent - community talent show live music performances (in 2018)
- Beer festivals and meet the brewer events
- Coffee mornings
- Quiz nights
- Special occasion event (Xmas, Mother's & Father's Day)
- New Year's Eve celebrations
- Charity events
- Screenings of sporting events
- A place where local people are employed
- Family gatherings including post funeral receptions
- B&B stays for visiting relatives
- Takeaway, shop & bakery (during Covid pandemic)
- Church meetings

6.4 The owner responded to the nomination with details of the current and past uses of the property. This is summarised below:

- Most of the uses listed in the nomination were no longer active and had not occurred for several years (some for 8–10 years)
- Some activities ceased after the Covid pandemic and had not resumed
- A football tournament was screened in a marquee outside the pub but led to fights, making it problematic
- Coffee mornings had not taken place since December 2023, three people regularly attended
- Church meetings were rare, only two in 21 years, and only been held at the pub due to church building maintenance.
- A charity event for Yorkshire Air Ambulance was hosted in 2018 as a one-off village-wide event, not a recurring one.
- Current/ongoing uses included:
 - Venue hire (though no events for local residents since 2017)
 - Self-catering accommodation
 - Open for pre-bookings (meals) and public bar on 'special days' e.g., Xmas, Mother's/Father's Day – local people offered a complementary drink on Xmas day (no take up for last two years)
 - Potential future events: Meet Santa and Mother's Day in 2026
 - Public bar open on Friday and Saturday nights, sometimes including pop-up pizza and classic pub food
 - Distillery and chocolatiers (production and online shop), and open for pre-booked distilling and cocktail masterclass evenings
 - Location for annual Morris Dancing
 - Sale of activity kits for children/workshops (easter egg decorating/gingerbread houses)
 - Self-catering accommodation
 - Coach trip stop
 - Employer of local people (residents of Colton and surrounding villages)

- 6.5 The owners confirmed that they had been closed for casual drinking/dining from January 2024. From March 2025 they had opened the pub bar on Friday and Saturday evenings, and there had been a dialogue/meeting with local residents about this. The owners provided a summary of customers who attended the pub/bar recently. An estimate based on the information provided is that 130 local people attended over a period of 21 weekends from March to August 2025, this represents an average of six each weekend, although these are not necessarily unique/different visitors. Information provided by the owners noted that “there has only been 4 households that have consistently been in to support us, at other times there has only been the addition of 5 other households that have occasionally used the pub over this period.” The owners also noted that, for events such as Mother’s Day, there were 58 customers, and this included one household from the village. It appeared that there was one weekend where there were no customers at all and one or two where no local residents visited the pub.
- 6.6 The owners referred to the unused land included within the Title and nomination boundary, and made the following request, “Upon considering this ACV Nomination, could you please look at the unused land within the boundary, can this be taken out of the nomination as this has no community value to the pub, business or village.” From the site visit it did appear this was unused, and this area, particularly its use or value was not explicitly referenced in the nomination.
- 6.7 The site visit highlighted there were no other pubs, restaurants or public buildings in the village, except for a small church. The site visit did not produce evidence of activities taking place at Ye Olde Sun Inn, highlighted an area of unused land and demonstrated the pub was advertised as a “Distillery & Chocolatiers. Distillery, Bar & Venue.”
- 6.8 Consultation with NYC Planning confirmed its lawful use was a public house.
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- 6.9 The information provided by the owners indicated some of the uses/events mentioned in the nomination were one-off or infrequent and/or had not taken place for a number of years, in some cases for ten years. The owner’s response to the nomination detailed the regular, limited opening times as a public bar from March 2025 to the present day. Information about turnover and attendance indicated limited use of site by local people recently, despite a lack of other options. However, this was also unsupported by evidence, and the small numbers attending should be considered in the context of Colton’s small population estimate which is just 200 people.
- 6.10 It appears that the main use of the building is as a distillery, for bookable events, venue hire and self-catering accommodation. It is open to the public

on two nights of the week, however the uses identified in the nomination do not appear to take place during these times nor does it appear to be well-used by the community during these times or booked as a venue for community focussed events outside of these times.

- 6.11 The pub currently had limited times when it was open for use by the local community for casual socialising and there was no significant evidence or examples of it being used by or for the local community as a venue for activities, events or regular, frequent use by any local community groups, despite a lack of other options. **There is insufficient information provided to demonstrate community use as a significant actual use that is non-ancillary and therefore this element of the criteria is not met.**

(ii) Furthering social wellbeing or social interests

- 6.15 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'.
- 6.16 In order to be listed as an ACV, the property must be actually used, or used in the recent past, for an activity furthering the social wellbeing or interests of the local community. There is a view that pubs are social settings in themselves and are places where people go to drink and socialise, conversely there are issues around the detrimental health and social impacts of alcohol. These factors are considered in the context of each individual pub nomination. As noted in the previous section the nominated site was only operating as a pub two evenings each week.
- 6.17 The nomination states that "the pub is an integral and longstanding part of the village life valued not just for its historical significance but for its social economic and communal contributions generations of residents have seen the pub as a key element of the village's identity character and cohesion".
- 6.18 The nomination provided the following information linked the nominated site furthering the social wellbeing and interests of the local community:
- Generations of residents have seen the pub as a key element of the village's identity character and cohesion
 - It fostered community interaction enhancing well-being
 - A way for new residents to make friends and connections
 - Hosted seasonal and community events (Santa Clause meet and greets, gingerbread house making and easter egg decorating)
 - Supportive role during Covid (bakery, shop and takeaways, particularly useful for those unable to travel)
 - Free coffee mornings to bring people together and help with loneliness
 - Crucial in supporting social inclusion and community resilience (particularly beneficial to people/families moving into the village)
 - The nomination stated the following: "If this application is not approved and the building is lost for community use, the impact on Coltons social infrastructure would be severe. The village has no comparable facility.

To replace the role that the pub plays in promoting community cohesion, well-being and inclusion. Its loss would mean the disappearance of the only regular meeting place where residents can gather informally or for organised events. Vulnerable groups, including the elderly, those without private transport and young people with limited local options would be disproportionately affected, facing increased isolation, reduced access to social support and feel opportunities for meaningful community participation.”

- 6.19 The statement above from the community group indicates that loss of site would impact the elderly, those without transport and young people disproportionately, however there was no significant evidence that the nominated site was currently used by these or other groups or that the pub currently played a significant role in promoting community cohesion, well-being and inclusion. The pub was currently open for informal socialising twice a week and could be hired for by groups or individuals for special events at any time, there was no evidence provided that these uses took place in any significant way. In addition, the building is still available to the local community to use in a variety of ways and therefore activities continuing, increasing or evolving are not dependent on the buildings’ status as an ACV.
- 6.20 As noted at paragraph 6.3, the nomination provided some examples of recreational and cultural activities such as screenings of sporting events, charity events and a talent show, however detail around frequency and attendance is missing, there was no supporting evidence provided and the owners noted many of these were one-off events and/or not current. The nomination information and letter of support from the MP noted the value of community activities and community uses, including its supporting role during covid. The owners noted that these were infrequent and not recent. The owner also noted that some special events had been problematic and therefore had not been repeated. Morris Dancers visiting the pub annually would be considered a cultural activity and therefore a recognised social interest.
- 6.21 There was some current use by the community through attending the pub for drinks or pizzas during the limited opening hours. In addition, up until December 2023, there were free coffee mornings that were intended to relieve loneliness, although the owner reported that these were not well-attended.
- 6.22 The nominating group provided a list of signatures supporting the nomination, and letters of support were received from the local MP and Parish Council. Whilst these demonstrated support for the nomination itself, there was little information within these that demonstrated or evidenced uses that further social wellbeing or social interests. However, this support for the nomination suggests that the community regards it as an important, familiar and valued local landmark. On the site visit there was a plaque from “pub is the hub” that stated, “This pub has been recognised for its important role at the heart of local community services”, this recognition was not dated or referenced in the nomination or by the owner.

- 6.23 The nomination, MP letter and response from NYC Communities all reference the limited options for socialising/events available in the small village of Colton. It is likely that this adds to the importance of Ye Olde Sun Inn as a social venue in Colton. However, other than that fact that it is the only pub/hospitality venue locally, the nomination lacks evidence that demonstrates how it furthers social interests and social wellbeing.
- 6.24 It is recognised in the ACV regime that “social interests” include, in particular, cultural, recreational and sporting interests. The nomination identifies limited examples of social interest uses, which appear to be infrequent, not recent and not well-evidenced. Considering social wellbeing uses, an example provided was a coffee morning that was free for members of the local community, but it was not well-attended and was no longer taking place. The nomination and MP letter noted that it was the only pub in the village and is a vital asset, despite this, it does not appear to be well-used. **Overall, there is insufficient evidence to demonstrate uses that further the social wellbeing or social interests and this element of the criteria is therefore not met.**

(iii) Local Community

- 6.25 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.
- 6.26 In terms of local community there are some references in the nomination and in response to the nomination, including:
- Only public house in Colton and is centrally located and historically significant
 - The nominating group submitted a list of 49 people who supported the nomination
 - The local Member of Parliament wrote a letter supporting the nomination
 - The local Parish Council wrote a letter supporting the nomination
 - The nominated site was an employer of local people
 - Important place to make connections for people who move to the area
 - Hosted a “Colton’s Got Talent” community talent show, including live music in 2018
 - Annual visit by the Ripon and Wakefield Morris Dancers
 - Coach groups visited regularly
 - A local resident had worked behind the bar on a voluntary basis
- 6.27 The support for the nomination suggests that the local community regards it as an important and historic local building/facility.

- 6.28 The nominating group referred to the pub's role as an employer of local residents, "the pub has historically provided essential employment opportunities it has served as a key source of part time and full-time employment for village residents including young people seeking their first job in the community where local employment options are limited and public transport is minimal particularly outside of school hours." The owners confirmed that they currently employed six part-time team members. Three from the village (one self-employed, two on payroll), two were of school age from nearby villages (Copmanthorpe & Appleton Roebuck). The other is a returning staff member for the summer season only.
- 6.29 The nominating group referred to the pub using local suppliers, supporting local businesses and a circular economy. The owner's response noted that, due to changes in their business model, volumes were lower, but the ethos of sourcing goods locally remained, and now only local businesses were used as suppliers.
- 6.30 The nomination indicated that local businesses such as a campsite, farm shop as well as local taxi services, takeaways and public transport had been negatively impacted by the reduction in passing trade due to less customers visiting the pub. The owners disputed the impact of less customers visiting the pub on local businesses and suggested other contributing factors, they included a statement from a local Bed & Breakfast who reported their business had been unaffected.
- 6.31 It is likely that the presence of a hospitality/food and drink-based business in the village of Colton would have an impact on the local economy, especially due to the limited options. The nomination and information available present different views about the negative or positive impact of Ye Olde Sun Inn on other local businesses linked to changes in their business model. The economic impact of the site nominated is not currently a direct or determinative consideration when assessing if it furthers the social wellbeing or social interests of the local community. The owner confirmed the nominated site regularly hosted visiting coach groups, this user group would therefore be tourists/visitors to the area and not part of the local community.
- 6.32 Based on available information, particularly the owner's objection information, there appear to be some underlying tensions that may be influencing how some of the local community engages with Ye Olde Sun Inn and its associated activities.
- 6.33 **It is reasonable to determine that the identification of the local community required by the legislation from the nomination and information available could be defined as Colton village, the surrounding rural areas and neighbouring villages. There were limited other buildings or businesses in Colton where social, recreational or sporting activities could take place and no other pubs.**

Section 88(1) Condition One - CONCLUSION

6.34 Regarding information about actual current uses, the nominating group listed some generic uses linked to a public house in a village and some community orientated activities that appear to be infrequent and historic. There were no specific or regular uses by the community or local groups that were currently taking place. The owners have changed the focus of the business from a pub that served food with a B&B function, to a distillery, chocolatiers, bar, venue and self-catering accommodation. It is likely that the change in focus of business operations and current limited opening hours have altered how local people interact with the site. [REDACTED]

[REDACTED] Overall, there was nothing substantive linked to uses being frequent, regular or currently in place to demonstrate community use as a significant actual use of the nominated site. As such, the actual use that is a non-ancillary use element of the criteria is not met.

6.35 Evidence that the nominated site furthers social interests and social wellbeing was very limited. The nomination identified limited examples of recognised social interest uses, including social cohesion and as key element of the village's identity linked to its role as a village pub. The nominated site had also hosted some charitable/community focussed events, and a free community coffee morning, which likely benefited some in terms of social wellbeing. The nomination noted it is the only pub and is a vital asset for the village, including for people who move to the area, where there a limited options for meeting people and socialising. However, the nomination included generic comments and lacked supporting evidence such as testimonials from local people or data which could demonstrate how it furthered social interests or social wellbeing. As such, the furthering the social wellbeing or social interests element of the criteria is not met.

6.36 It is likely that the local community of Colton values the nominated site, and there was support in terms of a number of signatures provided by the nominating group, as well as letters of support received from the MP and local Parish Council. Ye Olde Sun Inn continued to use local suppliers and employ people from the village and surrounding villages. The local community element of the criteria could be met, however the other elements of Condition One would need to have been met for this to be relevant.

6.37 There was no substantial evidence of Ye Olde Sun Inn being used to the benefit of the local community particularly concerning frequency/regularity or attendance. Overall, there was not enough detail or evidence provided to show that community use was a non-ancillary use of the nominated site or that there were uses that furthered social interests and social wellbeing. Additional information could have included specific detailed examples and evidence from local residents and groups.

6.38 **Based on the information available it is therefore reasonable to determine that there is not an actual current use of the building or land that is not an ancillary use that furthers the social wellbeing or social interests of the local community. Condition One is therefore not met.**

b) Section 88(1) 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.

- 6.39 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**).
- 6.40 The test is also not whether such future use is wholly unrealistic but whether it is realistic to think that there could be a relevant non-ancillary use in the next five years (Judge Lane at Para. 26 in **General Conference of the New Church v Bristol CC** supra. 12 February 2015). In addition, “what is realistic may admit a number of possibilities none of which needs to be the most likely outcome” (**Evenden Estates v Brighton and Hove City Council**). It is common for nominations not to have a business plan put forward by those supporting the listing and judges have not regarded this as significant when considering whether future community use is a realistic prospect.
- 6.41 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”.
- 6.42 This condition 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. It is the assessment of whether the current uses identified under Condition One, can realistically continue, that is required. In the case of Condition One for Ye Olde Sun Inn, Colton it was not possible to determine that there was an actual non-ancillary current use of the building or land that furthered the social wellbeing or social interests of the local community, and it would therefore follow that if no use was identified it cannot continue. However, the nomination and information available presented some factors related to future community uses and these will be considered.
- 6.43 The nominating group proposes a future for the building under community ownership, “Under community ownership, the building would continue to operate as a pub, café and social hub while also expanding its role as a multi use venue for events, workshops and well-being initiatives.
- 6.44 In terms of future community use being one of a number of realistic options for the building, the following information has been considered:
- The nominating group identified that, “Ye old sun inn sits in a prominent position with far reaching views over a location, that would be highly attractive to developers”

- The local MP and Parish Council supported the nomination and retention/development of its role in the community
- The lawful use of the building was confirmed to be a public house, but the opening times were limited
- [REDACTED]
- [REDACTED]
- The business was advertised as a distillery, bar, venue and self-catering accommodation
- Planning policy offered protection in terms of the building's lawful use as a public house
- There was one other building in the village of Colton that could be used by the local community (the church)
- The nominated site had previously been marketed for sale for £900k (in 2019), a buyer pulled out due to Covid/uncertainty in 2020, it is not currently being marketed as for sale
- The current owners report that the costs and revenue associated with operating as a pub make it challenging to run a sustainable business, reducing outgoings through limited opening times was a way to manage this
- The owner had communicated with community members about the potential sale of the pub in February 2025, "we would be willing to sell the pub at £650k to the village if they were still interested"
- The current owners had significant experience in the hospitality industry
- In March 2025, the nominating group had been formally constituted as a Community Benefit Society with a Standard Industrial Classification Code of 56302 - Public houses and bars
- The nominating group presented ideas about future uses and how this would be enabled – this included re-introduction of previous uses and diversifying to offer more community-focussed activities like parent and toddler groups, mental health drop-ins, youth clubs and skills-based community classes
- NYC Communities noted that, retaining local services was particularly important with an aging population

6.45 The nominating group noted that the site could be attractive to developers, however there were no current planning applications and planning policy protected its use as a public house. A planning application for a new, detached residential building on part of the site had been refused in 2023, with the decision upheld at appeal.

6.46 [REDACTED]
[REDACTED]
[REDACTED] The nominated site was currently open to the public at least two evenings each week, for some special events and could be hired as a venue at any time.

6.47 The nominating group was a Community Benefit Society (formed in March 2025) whose purpose was defined as:

To carry on business for the benefit of the community by: supporting the continuing use of Ye Old Sun Inn Public House, providing catering and restaurant facilities, obtain listing as an Asset of Community Value (ACV), to carry on business for the benefit of the community and residents in and around Colton, Tadcaster, North Yorkshire (“area of benefit”) with a view to acquire the freehold premises of Ye Old Sun Inn Public House, Colton, Tadcaster, LS24 8EP, to provide a hub for the community which:

- (i) Promotes social gathering to combat isolation and support rural living;
- (ii) Provides local employment opportunities;
- (iii) Encourages tourism and interest in local places of historic value; and
- (iv) Provides event facilities for families and community groups

- 6.48 The nominating group presented ideas for how the building would be used in a multi-functional way under a community ownership, “This includes the continuation of activities that have. Historically taken place such as quiz nights, seasonal celebrations and local music events, but also offers scope for new initiatives such as a parent and toddler group, mental health droppings, youth clubs and skills based community classes.”
- 6.49 Consultation with NYC Communities noted that North Yorkshire faces challenges from an ageing population and this links to rising isolation risks. Through this nomination and the formation of a Community Benefit Society, residents are taking proactive steps to address these issues, though sustaining initiatives like a community pub may be difficult due to the village’s small size.
- 6.50 The owner reported that there had not been any response or dialogue about the potential purchase of the pub since they had indicated they would be willing to sell it for £650k in February 2025. The nominating group acquiring the Freehold, fulfilling its aims and expanding the pubs operations as outlined in the nomination form are not dependent on its ACV status, and the formation of the CBS appears to be a proactive step towards this. There is also the opportunity for another more detailed ACV nomination, supported by evidence, to be submitted for consideration.
- 6.51 The nomination of Ye Old Sun Inn reflects a strong local desire to enhance its role as a community asset. The formation of a Community Benefit Society and the support from local stakeholders demonstrate a proactive approach to addressing rural isolation and sustaining local services

Section 88(1) Condition Two - CONCLUSION

- 6.52 The building’s lawful use as a public house is protected by planning policy. The owners noted that there were specific and general factors that contributed to uncertainty about the commercial viability of the site operating as a pub, now and in the future, and it currently only operated as a public bar on two nights of the week.

- 6.53 The nominating group puts forward a community ownership model, and have taken steps towards this through the formation of a CBS. This presents a viable option, though challenges related to financial sustainability and the village's small size would likely present significant challenges.
- 6.54 Assessment of Condition One determined that there was not enough detail or evidence provided to show that community use was a non-ancillary use of the nominated site. Whilst it would not be unreasonable to believe that there could be future community use at the Ye Olde Sun Inn, no actual current use that furthered the social wellbeing or social interests of the local community was evidenced relating to Condition One. Although this report has allowed for some consideration of potential future use, including viability as a commercial venture and potential community ownership, it is not possible to determine that a use that was not evidenced could continue.
- 6.55 In summary, **an actual current use of the building that is not an ancillary use furthers the social wellbeing or social interests of the local community was not identified under assessment of Condition One. Therefore, it is not possible to determine that a use not identified can continue. Condition Two is therefore not met.**

c) Consideration of Section 88(2)

- 6.56 In the Legislation, at Section 88 subsection (2), it states that a building or other land in a local authority's area that is not land of community value as a result of Section 88 subsection (1) is land of community value if in the opinion of the local authority—

Condition One - there is a time in the recent past when an actual use of the building or other land that was not an ancillary use furthered the social wellbeing or interests of the local community, and

Condition Two - 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 or other land that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.

- 6.57 Although the business model has altered and opening times are now limited Ye Olde Sun Inn has remained open and there has not been a formal change of use. Ye Olde Sun Inn currently open as public bar on Friday and Saturday evenings, it can also be hired as a venue for events at any time. Uses would therefore be current and continuing uses and a detailed assessment of these have been undertaken through consideration of the conditions in section 88(1).
- 6.58 Assessment of 88(1) has considered all information provided and available, no additional information has been provided that could satisfy the conditions under 88(2). In particular, no evidence was provided to support any other conclusion about recent past and the associated future use than that which

was detailed under consideration of Condition One and Condition Two of 88(1) in paragraphs 6.1 and 6.55.

- 6.59 ***There is no additional information to satisfy the criteria listed under 88(2) and therefore the Conditions of 88(2) are not met.***

d) Conclusion

- 6.60 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

- 6.61 A valid nomination to register Ye Olde Sun Inn, Colton 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) and Section 88 (2) see below:

Section 88 (1) 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 6.1 - 6.38)

- 6.62 The information provided does not demonstrate actual uses of Ye Olde Sun Inn, Colton, that are non-ancillary, and further the social wellbeing or social interests of the local community. ***This Condition is therefore not met.***

Section 88 (1) 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 6.39 - 6.55)

- 6.63 An actual current use of the building that is not an ancillary use furthers the social wellbeing or social interests of the local community was not identified under Condition One. It is therefore not possible to determine that a use not identified can continue. ***This Condition is therefore not met.***

Section 88 (2) a building or other land in a local authority's area that is not land of community value as a result of Section 88 subsection (1) is land of community value if in the opinion of the local authority—

Condition One - there is a time in the recent past when an actual use of the building or other land that was not an ancillary use furthered the social wellbeing or interests of the local community, and

Condition Two - 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 or other land that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.

- 6.64 Assessment of 88(1) considered all information provided and available, within this there was no evidence to support any other conclusion about recent past and the associated future use than that which was detailed under 88(1) in paragraphs 6.1 and 6.55. ***There was no additional information to satisfy the criteria listed under 88(2) and therefore the conditions of 88(2) are not met.***

(See paragraphs 6.56 - 6.59)

- 6.65 The evidence demonstrates that the nomination does not meet the definition of community value as detailed in the Localism Act 2011. It is therefore recommended that Ye Olde Sun Inn, Colton is not listed as an Asset of Community Value and it is placed on the North Yorkshire Council List of Unsuccessful Nominations.

7 ALTERNATIVE OPTIONS CONSIDERED

- 7.1 None. In considering the nomination for Ye Olde Sun Inn, Colton, 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 Following the decision, all parties will be advised of the outcome of the decision, and the council's reasoning for it.
- 10.2 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.

- 10.3 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).
- 10.4 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).
- 10.5 Where a nomination is unsuccessful, the nominated asset will be placed on the North Yorkshire Council Assets of Community Value List of Unsuccessful Nominations for a period of at least 5 years, together with reasons for not including the land in the authority's list of assets of community value.

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. The nominating group will be advised that there is no provision within the Regulations (The Asset of Community Value (England) Regulations 2012) for them to seek a review of the Council's decision.

14 REASONS FOR RECOMMENDATIONS

- 14.1 The evidence demonstrates that the nomination for Ye Olde Sun Inn, Colton does not meet the definition of community value as detailed in the Localism Act 2011.

15 ANY ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 15.1 None. In considering the nomination for Ye Olde Sun Inn, Colton (NYCACV0066), the Council's responsibilities required by the Localism Act 2011 and The Assets of Community Value (England) Regulations 2012, are discharged.

16. RECOMMENDATIONS

It is recommended that the Head of Localities:

- (i) Determines that the nomination for Ye Olde Sun Inn, Colton (NYCACV0066) is unsuccessful and does not meet 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 Unsuccessful 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

County Hall

Northallerton

3 October 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/visualisations/customprofiles/build/>

<https://yeoldsuninn.co.uk/>

<https://fairfaxdistillery.co.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	Colton Village Community Group Limited
Organisation postal address	████████████████████
Organisation website	
Named contact for the organisation	██████████
Position of named contact within the organisation	Head Member / Director
Telephone number for named contact	██████████
Email address for named contact	████████████████████

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>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>	X	

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

Ye Old Sun Inn is the only public house in the village of Colton, Tadcaster, and is located centrally on the main high street, which runs through the heart of the village. The pub is an integral and longstanding part of village life, valued not just for its historical significance, but for its social, economic, and communal contributions. Generations of residents have seen the pub as a key element of the village's identity, character, and cohesion.

The Ye Old Sun Inn sits in a prominent position with far-reaching views, a location that would be highly attractive to developers. Should the site be sold and repurposed for non-community use, the village would lose a vital hub that has historically been a foundation of social and economic activity. The pub primarily serves a local customer base but also draws visitors from surrounding areas due to its strong reputation, which positively impacts other local businesses.

In addition to its social and heritage value, the pub has historically provided essential employment opportunities. It has served as a key source of part-time and full-time employment for village residents, including young people seeking their first jobs in a community where local employment options are limited and public transport is minimal, particularly outside of school hours. The establishment has also been a vital trading partner for local businesses—supporting a circular economy by sourcing goods from local butchers, milkmen, grocers, and other suppliers.

Since the pub's decline in operation, the village has already experienced adverse economic effects. For instance, a local farm shop was forced to close due to a dramatic reduction in passing trade previously driven by pub customers. Similarly, the local campsite has reported a significant decrease in visitors, reducing the income and sustainability of other village services such as shops, taxi companies, public transport services, and takeaways.

Community members have provided numerous accounts supporting the value of the Ye Old Sun Inn as a central and irreplaceable social venue. One resident recalled that upon moving into the village, the pub served as their first point of contact for meeting neighbours and forming connections. In the past, the premises included a small shop at the rear, hosted popular beer festivals, and held themed evenings such as 'meet the brewer' events featuring well-known breweries. These events provided opportunities for socialising and community building, particularly valued in a rural village with limited alternative indoor gathering spaces.

The pub has also hosted numerous communal and charitable events over the years. These have included classic car meet-ups, mini-fêtes to raise money for causes like the air ambulance, and live screenings of national sporting events, which brought villagers together in shared celebration and support. Family gatherings, including post-funeral receptions and B&B stays for visiting relatives, have been made possible due to the pub's function as a reliable hospitality venue.

The Ye Old Sun Inn demonstrated significant community value during the COVID-19 pandemic. A village WhatsApp support group was created by the pub on 16 March 2020, enabling residents to help one another through lockdown. The pub also transformed into a temporary shop and bakery, offering essentials to those unable to travel, and provided takeaway meals such as pizza and fish and chips. This adaptive response reinforced the pub's status as a community cornerstone.

Other seasonal and community events hosted at the pub in recent years include:

- Santa Claus meet-and-greet events and gingerbread house making for children
- Easter egg decorating workshops
- 'Colton's Got Talent' community talent show
- Live music performances

Details regarding local connection

- Quiz nights and coffee mornings
- Special occasion events including Christmas Day and New Year's Eve celebrations with set menus, live bands, and DJs
- Observances for Mother's Day and Father's Day
- Live broadcasts of major football tournaments including the Euros and World Cup
- Church gatherings and meetings held on the premises

The range and scale of these activities highlight the critical role the pub has played in fostering community interaction, enhancing wellbeing, and maintaining a sense of village identity. With increasing numbers of young families moving into the village in recent years, such a facility is even more crucial in supporting social inclusion and community resilience.

In summary, Ye Old Sun Inn is far more than a commercial premises—it is a deeply valued social, cultural, and economic asset. Its continued existence in a form accessible to the public would ensure the village of Colton retains a focal point for community life and local prosperity.

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)	Pub
Name of the premises	Ye Old Sun Inn
Address of the premises	Colton, Tadcaster LS24 8EP

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	[REDACTED] [REDACTED]
Address of the owner	Ye Old Sun Inn, the home of Fairfax Distillery Main Street Colton York LS24 8EP
Contact details for the owner	[REDACTED] [REDACTED]
Name of any other occupier	N/A
Name of any other person with an interest in the premises	N/A
Address of any other person with an interest in the premises	N/A
Contact details for any other person with an interest in the premises	N/A

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 recent and historic use of Ye Old Sun Inn has played a significant role in furthering both the social interests and overall well-being of the Colton community. As the only public house in the village, its function has consistently gone beyond that of a commercial hospitality venue, acting as a vital space for connection, support, and social inclusion.

In recent years, the pub has served as the only accessible indoor gathering space in Colton. It has hosted a wide range of inclusive and intergenerational events—from quiz nights and live music to community celebrations, coffee mornings, and sports screenings—that provide meaningful opportunities for social interaction, cultural expression, and community bonding. These gatherings support mental health, combat loneliness, and enhance local quality of life, particularly for older residents and new families moving into the area.

The social value of the building was especially evident during the COVID-19 pandemic, when the pub became a hub for essential services. It facilitated a village-wide support network via a WhatsApp group, supplied groceries and baked goods when residents couldn't travel, and offered takeaway meals to ensure continued access to hot food. These adaptive uses demonstrated the pub's importance as a flexible, responsive community asset in times of need.

If this application is not approved and the building is lost for community use, the impact on Colton's social infrastructure would be severe. The village has no comparable facility to replace the role that the pub plays in promoting community cohesion, wellbeing, and inclusion. Its loss would mean the disappearance of the only regular meeting place where residents can gather informally or for organised events. Vulnerable groups, including the elderly, those without private transport, and young people with limited local options, would be disproportionately affected—facing increased isolation, reduced access to social support, and fewer opportunities for meaningful community participation.

Moreover, without designation as an Asset of Community Value, there is a very real risk that the site could be sold or redeveloped for non-community purposes, permanently removing this vital social anchor from village life. This would not only erode the fabric of Colton's close-knit community but also reduce its long-term resilience and sense of shared identity.

In short, Ye Old Sun Inn has been—and has the potential to continue being—a cornerstone of community wellbeing. Protecting it as an Asset of Community Value is essential to safeguarding the social health and sustainability of the village for current and future generations.

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.

There is clear and realistic potential for the main use of Ye Old Sun Inn to continue to further the social interests and well-being of the local community, either by restoring and expanding upon its previous role or by introducing additional community-focused functions within the space.

The proposed route to ensuring this outcome is through community ownership, with the formation of a local society aiming to acquire the freehold of the building. This model will guarantee that decisions regarding the future use of the pub are made by local people, for the benefit of the community. A democratically run, community-led approach ensures that the venue remains accountable to residents, and responsive to their evolving social needs.

Under community ownership, the building would continue to operate as a pub, café, and social hub, while also expanding its role as a multi-use venue for events, workshops, and wellbeing initiatives. This includes the continuation of activities that have historically taken place, such as quiz nights, seasonal celebrations, and local music events, but also offers scope for new initiatives—such as parent and toddler groups, mental health drop-ins, youth clubs, and skills-based community classes.

The society plans to work collaboratively with local producers and businesses by sourcing food, drink, and supplies locally, creating a circular local economy and supporting jobs within the village and surrounding area. This economic interdependence further enhances community well-being by keeping revenue circulating locally and building resilience into the area's business ecosystem.

Additionally, profits generated through the operation of the pub will be reinvested not only into the maintenance and improvement of the venue itself but also into wider community projects. This reinvestment strategy ensures long-term financial sustainability while enabling the building to serve as a platform for additional services, such as a community kitchen, digital access point, or informal training and education space.

Even if the exact activities differ from the past, the nature of the use will remain aligned with the core purpose of promoting community cohesion, inclusion, and wellbeing. In this way, Ye Old Sun Inn can evolve to meet modern needs while retaining its essential role as the social heart of the village.

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?

n/a

Section 3: Checklist and Declaration

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

Document	X
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	

Assets of Community Value nominations are coordinated by area-based teams, when complete, please return this form and any accompanying materials to the appropriate e-mail address below:

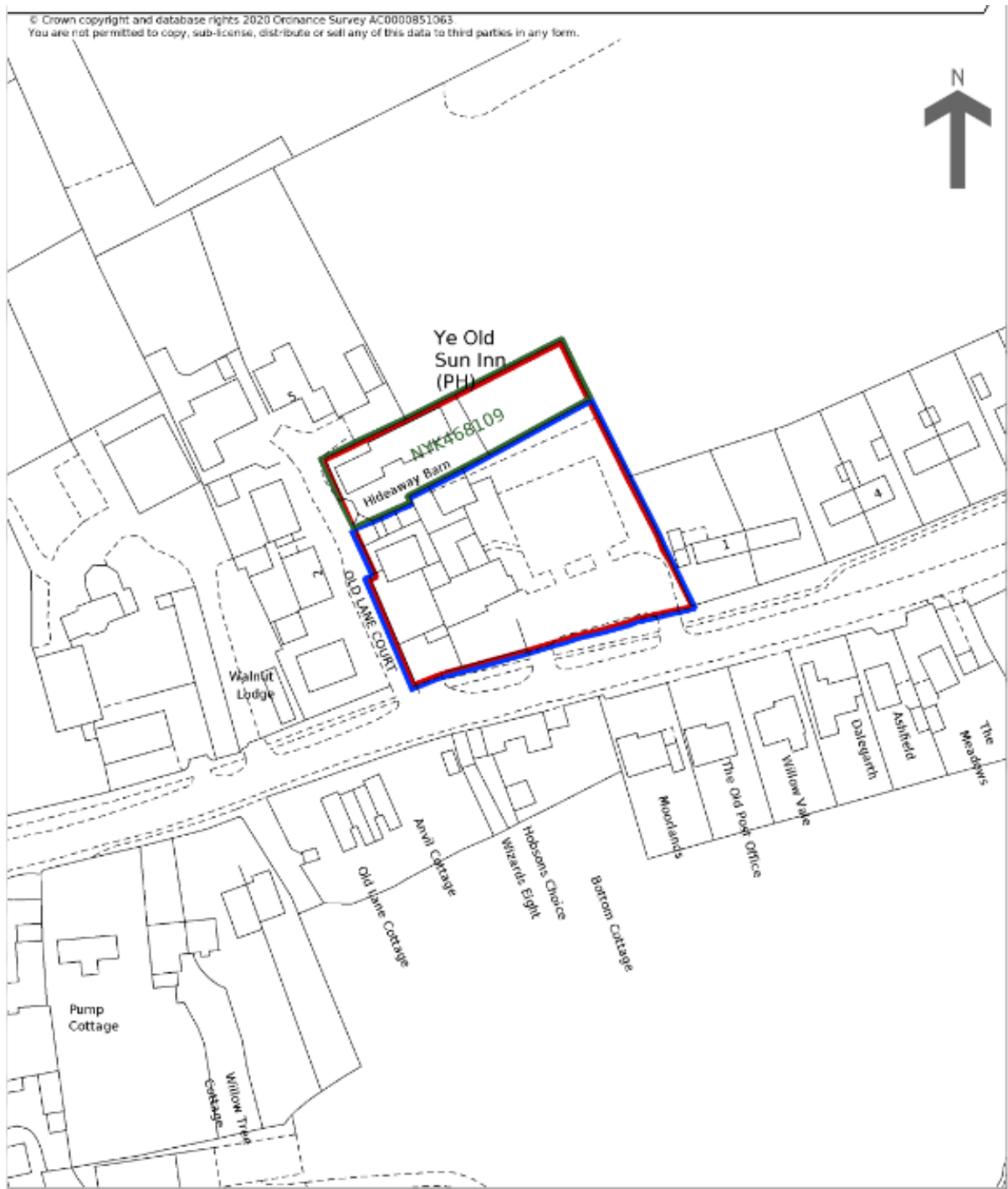
Before completing this form, please check the guidance notes at the end of the document. If you require any assistance, please contact AssetsofCommunityValue.NYC@northyorks.gov.uk

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.

NYCACV0066 – Ye Old Sun Inn, Colton – Site Plan



The blue line is the boundary of the nominated site.