

North Yorkshire Council

3 June 2026

Assessment of Asset of Community Value Nomination *NYCACV0077 Fairburn Church Hall*

Report to the Assistant Chief Executive Local Engagement

1. PURPOSE OF REPORT

1.1 To determine whether Fairburn Church Hall 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 9th April 2026 from Fairburn Parish Council, a qualifying nominator.

2. SUMMARY

2.1 The nomination is for Fairburn Church Hall, 17 Silver Street, Fairburn, WF11 9JA. The recommendation is that the Head of Localities:

- (i) Determines that the nomination for Fairburn Church Hall 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) 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 Fairburn Church Hall, 17 Silver Street, Fairburn, WF11 9JA, as required by the Act.

4. NOMINATION CONSIDERATION

a) Description of asset

4.1 Fairburn is a small village, situated approximately 10 miles from Leeds, the village lies close to the A1 and M62 motorways. It is situated near the River Aire and is surrounded by countryside including Fairburn Ings, a popular RSPB nature reserve. The village is home to a couple of pubs, a community centre, parks/green spaces, a skate park, and a war memorial. According to the ONS 2024 mid-year estimates the population is 857.

4.2 The Church Hall is located in the centre of the village and is set back from the main road. To the front of the Church Hall is a gated area which has a small parking area and some trees, to the rear of the building there is a large green space. In the immediate vicinity of the nominated site are residential properties, a church and a pub.

4.3 The nominated site includes the Church Hall and the surrounding land which includes the car park. The Church Hall building has a couple of entrances, one with a ramp for easy access.

b) Nomination and Validation

4.4 The nomination to list Fairburn Church Hall as an Asset of Community Value was received on 7 April 2026 and validated on 9 April 2026. 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 3 June 2026. The nomination from Fairburn Parish Council was accepted on the basis of the nominating group qualifying as a Parish Council under Section 89 (2)(b) of the Localism Act 2011.

4.5 It was established through a Land Registry search that the nominated site is unregistered land and therefore it was not possible to confirm a registered owner.

c) Site Visit

4.6 A site visit was undertaken on 20 April 2026, with the following observations made:

- The Church Hall is set back from Silver Street. There is parking available on the site for a small number of cars and there is a bus stop a short walk away. These buses go to key towns such as Pontefract, Selby and Sherburn-in-Elmet.
- On the land of the Church Hall there was a noticeboard however it was blank at the time of visiting.
- At the time of the visit the Church Hall was unoccupied.
- The local area is houses to a church which is just a short 50m away from the nominated site. Two pubs are in the local area, one of which has posters advertising weekly bingo. There is a local primary school a short walk away and also a community centre.
- The Fairburn Community Centre is within walking distance from the nominated asset, it appeared to be a reasonable new building with parking, playing fields and a play park. Upon visiting there were adults and children outside of the community centre using the area to play, as well as parking their cars in the car park. Fairburn Community Centre has a notice board which highlighted the many activities that are held at the site such as Parish Council meetings, indoor bowls, aerobic classes, toddler classes, circuits and yoga classes. The notice board also outlined the different groups that use the community centre which identified 9 different groups/organisations. This site is also housed to a defibrillator.
- Fairburn Church Hall is accessed via a gate and up a slight hill. The building itself has two entrances both are to the right-hand side of the building. One of the access doors has a ramp to allow easy entrance. The small gate to the front of the site was open and members of the public can access the site.
- The building appears to be in good condition for its age.
- Immediately surrounding the boundary are residential houses and a road to the front. The boundary is defined by a brick wall and bushes.
- Due to the site being unoccupied upon arrival it is difficult to describe the internal layout of the building however looking in from the outside it looked like a typical church hall with a large hall space and a kitchen.
- There was no visible evidence of any activities taking place, the hall was surrounded by stacked chairs. There were also no posted suggesting upcoming or regular activities.
- There were no external features such as play equipment, football goals, seating areas etc.

4.7 Photographs taken on the site visit are available in **APPENDIX B**

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 church halls 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 Licensing
- NYC Localities
- Local Councillor

NYC PLANNING

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

Planning history

There are no planning history records associated with this site. As such, there is no planning record to establish the lawful use of the building.

In the absence of any relevant planning history, it is assumed that the existing and previous uses of the site are as described in the Community Right to Bid: Assets of Community Value nomination form is correct which describes the current and historic use as follows:

“The hall is currently used for a range of community activities including meetings, social events, classes, and local functions. Historically the building was used for Sunday School and church-affiliated activities, it transitioned over several decades to largely secular community use, but early PCC records indicate that community social use was always intended to be part of its purpose.”

There is nothing within Council’s planning records to dispute the use of the building as described in the nomination, nor any evidence to suggest that the use differs from that described.

Planning Policy

The statutory development plan for the site comprises:

- Selby District Core Strategy Local Plan (adopted on 22 October 2013)
- Those policies in the Selby District Local Plan (adopted on 8 February 2005) which were saved by direction of the Secretary of State and which have not been amended or superseded by the Core Strategy
- Minerals and Waste Joint Plan (adopted on 16 February 2022)

The site is located within the defined Development Limits of Fairburn. Fairburn is identified as a Secondary Village in the Core Strategy. Policy SP14 (Town Centres and Local Services) of the Core Strategy supports local services and facilities by seeking to resist the loss of existing facilities and promotes the establishment of new facilities to serve the needs of existing communities.

Saved Policy CS4 (Community Halls and Places of Worship) of the Selby District Local Plan supports proposals for new community centres, places of worship and church halls, and extensions to community centres, within defined Development Limits, subject to criteria relating to highway safety, residential amenity, design, accessibility and the capacity of buildings to accommodate community activities. The policy therefore provides support in principle for community and church hall uses within settlements such as Fairburn.

At a national level, paragraph 98 of the National Planning Policy Framework seeks to ensure that planning decisions guard against the unnecessary loss of valued facilities and services and support their retention for the benefit of local communities.

In planning policy terms, there is nothing within the development plan or national policy that would conflict with the continued use of the building as a community hall as described in the Asset of Community Value nomination. Any future proposals affecting the site would be considered separately through the planning process, having regard to the development plan and other material considerations.

Conclusion

On the basis of the above, there are no objections to the community bid in respect of planning considerations.

LOCAL LAND CHARGES

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

- There are no Land Charges restrictions within the asset boundary.

NYC ENVIRONMENTAL PROTECTION

5.4 The Environmental Protection service was consulted and made the following comments:

- We wouldn't have any objections to this from an EP perspective, any events or use that is likely to give rise to nuisance issues may well require a Licence and / or Planning approval which would seek to control impacts once known.

NYC COMMUNITY SAFTY AND CCTV

5.5 The Community Safety and CCTV service were consulted and raised no concerns or comments.

NYC LICENSING

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

- We have no concerns of the above premises which hold premises licence number: LN/000003784
- The premises licence covers the following activities:
 - Performance of dance – 09.00 – 23.00 - indoors
 - Films – 09.30 – 23.00 - indoors
 - Recorded music – 09.30 – 23.00 - indoors

NYC COMMUNITIES TEAM

5.7 The Localities service was consulted and made the following comments:

- Fairburn is a community on the edge of North Yorkshire and at the time of assessment, had not requested direct support from NYC Communities Team which suggested a level of self-sufficiency and there appeared to be a good level of community activity which implied an ability to potentially take on an asset of community value and make it work.
- We were aware of a number of community activities running from the Old Church Hall in Fairburn which include Fairburn Choir and Flower arranging workshops.
- The venue had a dance floor, was equipped with tables and chairs along with the large kitchen providing space for local community events and private parties.
- Outside there was space for some activities and a small area for parking.
- There was also a community hub in Fairburn next to the sports grounds which was also used as a space for social activities.

LOCAL COUNCILLOR

5.8 The Local Councillor was consulted and no comments were received.

6. ASSESSMENT INFORMATION

- 6.1 In assessing the community value of Fairburn Church Hall, 17 Silver Street, Fairburn, 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 church hall. 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 Fairburn Church Hall is used for a range of community activities these are listed below:
- Fairburn singers, meet weekly with 40+ members - this club was established in 1990
 - Fairburn art group, meets weekly
 - Pop up café, meets weekly
 - Line dancing
 - Used by Fairburn Primary School and surrounding areas such as Micklefield for discos and other events
 - Classes and sales including flower arranging coffee mornings and tabletop sales
 - Private events
 - Neighbourhood police events
 - Historic use for Sunday school and church-related activities have transitioned to secular community use
- 6.4 The uses above demonstrate a range of current uses by different groups for Fairburn Church Hall, the nomination provided information that indicated community use of the site was frequent and regular.
- 6.5 The site visit did not clearly demonstrate the frequency or regularity of the events referenced in the nomination.
- 6.6 The consultation with Planning confirmed there was nothing within Council’s planning records to dispute the use of the building as described in the nomination, nor any evidence to suggest that the use differs from how it was described by the nominating group.

- 6.7 The application was supported by a range of documentary evidence, including references to social media pages demonstrating levels of engagement through followers and posts, posters advertising activities such as art exhibitions, pop-up cafés and bake sales, and information relating to neighbourhood policing events. Photographic evidence has also been provided, which indicates that these events were well attended and actively supported by members of the community.
- 6.8 Evidence WAS submitted from the “Fairburn Village Plan & Design Statement”, which suggests that, at the time of publication (2005), the Church Hall was used by approximately 200 to 250 individuals on an occasional, monthly or weekly basis.
- 6.9 The information provided indicated that Fairburn Church Hall accommodates a range of community-based activities typical of such a facility, and the nomination identifies several regular and varied uses that would suggest an ongoing community function. There is some limited evidence linked to frequency and continuity of these activities. On balance, there is a reasonable basis to consider community use as an important function of the hall.
- 6.10 There is sufficient information provided to demonstrate significant actual use as a community facility for cultural, social and recreational activities that are non-ancillary and **therefore this element of the criteria is met.**

(ii) Furthering social wellbeing or social interests

- 6.11 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’.
- 6.12 The nomination stated that Fairburn Church Hall provides a social and civic hub for residents of Fairburn and surrounding areas. It is suggested that the site is used by community groups, local organisations and residents of all ages.
- 6.13 The nomination stated that, “The hall is currently used for a weekly community café attended mainly by older village residents”, with photographs of events and social media screenshots provided to support these statements. This evidences that the hall provides a space for a community café each week which offers older residents a vital local space for social interaction and inclusion. This use would actively reduce social isolation, loneliness and strengthen community cohesion, and therefore further social wellbeing.
- 6.14 The nomination stated that, “It is a base for a number of community groups including Fairburn Singers and the Fairburn Art Group”. The building therefore acts as a base for local community groups and enables local residents to access cultural activities which are a recognised social interest.
- 6.15 Internal consultation with NYC Licencing confirmed that the Church Hall has a licence for various activities recognised social interests (paragraph 5.6), this

evidences the nominated site can currently support these activities and potentially continue to do so.

- 6.16 The nomination states “Early Parish Church Council records indicate that the community social use was always intended to be part of its purpose”, this establishes that the asset has a long-standing and planned role in furthering social wellbeing and social interests within the local community.
- 6.17 The nomination provided the following evidence of furthering the social wellbeing and interests of the local community:
- The nomination states that there are a number of community organisations that use the site; “It is a base for a number of community groups including Fairburn Singers and the Fairburn Art Group”
 - “The current use of the hall contributes significantly to the social interests and wellbeing of the village and surrounding areas”
 - The uses identified above in paragraph 6.3 indicated a range of activities relating to cultural, recreational and sporting events.
 - The site appears to have a strong community investment based of information in the nomination; “Historically the building was used for Sunday School and Church affiliated activities” and “The land was donated by a local resident and the hall was built through public fundraising from 1948–1959, demonstrating strong community investment in its establishment.”
 - The nomination suggests that Fairburn Church Halls “accessibility makes it well suited to service as a welcoming venue for public benefit”.
- 6.18 The supporting evidence from the nominating group shows that there are other facilities in the village with comments suggesting “Fairburn has a Community Centre and Church Hall both of which are regularly used” and “There are a number of courses in both the Community Centre and Church Hall”. This is supported by a site visit which identified Fairburn Singers use both sites and was also confirmed by NYC Communities Team.
- 6.19 The supporting evidence from the nominating group and the response from NYC Communities (para 5.7) provide evidence that there are other, similar facilities in the village, and therefore community activities may not be solely dependent on the nominated asset. The availability and active use of alternative venues may indicate that the social activities could reasonably continue elsewhere if the asset was unavailable. However, the existence of other places locally that perform similar functions is not a statutory test in itself or a determinative factor in a decision.
- 6.20 The nomination suggests that Fairburn Church Hall is accessible, this was confirmed on a site visit where the site is central to the village, access by pavement and has car parking. Also the ramp leading into the building makes it accessible to a range of demographics.

- 6.21 The uses listed at paragraph 6.3 and 6.17 provides varied examples of cultural, recreational and sporting interests, and there was evidence of benefit for the community. The types of activities at the site were particularly beneficial for older people, including activities that contribute to reducing social isolation.
- 6.22 There was some information on the type of demographics for each event in the photographs provided as supporting evidence.
- 6.23 The nomination states that the land where the asset Church Hall is located was originally donated by a local resident in order to establish a community facility. It was constructed through public fundraising (1948 – 1959). The nomination information indicates it has been used for community activities for more than 50 years and uses have become less church-related over the years. This indicates a strong and long-standing connection to the community.
- 6.24 The information available indicates that Fairburn Church Hall has a long-standing and intended role in supporting social wellbeing and social interests, providing a venue for a range of cultural, recreational and community activities. These include regular group uses, such as a community café and local clubs, which particularly benefit older residents and contribute to social interaction and cohesion. The evidence also demonstrates strong historic and community investment in the asset. However, while there are indications of current use and benefit, the presence of alternative local facilities and limited information on the extent and frequency of use means the degree to which these activities are dependent on the hall is not fully clear. Overall, the hall can reasonably be considered to contribute positively to the social wellbeing and interests of the community.
- 6.25 It is recognised in the ACV regime that “social interests” includes in particular cultural, recreational and sporting interests, and likely excludes religious uses. Overall, the information demonstrates that the hall supports a range of activities that align with recognised social interests, particularly cultural and recreational uses. On this basis, **it is possible to conclude that the uses detailed further social wellbeing or social interests, and this element of the criteria is therefore met.**

(iii) Local Community

- 6.27 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.
- 6.28 In terms of local community there are some references in the nomination including:
- The nomination states “Fairburn Church Hall provides a social and civic hub for the residents of Fairburn and surrounding areas”. The statement identifies local community by referencing residents of Fairburn and

surrounding area, demonstrating that Fairburn Church Hall serves a defined placed-based population being Fairburn

- “The land was donated by a local resident and the hall was built through public fundraising from 1948-1959, demonstrating strong community investment in its establishment”
- As identified in paragraph 6.17 there are community groups local to Fairburn that use the site
- The nominating group provided evidence that the site was used by the Sherburn-in-Elmet Neighbourhood Policing Team

6.29 The supporting evidence included information about a Community Drop in Pop in Café which was held at Fairburn Church Hall by the Neighbourhood Police. This demonstrates that the asset actively supports social wellbeing and social interests of the local community. It can be inferred that these sessions improve access to local public services, encourage civic engagement and provide reassurance to residents in a familiar and accessible setting.

6.30 The nomination states that the land was historically donated by a local resident and the Church Hall was built through community fundraising activities. Indicating community investment, shared history, and original social purpose.

6.31 As identified in paragraph 6.17 and 6.28, the nomination indicates that people outside of the local community and from surrounding areas attend events at Fairburn Church Hall. This shows that the asset acts as a community hub serving a wider catchment than just the village of Fairburn.

6.32 Information available, including from NYC Communities and the site visit suggest that the impact of the loss of the Church Hall could be limited, as there are other, similar facilities nearby. This however does not take into account the potential connection, attachment and shared history associated with the Church Hall, especially due to it being a donated site built through community fundraising.

6.33 ***It is reasonable to determine from the information available that the identification of the local community required by the legislation is Fairburn and the wider area around Sherburn in Elmet and this criteria is therefore met.***

b) 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.

6.34 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**).

6.35 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 in the next five years is a realistic prospect.

6.36 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”.

6.37 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.

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

- At the time of the assessment, Fairburn Church Hall was not being marketed for sale.
- There were a variety of activities and events taking place at the nominated site that appeared to be operated independently by individual local groups.
- At the time of the report, there are no planning history records associated with Fairburn Church Hall.
- NYC Planning stated “Saved Policy CS4 (Community Halls and Places of Worship) of the Selby District Local Plan supports proposals for new community centres, places of worship and church halls”
- The Church Hall was originally donated and built by public fundraising.
- The nomination does highlight that a “more robust organisational structure will be needed to secure the future of the Church Hall and some maintenance work will also be required”.
- The nomination highlights the there is no reason why current uses cannot continue.
- There were other local sites that could potentially host some of the activities listed in the nomination.
- The nomination states that it is a large site with potential to change and develop in order to continue to support the needs of the village.

6.39 As identified on the site visit, Fairburn Community Centre is a short distance away from the Church Hall. It hosts similar activities and it appeared to be actively used during a recent site visit. This however does not automatically prevent listing but does offer an alternative venue if the Church Hall was lost.

- 6.40 Evidence in the nomination suggests the land was donated in 1948-1959 and the Church Hall was built through public funding. The nomination also states the Church Hall has a “Long-standing use for village events” and states “there is no reason why the hall and its adjacent land cannot continue to serve the village as a valuable asset as it has for more than 50 years”.
- 6.41 Information provided in the nomination suggests that it’s likely that the future operation of the Church Hall would require the establishment of a more robust organisational structure. The nomination also mentions that some maintenance work will be required. There was limited detail provided on these matters, in particular there was no evidence that suggested these were anything beyond ‘business as usual’ consideration and unlikely to be barriers to continuing use.
- 6.42 Consideration of condition one evidenced that the Church Hall currently supports the social interests and wellbeing of the local and wider community through its use as a community facility. Given its established function and accessibility, there is no evidence to suggest that this use could not realistically continue over the next five years. Furthermore, the Hall provides scope for expanded community use, indicating continued and potentially enhanced contribution to local social wellbeing.
- 6.43 As stated previously the test for this condition 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. 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.
- 6.44 Overall, the evidence indicates that Fairburn Church Hall has a realistic prospect of continued community use, as it is not being marketed for sale, hosts a range of independently run local activities and is accessible. The hall was originally donated and built through public fundraising and has a long-standing role in supporting village events, with no clear barriers preventing current uses from continuing. While the nomination acknowledges the need for a more robust organisational structure and some maintenance work, there is no evidence these issues are anything more than routine considerations or that they would hinder ongoing use. Although an alternative venue exists nearby in the form of Fairburn Community Centre, this does not preclude the Church Hall’s value or future use.
- 6.46 ***Based on the information it is therefore 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.***

c) Conclusion

- 6.47 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.

- 6.48 A valid nomination to register Fairburn Church Hall 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 6.2-6.33)

- 6.49 The information provided demonstrates some actual uses of Fairburn Church Hall, 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 6.34-6.46)

- 6.50 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.***

- 6.51 The evidence demonstrates that the nomination meets the definition of community value as detailed in the Localism Act 2011. It is therefore recommended that Fairburn Church Hall, 17 Silver Street, Fairburn, WF11 9JA is listed as an Asset of Community Value and placed on the North Yorkshire Council List of Successful Nominations.

- 6.52 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 Fairburn Church Hall, 17 Silver Street, Fairburn, WF11 9JA, 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 Fairburn Church Hall meets 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 Fairburn Church Hall, 17 Silver Street, Fairburn, WF11 9JA NYCACV0077, the Council's responsibilities required by the Localism Act 2011 and The Assets of Community Value (England) Regulations 2012, are discharged.

16. RECOMMENDATION(S)

It is recommended that the Assistant Chief Executive Local Engagement:

- (i) Determines that the nomination for Fairburn Church Hall, 17 Silver Street, Fairburn, WF11 9JA (NYCACV0077) 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

Assistant Chief Executive Local Engagement
County Hall
Northallerton
3 June 2026

Report Author – assetsofcommunityvalue.NYC@northyorks.gov.uk
Presenter of Report – assetsofcommunityvalue.NYC@northyorks.gov.uk

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/>

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	Fairburn Parish Council
Organisation postal address	██ ██
Organisation website	Fairburnpc.com
Named contact for the organisation	██████████
Position of named contact within the organisation	Parish Clerk
Telephone number for named contact	The Council does not have a telephone line
Email address for named contact	parishclerk@fairburn-pc.gov.uk

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>	X	
<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>		

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>Fairburn Parish Council is the local council for Fairburn village, North Yorkshire, the area in which the asset is sited.</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) – standing orders available at FPC- Standing-Orders-2025-England.pdf	X
Other	

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Section 2: About the asset

Section 2A: Basic details

Please provide basic details about the asset

Type of land/building (for example, pub, shop)	Village community hall and surrounding lands
Name of the premises	Fairburn Church Hall
Address of the premises	Silver Street, Fairburn

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	Possibly held by PCC of the parish of Ledsham with Fairburn; no registered title located.
Address of the owner	Not known
Contact details for the owner	Managing trustee; [REDACTED]
Name of any other occupier	Not known
Name of any other person with an interest in the premises	Not known
Address of any other person with an interest in the premises	Not known
Contact details for any other person with an interest in the premises	Not known

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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?

Current and previous use

The hall is currently used for a range of community activities including meetings, social events, classes, and local functions. Historically the building was used for Sunday School and church-affiliated activities, it transitioned over several decades to largely secular community use, but early PCC records indicate that community social use was always intended to be part of its purpose.

Why is the asset of community value

Fairburn Church Hall provides a social and civic hub for the residents of Fairburn and surrounding areas. It is used by community groups, local organisations, and residents of all ages. Its location and accessibility make it well suited to serve as a welcoming venue for public benefit

Evidence of community use

Long-standing use for village events, including community events and local clubs.

The land was donated by a local resident and the hall was built through public fundraising from 1948–1959, demonstrating strong community investment in its establishment.

The hall is currently used for a weekly community cafe attended mainly by older village residents and it is the base for a number of community groups including Fairburn Singers and the Fairburn Art Group. In addition it is let for private events for village residents.

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 is likely that a more robust organisational structure will be needed to secure the future of the Church Hall and some maintenance work will also be required.

However, there is no reason why the hall and its adjacent land cannot continue to serve the village as a valuable asset as it has for more than 50 years.

The current use of the hall contributes significantly to the social interests and wellbeing of the village and surrounding areas and there is no reason why this cannot continue and be expanded.

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?

As described above, the hall is already providing an important social and wellbeing function for the village. This function has developed and adapted since the hall was built. It stands on a large site and there is considerable potential for the asset to change and develop over the next 50 years to serve the villages needs as it has for the last 50.

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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 link provided
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	██████████, Clerk to the Council
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.

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Asset of Community Value

Fairburn Church Hall

Evidence

Groups that use, details of activities/classes, how often they run, how many people attend, photographs showing community use

- Fairburn singers
Meet weekly. 40+ members. 7.30 to 9.30pm. Established since 1990.
www.fairburnsingers.co.uk

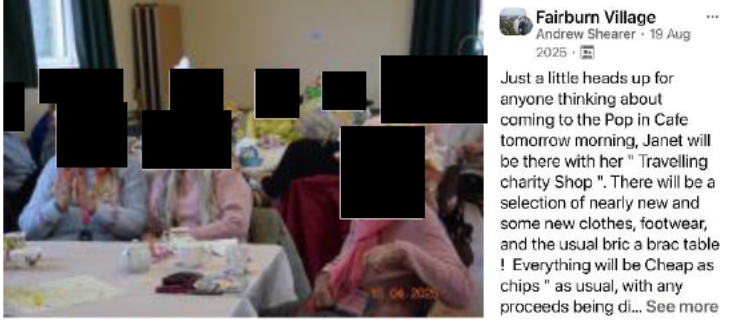
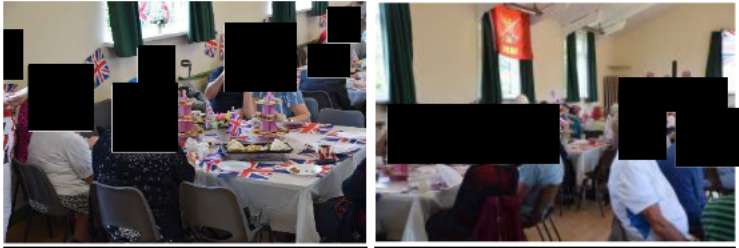


The Fairburn Singers are a mixed-voice choir of 40+ members. We meet weekly in the Church Hall and are supported by remunerated musicians: Andris Ugulis is our Musical Director and Mandy Jones our Accompanist. We have been singing as a choir since 1990.

- Fairburn art group
Meet weekly



- Pop up café
Meets weekly 10am until 12pm



- Line dancing
- Fairburn primary school and surrounding such as Micklefield
As and when required for discos and other events
- Classes and sales including flower arranging, coffee mornings and table top sales

FAIRBURN BAKES AND CARES

FUNDRAISING COFFEE MORNING

FRIDAY 12th SEPTEMBER

10AM - 2PM

CHURCH HALL, SILVER STREET, FAIRBURN, WPL 52A

WE ARE MACMILLAN.
CANCER SUPPORT

THE PRINCE OF WALES HOSPICE

Baked goods & refreshments
Pre-loved Fashion & accessories
Raffle & tombola
lots of great prizes to win!

CONTACT JANET: 07906762893



Well we're ready for opening in 5 mins ... table top sale at the church hall for Fairburn Flog it!



Flower Arranging in Fairburn.
Fancy something new - we hold flower arranging workshops monthly in the church hall making a fresh seasonal arrangement every time. Always the 3rd Saturday in the month so that's the 17th of Feb, 17th March, and 19th April at 10am. Get in touch for details -
margaret@readyplanted.com



<https://allevents.in/castleford/witchy-flower-arranging-in-fairburn/200028840227704>

- Private event – parties etc



- Neighbourhood police



Community Drop In Pop in Cafe, Church Hall, Silver Street, Fairburn

Good morning,

I would like to invite you to our community drop in at **Pop in Cafe, Church Hall, Silver Street, Fairburn** between 10am and 11am on Wednesday 25th February.

You will be able to meet some of the **Sherburn-in-Elmet** Neighbourhood Policing Team, who cover your area.

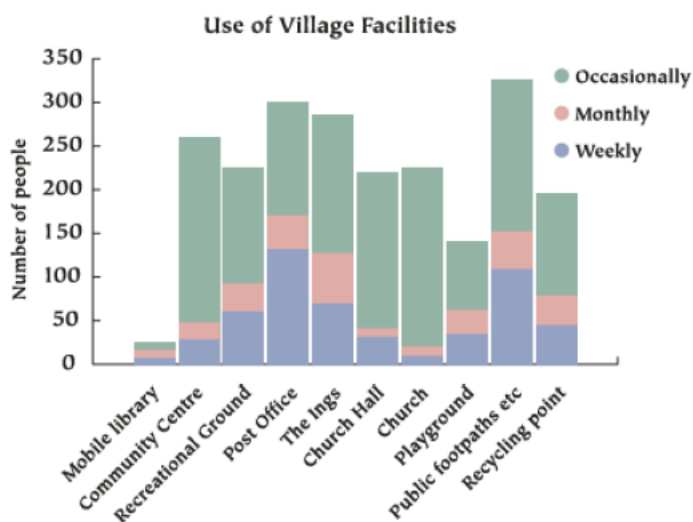
We look forward to meeting you soon



Letters of support or anything gathered through local consultation.

Fairburn Village Plan & Design Statement 2005

‘Fairburn has a Community Centre and a Church Hall both of which are regularly used.’



‘There are a number of courses in both the Community Centre and the Church Hall’

Evidence of cultural, recreational or sporting benefits the asset provides.

Selby District Council Community Engagement Forum Board

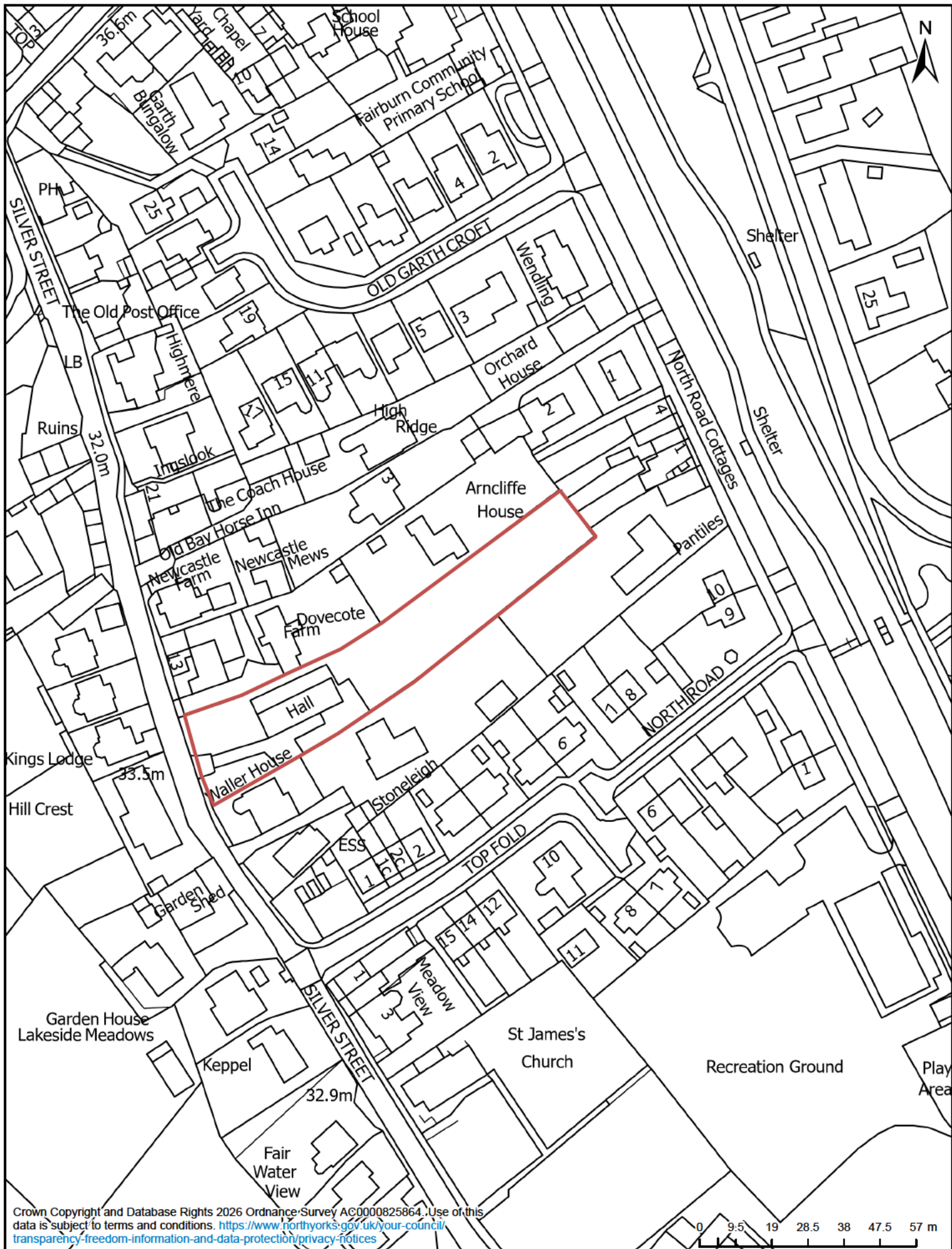
[Meeting of Selby - Western CEF Partnership Board on Tuesday, 22 January 2019, 7.00 pm | North Yorkshire Council](#)

Attached Church Hall impact report

[Fairburn Old Church Hall - An Event Venue In Fairburn, North Yorkshire | Yorkshire.com](#)

Includes many reviews showing use

[Fairburn Old Church Hall - An Event Venue In Fairburn, North Yorkshire | Yorkshire.com](#)



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County Hall, Racecourse Lane, Northallerton,
DL7 8AD. Telephone: 0300 131 2131

MAP TITLE:
Fairburn Church Hall

Date Printed: 10/04/2026
Scale: 1:1,250
Map Center Point:
447304E 427727N m