

# Minutes

## Cold Ashby Parish Council

**Minutes of the Extraordinary General Meeting held on Tuesday July 2<sup>nd</sup> 2024 at 7.30 pm at Cold Ashby Pavilion.**

**Present:** Councillors Roper (Chair, SR), Bailey (RB), Harpham (Vice-Chair, NH), Peel (AP), Taylor (AT) Rachel Williams (RIW) and Richard Williams (RdW). Jonathan Ward-Langman (Clerk, JBW-L). 18 members of the public.

The meeting was recorded by the Council and by a member of the public.

Councillor Roper declared an interest in item 24.7.8 (2024/2784/FULL); Councillor Harpham took the Chair. Councillor Bailey declared a non-pecuniary interest in item 24.7.8 (2024/1210/FULL).

**24.7.1 - Apologies:** there were none.

**24.7.2 - Minutes:** minutes of the Ordinary Meeting of the Council held on June 5<sup>th</sup>, 2024 were approved unanimously: proposed RdW, seconded AT.

**24.7.3 - Matters arising:** there were none.

**24.7.4 - Open forum:**

10 members of the public spoke to comment on item 24.7.8, planning application 2024/2784/FULL.

9 members of the public spoke against the application for change of use of the Black Horse public house, Main Street Cold Ashby to a community shop and post office.

Comments cited:

- The village's need for a Public House as a centre for social and community activity. The public houses' potential to reduce isolation and loneliness.
- Viability of and need for a community shop.
- Safety concerns arising from increased traffic.
- The presence of shops in nearby villages and grocery delivery services.
- The closure of the Black horse was a consequence of the Covid pandemic and not an indication that it was not viable. This has been detrimental to the village.

One member of the public suggested that information regarding current use of the building included in the planning application was misleading.

One member of the public (the applicant) spoke in favour of the application for change of use. He asked about the consultation deadline; the Clerk explained that the Council had requested an extension to July 12<sup>th</sup>, 2024 and that this had been agreed though it was not reflected on the WNC Planning Portal.

**24.7.5 - Accounts:**

- The accounts attached at Annex A for June were approved unanimously: proposed NP, seconded SR.
- The payments attached at Annex A were authorised unanimously: proposed AT, seconded RIW. **(Action JBW-L)**

**24.7.6 – Adoption of Policy for recording of meetings.** The draft policy for recording of meetings as amended attached at Annex B was approved unanimously: proposed RdW, seconded RB. (**Action JBW-L**)

**24.7.7 – Cemetery.**

- The application to erect a memorial to M.M. Lill at Cold Ashby burial ground (attached Annex C) was approved unanimously: proposed RIW, seconded AT. (**Action JBW-L**)
- The application to erect a vase is an 8" x 8" cube with flower rose at the top at Cold Ashby burial ground (plot 78) in memory of John & Rose Barr (attached Annex C) was approved unanimously: proposed RIW, seconded AT. (**Action JBW-L**)

**24.7.8 – Planning Matters.**

- To consider motion as follows, proposed by Councillor Bailey, seconded by Councillor Richard Williams:

“That Cold Ashby Parish Council considers the planning application received from West Northamptonshire Council No. 2024/2784/FULL for change of use of the Black Horse public house, Main Street Cold Ashby NN6 6EL to a community shop and post office.

That Cold Ashby Parish Council agrees on any comments to be submitted on its behalf to West Northamptonshire Council in response to the consultation notice dated June 10th 2024.”

(See letter attached, Annex D).

The planning application was discussed:

- The Clerk explained that under standing orders, without a motion proposed by three members and giving notice, the Council could not rescind the motion passed at its May meeting supporting the re-opening of the Black Horse as a Public House.
- The exact nature of the ‘community shop’ and its ownership and management were discussed. It was suggested that there was little or no support for a community shop within the village as evidenced by comments at this meeting.
- Members referred to a letter sent to the Council (attached below, Annex E, redacted) from a member of the public outlining objections to the application for change of use. The Clerk explained that this had been submitted too late to be included on the agenda but had been distributed to Councillors and could be referred to in discussion.
- It was agreed unanimously (proposed AT, seconded RIW) that the Council should submit comments (**Action JBW-L**):
  - attaching the letter at Annex F, as an indication of its views.
  - Referring to attendance at this meeting and the views expressed opposing change of use, with one member of the public supporting the application.
  - Reiterating its support for the re-opening of the Black Horse as a Public House.
- To consider Parish Council response to Planning Application 2024/1210/FULL Installation on solar panels on garage roof, Home Farm Church Lane Cold Ashby NN6 6EG (See letter attached, Annex E).

RB declared an interest. It was noted that there was limited information regarding the position and design of the proposed solar panels. It was agreed unanimously that the Council cannot support the proposals in the absence of such detail (proposed SR, seconded RIW) and that an extension until August 12<sup>th</sup> 2024 be requested of WNC. (**Action JBW-L**)

**24.7.9 - Post:** the Council noted thanks received from Friends of St Denys Church for Parish Council Grant.

**Date of next meeting: Wednesday August 7<sup>th</sup>, 2024, at 7.30p.m. in the Playing Field Pavilion**

**The meeting closed at 9.46p.m.**

### Annex A: Cold Ashby Parish Council accounts June 2024

Date	Account	Category	Desc	Credit/Debit	£	VAT	Total	Notes
01/06/2024	Main	Opening Balance					£16,962.31	
01/06/2024	Savings	Opening Balance					£9,758.31	
07/06/2024	Main	Cemetery	J. Stamp Cemetery fees	Credit	£55.00	£0.00	£55.00	
07/06/2024	Main	Information Commissioner	ICO	Debit	-£35.00	£0.00	-£35.00	
14/06/2024	Main	Consumables/IT	Ionos Cloud	Debit	-£3.00	-£0.60	-£3.60	Incl in May accounts
20/06/2024	Main	Clerks expenses	N.Heath refund Ionos payment 29/03/24	Debit	-£3.60	£0.00	-£3.60	
20/06/2024	Main	Grasscutting	Thompson Groundcare	Debit	- £407.96	- £81.59	-£489.55	
20/06/2024	Main	Grasscutting	Thompson Groundcare	Debit	- £407.96	- £81.59	-£489.55	
20/06/2024	Main	Special projects	St. Denys Church grant	Debit	- £640.00	£0.00	-£640.00	
	Main	Total					-£1,606.30	
	Savings	Total					£0.00	
Above payments authorised:								
June 5th 2024	Clerk	Jonathan Ward-Langman						
	Councillor			Main Account			£15,356.01	
	Councillor			Savings account			£9,758.31	
				Month Balance			£25,114.32	
	Date:							

# **BANK RECONCILIATION FOR COLD ASHBY PARISH COUNCIL MEETING JUNE 2<sup>nd</sup> 2024**

Name of smaller authority:	Cold Ashby Parish Council					
County area (local councils and parish meetings only):				West Northamptonshire		
Financial year ending 31 March 2025						
Prepared by (Name and Role):	Jonathan Ward-Langman Clerk/ RFO					
Date:	20/06/2024					
					£	£
Balance per bank statements as at 05/06/24						
Business Current Account 1045	account 1				£15,356.01	
Business Reserve Account 2605	account 2				£9,758.31	
	account 3					
						£25,114.32
Petty cash float (if applicable)						£0.00
Less: any unpresented cheques as at 20/6/24 (enter these as negative numbers)						£0.00
Net balances as at 05/06/24 (Box 8)						£25,114.32

### Invoices for approval Cold Ashby Parish Council EGM July 2<sup>nd</sup> 2024

Date	Account	Category	Description	Credit/Debit	£	VAT	Total
07/06/24	Main	Prof. services, Cllr. A Chantler	Audit fees	Debit	25.00	0.00	25.00
30/06/24	Main	Clerk’s salary/PAYE	Salary	Debit	708.60	0.00	708.60
30/06/24	Main	Clerk’s salary/PAYE	HMRC	Debit	174.00	0.00	174.00
25/06/2024	Main	Defibrillator	The Community Heartbeat Trust (Battery supply)	Debit	222.50	44.50	267.00
26/06/24	Main	Grasscutting	Thompson Groundcare	Debit	407.96	81.59	489.55
Above payments authorised:							
	Clerk	Jonathan Ward-Langman					
	Councillor						
	Councillor						
	Date:						

## **Cold Ashby Parish Council**

### **Recording at Parish Council Meetings Policy**

June 2024

#### **CONTENTS**

Detail of chapters	Page Number
Introduction	1
Parish Council recording obligations and duties	2
Rules of members of public or press recording the Parish Council meetings	3

#### **1. INTRODUCTION**

- i. This policy will cover the recording of Parish Meetings by members of the community as well as the Council itself recording the meeting.
- ii. The term “recording” covers the audio, visual or any kind of electronic recording.
- iii. The right to record, film and to broadcast meetings of the parish meeting is established under the Openness of Local Government Regulations 2014. This is in addition to the rights of the press and public to attend such meetings.
- iv. The Council is committed to being open and transparent in the way it conducts its decision making.
- v. The Council fully appreciates that any recording of meetings will need to be stored securely and will be covered by Freedom of Information (Fol) and General Data Protection Regulations (GDPR) legislation.
- vi. All Council meetings may be recorded in either a visual, audible or electronic manner. Recording of a meeting or a section of a meeting will be clearly noted in the minutes
- vii. The physical minutes of the meeting, which are usually taken by the Clerk and voted by the Full Council at the next Full Council meeting will remain the statutory and legally binding formal record of council decisions.
- viii. In any discrepancy between any recordings and written minutes, the Council are steadfast in using the written minutes as the primary record.

#### **2. COUNCIL RECORDING OBLIGATIONS AND DUTIES**

- i. The Parish Council may itself photograph, film, record or broadcast meetings and can retain, use or dispose of such material in accordance with its retention and disposal policies.
- ii. Where a council records its own meetings, it will be bound by this policy.
- iii. The Council will ensure that in all face-to-face meetings, there are clear signs of the fact that the meeting is being recorded.
- iv. The Chair will propose a motion when recording is not appropriate for either a full meeting or a section of meeting – if agreed this will be clearly noted in the minutes.

- v. If any Council meeting is held digitally, the Chair will ensure that it is clearly expressed that the meeting is being recorded.
- vi. The Councillors, Clerks and Council officers have given their permission to be recorded as part of their role.
- vii. Any members of the public or press who have attended any meeting (both face to face and digitally) will be warned by the Chair that by remaining at the meeting they have in effect given their **express** permission to be recorded. If any members of the public or press do not want to be filmed, they may choose to leave the meeting before recording commences **or to move to an area outside the range of the Council's recording equipment.**
- viii. The Clerk shall ensure that for any meetings that are recorded, the act of the recording is made clear in the minutes.
- ix. Council shall ensure that any recording is held securely behind a password protected access process. Any request for access by any persons (other than the Clerk) should be made in writing to the Chair who will take the request to the next full meeting for discussion and a decision to grant the request – this will be highlighted in the publication scheme.
- x. The Council will determine that how long the recordings are kept and it will be detailed in the Retention and Disposal of Documents and Data Policy. The policy will have specific reference to the GDPR and best practice guidance from the Information Commissioners Office (ICO).

### 3. RULES OF MEMBERS OF THE PUBLIC RECORDING MEETINGS

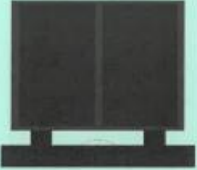


- i. The Council recognises that the general public have a right to record the meetings.
- ii. The Chair will remind all members of the public in attendance of the meeting or a participant in the digital meeting that the act of recording is with permission of the Council.
- iii. In regard to agenda points when the public and press are excluded, no recording by the press or public will be permitted.
- iv. The Chair will remind all members of the public and press that any recording of any meetings (either in full or part) will not be permitted to cause any disruption of any part of the Council meeting.
- v. Any person making the recording may move around, however in doing so they must ensure that there is minimal or no disruption to the proceedings of the meeting.
- vi. The council requests that all recording is overt (i.e. clearly visible to anyone at the meeting).
- vii. A person or persons making a recording has no right to interrupt the formal part of the Parish meeting by asking questions or making comments for the purpose of the recording.
- viii. The person recording has no right to ask councillors, officers or any members of the public who have been given permission to contribute orally to the meeting to repeat a statement for the purposes of the recording.
- ix. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in their reasonable opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.
- x. Persons who are recording are requested not to leave their equipment unattended where possible and are responsible for their equipment at all times.



- xi. The recording and reporting on meetings of the Parish Council, is subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance.
- xii. The council expects that the recording will not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or infringement of the Parish Council's values or in a way that ridicules or shows a lack of respect for those in the recording.
- xiii. The Parish Council would expect any recording in breach of these rules to be removed from public view. The Parish Council will have no liability for material published by any other person unless it is itself undertaking the publication through its offices.
- xiv. The Parish Council is not liable for the actions of any person making a recording at a council meeting which identifies a member of the public or for any publication of that recording.
- xv. The Council cannot be held responsible for recordings of its meetings made by members of the public or for their distribution or amendment and editing.

**June 6th 2024**

## Annex C

Shape / Sketch		Inscription Proof	
<p><b><u>New Memorial</u></b></p>  <p>Black granite book memorial</p>		<p><b><u>PLEASE CHECK CAREFULLY</u></b></p> <p><b><u>New Inscription</u></b></p> <p>IN LOVING MEMORY OF MAUREEN MAY LILL 25th SEPT 1936 - 14th APRIL 2023</p> <p>REST IN PEACE</p>	
Type of Memorial	Book	<p><b><u>Additional Inscription Space Required ?</u></b> One</p>	
Type of Stone	Black Black Granite		
Surface Finish	All Polished		
Carving / Design Details		<p><b><u>Mason Notes</u></b></p>	
Lettering Type	Modern Roman		
Lettering Finish	Silver Enamel		
Overall Dimensions	24x18 page on a 27x15 base		
Vase Particulars	One Vase, Central		
Grave No	90		
<p><b>Approved - Applicant</b> Mrs Clare Lill, Bunkers Hill Bungalow, Cold Ashby, Northampton, NN6 6EP (Mob: 07956 457932)</p>		<p>Signed _____</p> <p>X  X</p> <p>Date <u>5/6/2024</u></p>	
<p><b>Approved - Mason</b> J. Stamp &amp; Sons Memorials 15 Kettering Road Market Harborough, LE16 8AN (01858 462524)</p>		<p>Signed </p> <p>Date <u>7.6.2024</u></p>	
<p><b>Approved - Incumbent / Burial Ground Authority</b> Cold Ashby Cemetery, Main Street, Cold Ashby</p>		<p>Signed _____</p> <p>Date _____</p>	

24 inch

IN LOVING

MEMORY OF

MAUREEN  
MAY  
LILL

25th SEPT 1936  
14th APRIL 2023

REST IN PEACE

27 inch



AP

Signed *[Signature]*

Date *5/*

**In Loving Memory of**

**John Barr  
1902 - 1980**

**&**

**Rose Hilda Barr  
1908 - 1978**

**Remembered  
with a Smile!**





## Annex D



### Planning Service

#### Place Directorate

West Northamptonshire Council  
The Guildhall, St Giles Square, Northampton, NN1 1DE  
Email: [planning@westnorthants.gov.uk](mailto:planning@westnorthants.gov.uk)  
Web: [www.westnorthants.gov.uk](http://www.westnorthants.gov.uk)

**IMPORTANT – PLANNING CONSULTATION**  
FAO of the Parish Clerk  
Cold Ashby Parish Council  
1 West Haddon Road  
Cold Ashby  
Northants  
NN6 6EE

Contact: Chuong Phillips  
Telephone: 0300 126 7000  
No:  
Email: [planning@westnorthants.gov.uk](mailto:planning@westnorthants.gov.uk)  
Date: 10 June 2024

Dear Sir/Madam

Town and Country Planning Act 1990  
Town & Country Planning (Development Management Procedure) (England) Order 2015  
Standard Consultation Planning

Application No. 2024/2784/FULL  
Proposal Change of use of Black Horse public house to community shop and post office  
Location The Black Horse Main Street Cold Ashby NN6 6EL

This is a consultation on the above proposal. If you have any comments to make, please make them by 1 July 2024.

A copy of the application, accompanying plans and relevant documents can be viewed on the Council's on-line register at <https://wnc.planning-register.co.uk/Planning/Display/2024/2784/FULL?cuid=4B62CAB4-B47D-4DB0-8F68-E1A142F8C464>. This will also tell you the current status of the application together with other useful information, including the reason for this consultation (on the 'Consultee' tab under the 'Constraints List').

If you do not have access to the website you may inspect the application, the plans and other documents submitted with it (including the Environmental Statement) at this office at any time between 8:45 a.m. and 5:15 p.m. Monday to Thursday and up to 4:45 p.m. on Friday. Any member of staff will be able to assist you with general information regarding the application; if you wish to speak to the Case Officer you should make an appointment before visiting the office. The information will be available for inspection for at least 21 days from the date of this letter.

Please submit your comments via the Online Planning Register using the following link: <https://wnc.planning-register.co.uk/Planning/Display/2024/2784/FULL?cuid=4B62CAB4-B47D-4DB0-8F68-E1A142F8C464>. Please DO NOT submit comments by manually going to the planning register and using the 'Comments' tab, as this will submit your comments as a neighbour. The above link to the Online Planning Register is unique to you as a consultee.

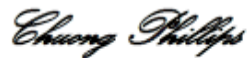
Guidance on how to submit your comments and the information you can include is available on our website using the link below:

<https://www.planningportal.co.uk/planning/having-your-say/planning-applications>

To ensure your comments are received promptly please submit them electronically where possible. If you have received this letter in hardcopy format and would like to receive it electronically then please email [planning@westnorthants.gov.uk](mailto:planning@westnorthants.gov.uk) and advise us of the email address you would like consultations sent to.

If you need more time you should contact us no later than **1 July 2024**. We can only grant more time in exceptional circumstances and we would need your reasons for the request, together with a firm date by which we will have received your comments.

Yours faithfully

A handwritten signature in black ink, reading 'Chuong Phillips' in a cursive script.

**Chuong Phillips  
Principal Planning Officer  
Planning Service**

## Annex E



### Planning Service

Place Directorate  
West Northamptonshire Council  
The Guildhall, St Giles Square, Northampton, NN1 1DE  
Email: [planning@westnorthants.gov.uk](mailto:planning@westnorthants.gov.uk)  
Web: [www.westnorthants.gov.uk](http://www.westnorthants.gov.uk)

#### IMPORTANT – PLANNING CONSULTATION

FAO of the Parish Clerk  
Cold Ashby Parish Council  
1 West Haddon Road  
Cold Ashby  
Northants  
NN6 6EE

Contact: Bob Ham  
Telephone 0300 126 7000  
No:  
Email: [planning@westnorthants.gov.uk](mailto:planning@westnorthants.gov.uk)  
Date: 19 June 2024

Dear Sir/Madam

Town and Country Planning Act 1990  
Town & Country Planning (Development Management Procedure) (England) Order 2015  
Standard Consultation Planning

Application No. 2024/1210/FULL  
Proposal Installation on solar panels on garage roof  
Location Home Farm Church Lane Cold Ashby NN6 6EG

This is a consultation on the above proposal. If you have any comments to make, please make them by 10 July 2024.

A copy of the application, accompanying plans and relevant documents can be viewed on the Council's on-line register at <https://wnc.planning-register.co.uk/Planning/Display/2024/1210/FULL?cuid=87022DE2-C8A0-4FF9-B189-F893BD2DA60C>. This will also tell you the current status of the application together with other useful information, including the reason for this consultation (on the 'Consultee' tab under the 'Constraints List').

If you do not have access to the website you may inspect the application, the plans and other documents submitted with it (including the Environmental Statement) at this office at any time between 8:45 a.m. and 5:15 p.m. Monday to Thursday and up to 4:45 p.m. on Friday. Any member of staff will be able to assist you with general information regarding the application; if you wish to speak to the Case Officer you should make an appointment before visiting the office. The information will be available for inspection for at least 21 days from the date of this letter.

Please submit your comments via the Online Planning Register using the following link: <https://wnc.planning-register.co.uk/Planning/Display/2024/1210/FULL?cuid=87022DE2-C8A0-4FF9-B189-F893BD2DA60C>. Please DO NOT submit comments by manually going to the planning register and using the 'Comments' tab, as this will submit your comments as a neighbour. The above link to the Online Planning Register is unique to you as a consultee.

Guidance on how to submit your comments and the information you can include is available on our website using the link below:  
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To ensure your comments are received promptly please submit them electronically where possible. If you have received this letter in hardcopy format and would like to receive it electronically then please email [planning@westnorthants.gov.uk](mailto:planning@westnorthants.gov.uk) and advise us of the email address you would like consultations sent to.

If you need more time you should contact us no later than **10 July 2024**. We can only grant more time in exceptional circumstances and we would need your reasons for the request, together with a firm date by which we will have received your comments.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Bob Ham', written in a cursive style.

**Bob Ham**  
**Senior Planning Officer**  
**Planning Service**

## **Annex F**

REDACTED

30<sup>th</sup> June 2024

Mrs Chuong Phillips  
Planning Services  
West Northamptonshire Council  
The Guildhall  
St Giles Square  
Northampton  
NN1 1DE

REFERENCE: Planning Application WND/2024/2748

Dear Mrs Phillips

I am responding to the Planning Appeal reference WND/2024/2748 with regard to the 'change of use' for the Black Horse, Main Street, Cold Ashby, NN6 6EL, to a community shop and post office

I am objecting to this application for the following reasons.

- Loss of an Asset of Community Value of a pub in conflict with Planning Policies
- Traffic and Highway concerns
- Misleading and false information with regard to material considerations.

### **Loss of an Asset of Community Value of a pub in conflict with Planning Policies**

Policy RC2 of the West Northamptonshire Joint Core Strategy 2014 (CS) and Policy CW3 of the Daventry District Settlements and Countryside Local Plan 2020 (LP) resist the loss of public houses unless certain circumstances are demonstrated. These circumstances include evidence of active marketing for a period of 12 months to demonstrate that the site is no longer attractive to the market; whether there are sufficient alternative equivalent services accessible in the village or immediate locality, having regard to the settlement's role in the settlement hierarchy; and where a proposal will bring about community benefits that outweigh the loss of the facility.

As stated in the Appeal decision section 7.0 for the previous change of use WND/2022/0437 – APP/W2845/W23/3318780

Marketing and Valuation: The property has not been actively marketed for 12 months on the basis that it has been advertised at £350,000 purchase cost, which is significantly higher ( 43% ) than a valuation carried out by a an RICS Surveyor that valued it at £240,000 and that was on the basis of it being in a condition to walk in and directly open the pub.

The current condition is nowhere near that state and the Planning Enforcement Team visited to the Black Horse in May 2024 and can verify its condition. Offers have been made by Cold Ashby Community Pub Group in the region of the valuation either with all renovations work completed, or at a reduced price for works to be completed post purchase.

Attractive to the Market:

A recent survey, started in May 2024, carried out by Cold Ashby Community Pub Group Ltd had responses from 71 local households representing 169 people of which 92% indicated that they felt that Cold Ashby would be a better place if it had an open pub.

This is in the context of the core village having 100 properties and @ 25 properties nearby and in the surrounding rural area, and a population of @ 289 people (2021 census)

71% of responses also indicated that the loss of an operating pub has had a medium to high impact on them.

As regards additional support for the pub

- 34 responses pledged to buy shares
- 55 responses also pledged help for example in helping the Steering Group, running the pub, renovation work or fundraising.

More details of the survey are included in Appendix A

The provision of a shop and post office will not bring about community benefits that outweigh the loss of the facility of a pub. As already mentioned the feedback from the survey was clearly in support of having an operating pub and although the feedback included interest in the pub having an ancillary provision of basic groceries, **none** of the response made reference to a desire to have a post office.

The applicant has reused the survey findings from the previous appeal for change of use, see sections 3.20 and 3.21 of the Design and Access statement, which the

Planning Inspectorate stated in the appeal decision for WND/2022/0437 –

APP/W2845/W23/3318780

*19. There is no detailed survey report, and I am not satisfied that calculations are properly made or described in the results provided. For example, 27 responses in favour of a wet pub would not equate to 26% of the total 49 responses received. It would be about 55%. There is nothing to*

*relate the survey sample to the potential catchment of the PH and therefore I cannot be certain that the survey properly establishes the likely demand for the facility. I am therefore not satisfied that the evidence of public engagement robustly demonstrates that the facility is no longer required, nor that it indicates that there is little or no support for the use of the property as a PH.*

The valuation carried out on behalf of the Cold Ashby Community Pub Group Ltd included details of the adequate viability of the Black Horse.

The lack of viability information provided in sections 3.11 – 3.16 of the Design and

Access Statement is misleading at it seeks to suggest:-

- That there is only an annual income of £5938. This is actually the profit as the calculations included for a salary already.
- The British Beer and Pub Association report for a Small Community Pub with a turnover of £4k per week would indicate that this would support the salary costs of @£32K and a profit of @£30K

In the Design and Access Statement section 3.15 it refers to the offer being by the Cold Ashby Community Pub Groups as low and based upon unsecured grants and bank funding. This is misleading information as the offers made are based on a qualified surveyors report, and there are no plans for bank funding. As with the majority of community purchased pubs their offer is invariably based on the condition of grant funding. It would surely be in the interest of the owner to support such an offer, based on a recognised market surveyor valuation, and potential funding.

Insufficient alternative equivalent services:

As noted by the Planning Inspectorate in the Appeals Decision for change of use WND/2022/0437 – APP/W2845/W23/3318780

*“While these ( alternative) facilities are available for use or hire by the community, they do not provide a comparable offer to that of a PH where a walk-in service is offered, which would allow social interactions on an ad-hoc basis.”*

The details provided in this latest application still seek to suggest that there are adequate alternative facilities which is false.

In the Design and Access Statement in section 3.5 it is misleading as it indicates the times at which the Village Hall can be **hired** with alcohol being served. This does not relate to the times that the Village Hall Committee as a group of volunteers commits to opening the venue for social events and it definitely does not provide a walk-in service which would allow social interactions on an ad-hoc basis.

The plans for Village Hall openings in June and July 2024 included opening on 13 occasions between the 8<sup>th</sup> June and the 31<sup>st</sup> July.

- This relates to 6-7 times per month and less than 2 times per week.
- See Appendix B, which is an extract from the Village Link, our local newspaper, which shows the opening arrangements in June and July for the Village Hall and the Sports Pavilion.
- This includes 6 occasions for skittles, which when the pub closed were displaced and the Village Hall kindly stepped in to provide a venue for them. As the Village Hall Committee

responded to the previous application and appeal for change of use the provision of support for the Skittles Team is only to provide them with a venue while the pub is closed.

- Food is only offered on 4 of these occasions.

Section 3.6 of the application refers to other venues and clubs in and around the village and again it refers to the potential licencing hours and not those which are actually operated.

These licencing hours are not the actual normal operating hours, and yet again the applicant is providing misleading information.

The proposal will not bring about community benefits that outweigh the loss of the facility:

As demonstrated by the survey carried out by Cold Ashby Community Pub Group Ltd, see Appendix A, the findings are:

- A shop will not meet the full needs of the community
- The community which has responded to the survey, 71 households out of @ 125 has not mentioned at all the need for a post office
- The harm felt by the community due to the loss of an opening pub is significant.

Design and Access Statement Section 5

This section includes various claims which I challenge.

- JCS Policy S1. Section 5.6. refers to vacant and under used buildings.
  - The accommodation above the Black Horse is not vacant. It is resided in by the applicant. ○ The under use of the ground floor area is due to the applicant claiming that they are refurbishing the ground floor for future use as a pub, but over 2 years later they have not finished that refurbishment work.
- JCS Policy S10: Application section 5.7. Refers to upgrades for environmental performance energy efficiency. These are not solely related to change of use and can be achieved while retaining its current designated use as a pub. Ironically these could have been achieved during what the applicant indicated were refurbishment work for the pub as expressed to the Planning Enforcement Department of WNC
- JCS Policy RC2. Section 5.8. The benefits of a provision of a shop and post office do not outweigh the loss of a pub to a community. See Appendix A. The survey clearly states the preference of the majority of the community for a pub and not just a shop and post office.
- LP Policy CW3. Application section 5.11. Although this recognises the role of convenience stores and post offices as well as pubs, the overall response of the community is to retain a pub with basic grocery provisions as an ancillary provision, with no interest in a post office. See Appendix A for CACPG Survey.

## **Traffic and Highway concerns**

Access and Parking:

As a pub there is still needs for Parking and Access, however, these are of a very different nature to a shop.

- The pub would mainly be for the usage of local residents, who would not need to travel to or park nearer the pub. ○ Those who would travel to the pub would be of a relatively low number, i.e. the pool and skittle teams, friends and families of residents. These numbers of cars have historically been accommodated and still are as they are utilising for example the Village Hall, which has no designated parking. ○ The number of access movements, i.e. parking up/driving off for the pub usage are likely to be significantly lower than the usage for a shop. ○ Deliveries to the pub have previously been achieved by the delivery vehicle reversing into the car parking area so that they were not blocking access for any length of time either on Thornby Road or Main Street. ○ If more than four cars were parked in the car park, which it can do if double parked, this was not a major issue as the turn round time for stays were longer and all you had to do if you were blocked in was to return to the bar and flag up the need for a car to be moved.

Section 5.20 of the Design and Access Statement indicates the provision of four car parking spaces in the car park. It allow for one car parking space for the owner.

Access and egress to the parking spaces. ○ The Block Plan, see Section 5.20, although it shows four parking spaces, also shows that to access the parking space nearest the building, then the adjacent parking spaces would need to be empty, without the potential for impact as the gap is less than the parking bay width. ○ To access and egress the parking spaces provided is through a single vehicle width entrance and once parked, unless you have reversed into the parking space, you would need to reverse out onto Thornby Road and very close to the junction with the Main Street. At peak traffic times this could result in further congestion and increase the probability of accidents.

#### Offloading.

- Section 5.21 of the Design and Access Statement suggest that there is no requirement for service vehicles to enter the site as the property will be serviced from the Main Street. ○ I have provided photographs of the situation for access to parking on the Main Street, Appendix C, which clearly shows there is very limited parking in the area without blocking the whole of Main Street.
- When the blocking of Main Street occurs, as we have experienced on many occasions due to road rage incidents and accidents, this results in the use of Church Lane, which is a single-track road, and this also ends up with blockages and hence significant tail backs.
- The WNC Traffic Team are well aware of the concerns the village has as regards traffic management in the Cold Ashby

Access for cycle storage and clothes recycling units ○ The provision of such facilities are not unique to a shop and post office and could easily be provided by a pub too. In fact the CACPG survey had feedback that suggested that providing provisions for cyclists would be beneficial as part of the pub offering

### **Misleading and false information with regard to material considerations**

I am very concerned that the applicant has provided misleading and false information as part of this and previous applications and appeals for a change of use. This is on the basis that it is not a one-off event but a repeated approach.

I gather that this can only be addressed under planning law if it involves 'material considerations.

I would like to highlight the following items where I feel the applicant has at best been misleading and at worst false in their representation with regard to material considerations.

I would welcome the Planning Departments views on this, and where appropriate the action they could or should take.

## **Policy:**

### Community amenity

- The term 'community shop' is used multiple times in the application. However the community, see Appendix A, has, in majority, indicated that it would want a pub with maybe an basic grocery provision as ancillary. So the applicant has provided misleading information in this application
- When I see the term 'community, this assumes that the community is involved in this project. This is not the case in this situation. The applicant has been misleading in the application about their involvement with the project.
  - The applicant may reside in Cold Ashby and that is an issue in its own right as the applicant resides in accommodation above the pub.
    - From the Annual Reports and associated documentation and information provided in previous applications:
      - The Applicant is the Director of AEP UK Ltd, who owns the Black Horse
      - It appears that the Friendship Zone, which is a charity aimed at education, has been tasked with managing the Black Horse, so it is not clear about how these fits in with providing a shop and post office, when its intentions had previously been stated as education.
      - The Applicant is also the Director and one of three Trustees of the Friendship Zone
      - The Applicant is currently residing in the accommodation above the Black Horse pub, which the WNC Planning Department with regard to Decision notice for WND/2023/0080 for a first-floor extension to the property , the WNC Planning Department made reference to:
        - 5. *The proposed accommodation shall only be used for residential purposes ancillary to the lawful primary use of the property as public house and shall only be used as accommodation by any person/ persons and their dependants connected with either the ownership and/or management of the property as a public house.*
    - No one else in the Cold Ashby community, as far as I am aware, are declared in this application as being involved in the 'community' shop other than applicant, who is
      - the Director of AEP UK Ltd, the owners of the Black Horse

- The Director of the Friendship Zone,
- The resident of the accommodation above the Black Horse.

Loss of an Asset of Community Value of a pub in conflict with Planning Policies In the section on this topic I have highlighted several occasions where information provided by the applicant is misleading or false.

The suggestion in 3.2 of the Design and Access Statement that the Black Horse has been available to use as a community venue is misleading.

- If the applicant had operated the Black Horse as a non-licenced venue, then under Planning Law would he not have required a change of use. I can see no change of use applied for or granted. So, if it has been operated in this way as he states then surely this is contrary to Planning Law.
- If Planning laws have been complied with, then the venue could not have been operated as a non-licenced community venue

To summarise, I object to this planning application for a change of use and would hope that you will refuse the application on the basis of

- The detrimental impact on traffic management and parking in the area.

- The proposal does not align with Planning Policies and does not outweigh the role of the Black Horse as an Asset of Community Value as a pub
- Use of misleading and false information associated with material considerations.

Your sincerely

REDACTED



## Appendix A

### Cold Ashby Community Pub Group Ltd

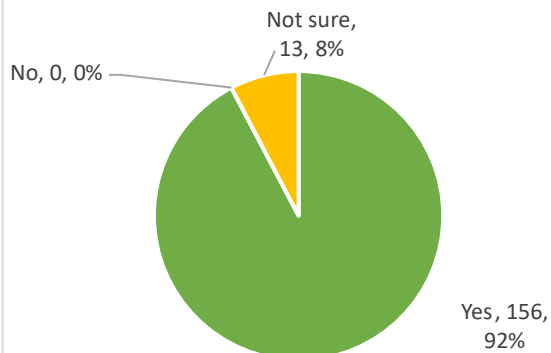
#### Survey 2024 : Update 19<sup>th</sup> June 2024

We are still progressing with the recent survey with regard to Black Horse that we launched in early May, though we thought you would like to hear how it has gone so far.

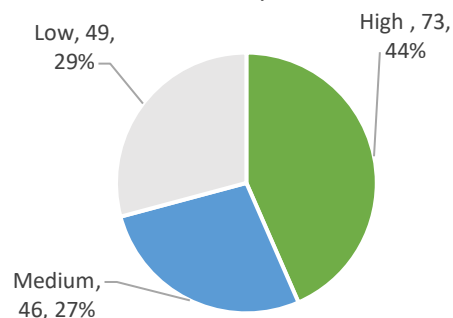
We have had:-

- 71 households' responses
- These responses reflected the views of 169 people
- This is in the context of approximately 125 households and a population of 289
- 92% of responses felt the village would be better if we had a pub that opened and help serve the community. This equate to 54% of the population.
- 71% of responses felt that the impact of the pub not opening was high or medium.
- In terms of what would make you more likely to visit the pub the top five were:-
  - Providing a food offering
  - Drinks choice and quality
  - Community events
  - Provision of a café ( within the pub)
  - Ambience and pub layout.
- 37 responses added in additional information as regards what would be more likely to make you used the pub, food offerings and additional services and comments. Key thoughts from this are:-
  - Provision of basic grocery shop as part of pub
  - Parcel drop off and collection point.
  - Themed food nights
- 34 responses pledged to buy shares
- 55 responses also pledged help for example in helping the Steering Group, running the pub, renovation work or fundraising.
- The summary does not include details of the number of members of each household or their age group or the location of where they live

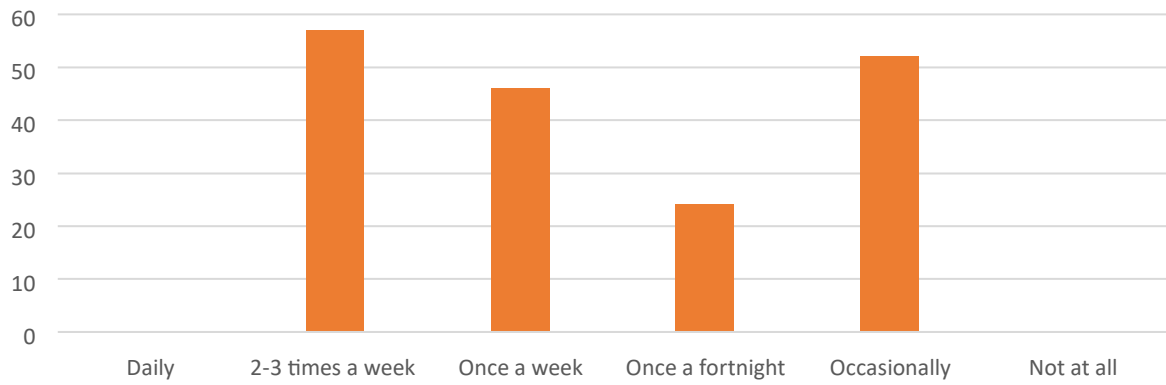
1. Would the village be better if we had a pub that opened and helped serve the community:



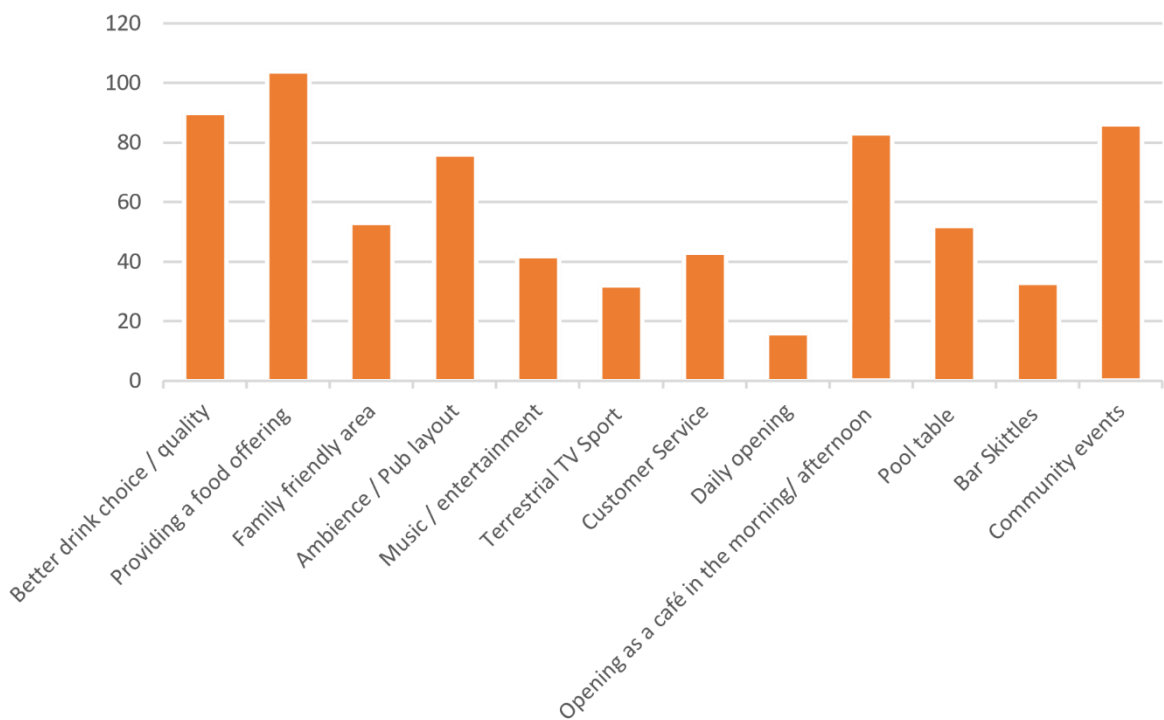
2. Although in the interim the Village Hall and CAPFA have provided some social events, if that had not happened, what impact would the closure of the pub had on you?:



3. If our local pub, the Black Horse, was run by the community would you or any member of your household use it?

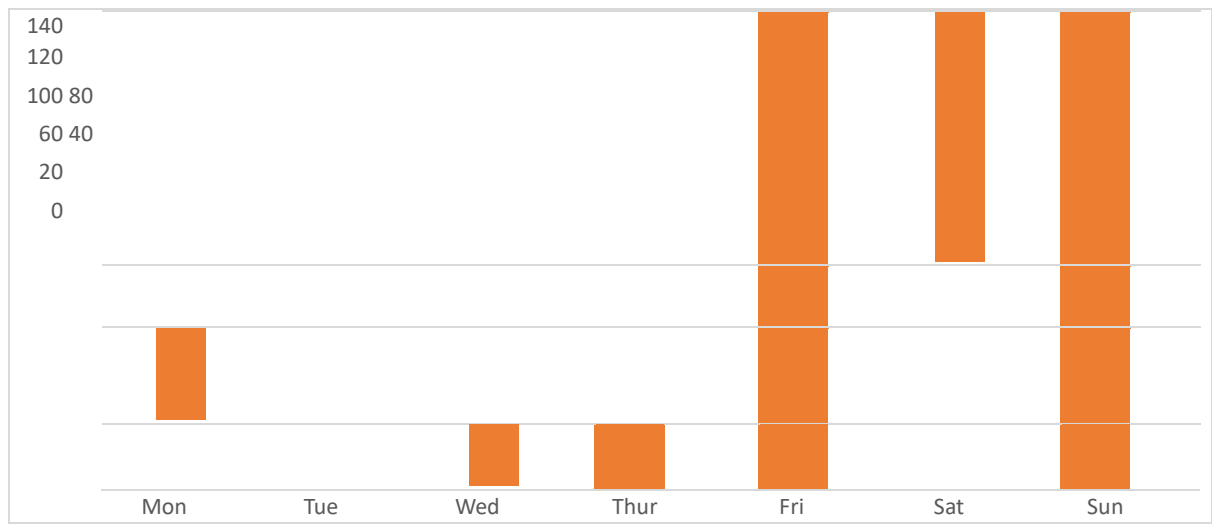


4. What would make you more likely to visit the pub?

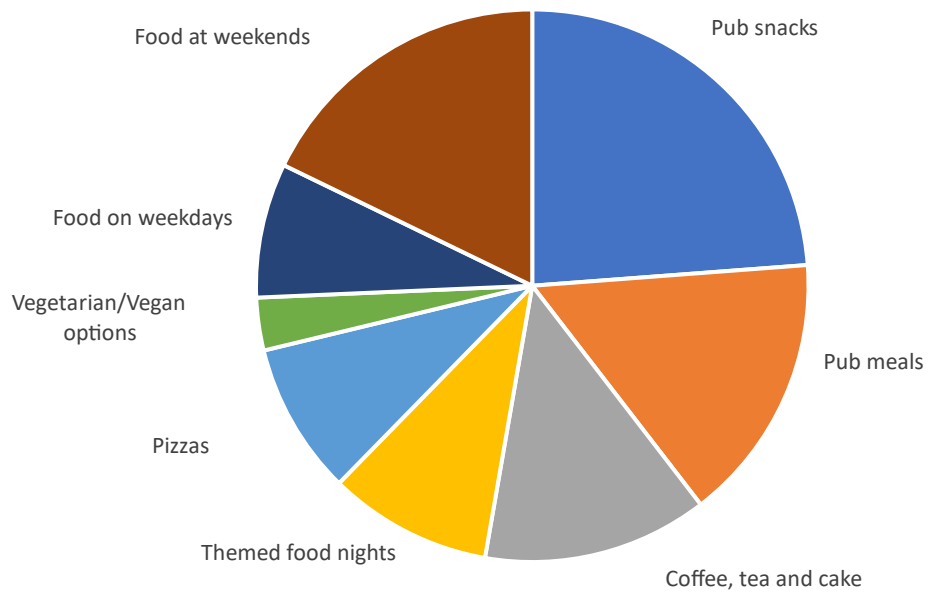


5. Which days would you most likely visit the pub?

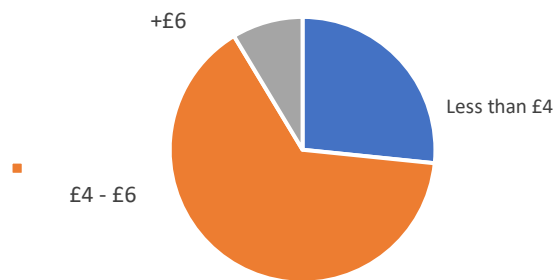




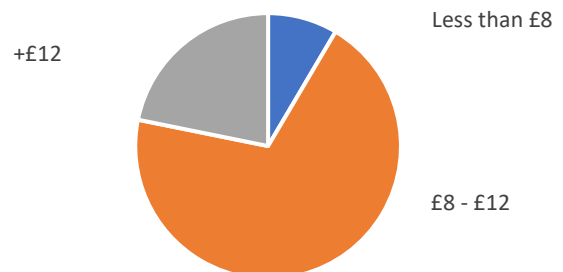
6. If a food offering is provided, what would you like to see?

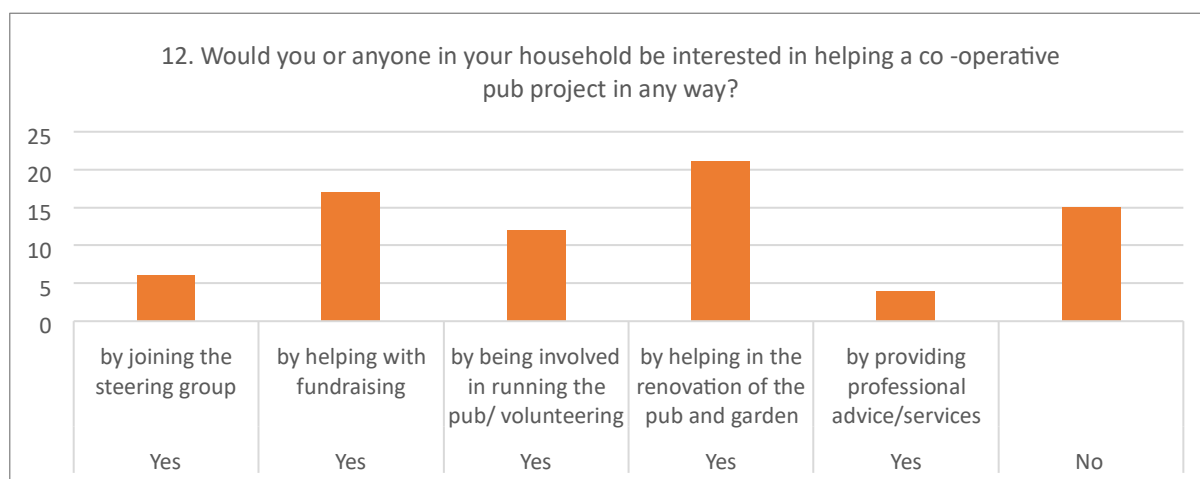


7. If a food offering is provided, what price range would you expect to spend for pub snacks?



7. If a food offering is provided, what price range would you expect to spend per meal?





WND/2024/2784

Objection

Responses to open questions:

4. What would make you more likely to visit the pub?	6. If a food offering is provided, what would you like to see?	8. Are there any other community services you would like to see on offer at the pub? For example, somewhere to pick up basic groceries. When and how would you like these services to be part of the pub's offering?	9. Are there any other comments you want to make about how the pub could be run or provide a service you want
Café for cyclists and walkers may be popular		Basic groceries. Good bread and milk	
		Prescription collections	
			Limited opening
		Basics bread, milk etc would be a welcome addition	
Regular opening times essential. Range of events beneficial, i.e. pool, card nights, music, BBQs.	Basic but good quality food would be great. Nice bar snacks ( pork pies, sausage rolls etc). Whilst the pub is too small to serve as a restaurant offering homemade pizza or similar would encourage people in on both eat in and takeaway.	A small offering essential would encourage non traditional customers into the pub and may lead to having a drink. Just very basic bits like milk, bread, loo roll, washing liquid etc.	I supported the pub with previous owners and feel the village lost an important asset when it closed. A wet led pub seems most appropriate for the Black Horse, however small additional services would be great.
Beer Garden. BBQ's. Sausage Rolls. Pies. Snacks. Bingo night was popular.	Sausage Rolls, Pies etc. Visiting food vans. Popular at other pubs. Eat in and then buy drink at the pub.		
Regards Q5 would use Friday PM and Sunday AM	Bar meal, £8-12 depends on portion size	Basic groceries.	Concerned about parking, already very bad on that junction and Thornby Road with residents. How will all this be managed. Little or no interest in a wet pub and snacks for one family wouldn't use.

If the pub opened day time tea/coffee/cake and if others were there I would visit 2-3 times per week. My usage would be greater if enough people use it create a good atmosphere	I would drop in for a coffee/tea/cake during the week as well as for drinks in the evening Fri/Sat/Sun		
		Milk, eggs, bread, etc would be nice	Open for walkers and cyclists to use

<b>4. What would make you more likely to visit the pub?</b>	<b>6. If a food offering is provided, what would you like to see?</b>	<b>8. Are there any other community services you would like to see on offer at the pub?</b> For example, somewhere to pick up basic groceries. When and how would you like these services to be part of the pub's offering?	<b>9. Are there any other comments you want to make about how the pub could be run or provide a service you want</b>
I would only be interested if there was the right real ale choice			
Opening for food at lunchtime would be an incentive	Lunchtime food		
		The pub needs a landlord and landlady to run it not a committee. We need to learn from the past and prevent mistakes.	A good basic pub to offer a service to the villagers
Opening on Bank Holidays			
	Kids snacks and sweets	Parcel Pickup/Drop off i.e. Hermes a and DPD etc	
Low impact only because we had a baby at the time and didn't get the chance. Quality small lunch options, panini, sandwiches etc. Would be great to go on a Saturday lunchtime	Food would be amazing. Happy to pay higher prices if it is quality, its worth it.	A small basic shop would be great. It works well in Ravensthorpe	Just to offer quality craft beers, something to make it a little different.
Pub Quiz. Dog Friendly		Bakery. Basic groceries at weekends	Pub Garden. Darts Board



		Small Village shop	Not too big
			Coffee morning. Tues - Friday 10 am - 3 pm
Darts and Dominoes			
		Would not use for groceries	
		Basic shop for essentials. Parcel Collection Service	
		Would be a bonus, but not essential	
Dog Friendly. Internet access. Café. As work from home, working elsewhere and having	Breakfasts on weekends.	Basic groceries. Ice cream. Snacks. Farm Shop Style.	Food price to align with quality. Somewhere to get a coffee and sandwich during working hours. Possibly work there for a few hours. Book Club.

<b>4. What would make you more likely to visit the pub?</b>	<b>6. If a food offering is provided, what would you like to see?</b>	<b>8. Are there any other community services you would like to see on offer at the pub? For example, somewhere to pick up basic groceries. When and how would you like these services to be part of the pub's offering?</b>	<b>9. Are there any other comments you want to make about how the pub could be run or provide a service you want</b>
lunch and coffee would be a welcome change			
		The offering to buy basics groceries i.e. milk, bread etc would be helpful	Pub garden. Live Sport
	Traditional pub meals( basket) is very important. Gastro would be even better. Can't be just a 'wet 'pub'.		
	Would pay +£12 for a pub meal depending on what for.		
		Basic groceries.	
Maybe a bacon and egg breakfast club once a week	Quality/Fresh options	Basic groceries. Is a great idea. Maybe on designated days if not every day	
		Parcel Collection	

Service coffee, teas alongside alcohol. Wifi would be good			I imagine a pub hosting village events, get together and a place to meet friends and neighbours
Listen to the customers of what they like and not what you may assume we want.	Anytime	We don't but does not mean that others won't	Ensure the pub is run for everyone on this village and not the select few. More information needed before I hand over any money. I'd like to know how this pub group is going to be run
		Parcel Collection	
		Basic groceries would be advantageous, such as bread and milk	Would just love to see it re-open and used for its original purpose
		Parcel Delivery/Collection Hub	
Curry night, fish and chip suppers, pizza van would be great		Village shop to offer basics - milk, bread, basic groceries	Café at the weekends, cyclists often ask where they can go. Saturday and Sunday would be popular for passing trade. Nice snacks and sandwiches and cake
<b>4. What would make you more likely to visit the pub?</b>	<b>6. If a food offering is provided, what would you like to see?</b>	<b>8. Are there any other community services you would like to see on offer at the pub? For example, somewhere to pick up basic groceries. When and how would you like these services to be part of the pub's offering?</b>	<b>9. Are there any other comments you want to make about how the pub could be run or provide a service you want</b>
		Basic groceries would be great, run by a rota of volunteers open minimum of 4 days per week	
		Small shop	Play Skittles
		Basic groceries	



## Appendix B

### Cold Ashby events for June and July.

Everyone is welcome to join us for the following events and residents' support will ensure that we are able to keep these important village facilities open and provide opportunities for entertainment, social interaction and keep the village pool and skittle teams going.

Date	Event	Place	Details
Sat 8 <sup>th</sup> June	Social Night	Memorial Hall	From 7:30pm
Wed 12 <sup>th</sup> June	Skittles CAA v CSB	Memorial Hall	From 7:30pm
Wed 19 <sup>th</sup> June	Skittles: CAB v KA	Memorial Hall	From 7:30pm
Sat 22 <sup>nd</sup> June	Midsummer Madness	Memorial Hall	From 7:30pm Supper £5 (prebook only)
Tues 25 <sup>th</sup> June	Film night (TBA)	Pavilion	Open from 7.30pm £5 includes cheese and wine
Sun 30 <sup>th</sup> June	Sunday Cafe	Memorial Hall	From 10-1pm
Wed 3 <sup>rd</sup> July	Skittles: CAB v BH	Memorial Hall	From 7:30pm
Wed 10 <sup>th</sup> July	Skittles: CAA v KA	Memorial Hall	From 7:30pm
Sat 13 <sup>th</sup> July	Social Night	Memorial Hall	From 7:30pm
Wed 17 <sup>th</sup> July	Skittles: CAB v CAA	Memorial Hall	From 7:30pm
Sat 20 <sup>th</sup> July	Open Gardens BBQ	Memorial Hall	From 7:30pm BBQ £5
Sun 21 <sup>st</sup> July	Cold Ashby Open Gardens	Memorial Hall	1pm-6pm £5
Tues 23 <sup>rd</sup> July	Film night (TBA)	Pavilion	Open from 7.30pm £5 includes cheese and wine
Sun 28 <sup>th</sup> July	Sunday Cafe	Memorial Hall	From 10-1pm
Wed 31 <sup>st</sup> July	Skittles CAB v LBRC	Memorial Hall	From 7:30pm

Pool nights some Mondays from 7.30pm at the Cold Ashby Playing Field Pavilion. Bar open. Please check village Facebook pages for further details of planned events listed above.

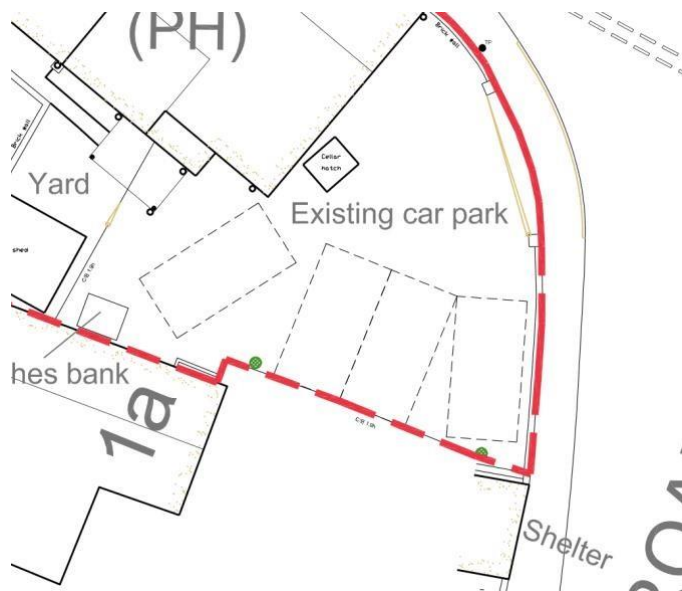
## Appendix C

Cars are invariably parked on the

northside of Main Street. The top two pictures show this. Cannot see how deliveries could be made by parking up on Main Street without blocking the road.

The access to the car park is off Thornby Road, but very close to the junction with the Main Street at a very awkward 90 Deg bend.





Assuming the owner space is the one nearest the building, then when a car is parked adjacent to it than that car cannot exit the site.

Cars would have to exit the car park by reversing, or they would have to reverse into the car park to exit in a forward direction.