

Application Number: 25/001

Nominated Asset: Ultimate Picture Palace Community Cinema Ltd

Site Address: Jeune Street, Cowley Road, Oxford, OX4 1BN

Ward: St Clements

Applicant: Alastair Phillips

Recommendation: The Head of Planning and Regulatory Services is recommended to:

1. **Agree** that the Nominated Asset should be confirmed as an Asset of Community Value
2. **Agree** to include the asset on the City Council's Register of Local Assets of Community Value Register and place the asset on the Local Land Charge Register.

Background to Report

1. The Localism Act and the Assets of Community Value Regulations set out the opportunities and procedures to follow for communities wishing to identify assets of community value and have them listed.
2. The City Council is able to list a nominated asset if, in its, opinion:

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

Is it realistic to think that there can continue to be non-ancillary use of the building or other land that will further (whether or not in the same way) the social wellbeing or social interests of the local community.

OR

There is a time in the recent past when an actual use of the building or other land that was not ancillary use furthered the social wellbeing or interests of the local community; AND

It is realistic to think that there is a time in the next five years when there could be non-ancillary use of the building or other land that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.

3. These definitions have been taken from the Government's Regulations. There is no national guidance as to what the key terms in these definitions mean. It is for the nominating organisation in the first instance to argue why it considers the nominated asset meets the definition in the Regulations.

4. If the owner objects to their property being placed on the List, they have a right in the first instance to an internal review by the City Council of this decision.

Nomination

5. Alastair Phillips, the Chair of the UPP Community Cinema Ltd Management Committee, has submitted a nomination for the inclusion of Ultimate Picture Palace Community Cinema Ltd in St Clements ward on the Council's register of Assets of Community Value. The nomination letter was received by Oxford City Council via email on 31 March 2025. A plan of the nominated area is attached to this report.
6. The group has argued that Ultimate Picture Palace Community Cinema Ltd is an Asset of Community Value on the following grounds:
 - a) It is Oxford's only community-owned cinema, and Oxford's only remaining independent cinema.
 - b) The building is Oxford's oldest-surviving purpose-built cinema, built in 1911. The building was listed Grade II in 1994 in recognition of its architectural and historic importance as an increasingly-rare example of a simple early English cinema (Historic England list entry 1278732).
 - c) The cinema's importance was recently highlighted in the Oxford City Council Planning Officer's delegated report on successful planning applications 24/01078/LBC, which notes that "The building's historical and communal value are inextricably intertwined. As well as being a rare example of primitive early cinema design, the cinema's history is also intertwined with the history of independent cinema itself and the history of Oxford... the cinema has had a long history and is an important landmark in the history of East Oxford".
 - d) It is very unlikely that community use might cease within the next five years. In 2022, the cinema became a community-owned business when over 1,200 people purchased community shares and the Ultimate Picture Palace Community Cinema Ltd (UPPCC), a Community Benefit Society, was formed to secure the future of business. These 1,200+ people are co-owners in a thriving independent cinema who have a say in how it is run for the benefit of the community
 - e) The money they have invested is secure until at least July 2029, as share withdrawals cannot be made until then. The current lease on the cinema building (from the owner Oriel College) runs until 2037. From the 'Invitation to invest', 2022: UPPCC will have the right to renew the lease when it ends, so the future is secure.
 - f) The UPP cinema delivers both social value and community benefit by furthering the social wellbeing and the social interests of a wide range of people in the local community. The UPP promotes the enjoyment of cinema, and offers an affordable cultural experience, to a diverse range of local people.

Response to Consultation

7. The freehold for the premises is held by Oriel College. They were notified via their representatives about the nomination of the premises in writing on 09 April 2025. A representation on behalf of the freeholders was received on 29 April 2025.
8. The freeholders have objected to the nomination on the following grounds, in summary:

- a) The College only purchased the property in 2021 as a strategic long-term purchase and considers it as part of its broader estate. As such the College has no intention of disposing of any of its holdings.
 - b) The building has been in use as a cinema since 1911 but has only operated as a cinema for around 42 of those 114 years. The UPPCC was only established in 2022.
 - c) The UPPCC is a tenant of the College operating primarily as a commercial business; the purpose of further social well-being or interest of the local community as required by the Localism Act 2011 is at best ancillary.
 - d) The UPPCC occupies the site on the basis of a lease that terminates in 2037, giving the UPPCC security until then. There is therefore no immediate danger of the current use of the property being threatened. In the meantime, as owners of the land in the vicinity of the cinema, the College is in a position to provide essential additional amenity to the building, for example a fire escape from the building over our neighbouring property to which they would not otherwise have any entitlement.
 - e) After 2037, the College intends to return the building to College use which however does not preclude some use of the building as a heritage cinema.
 - f) The versatility of the building to produce something of increased value to the local community after 2037, would be compromised by increased planning restrictions generated by a listing., including producing a ‘chilling effect’ on the prospects for obtaining permissions in future development important to the operations of the College.
9. The leasehold for the premises is held by Ultimate Picture Palace Community Cinema Ltd (UPPCC). They have provided a representation in support of the nomination and its stated grounds. The representation reiterates that the business has the community at heart.

Assessment

Eligibility of nomination

10. The Regulations require the City Council to consider whether the UPPCC meets the definition of an Asset of Community Value as set out in section 88 of the Localism Act i.e. in this case that is currently, or in the recent past has been, in a use that furthers the social wellbeing or social interests of the local community, and also that it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further the social wellbeing or social interests of the local community (whether or not in the same way).
11. The Regulations require that the nominating group should be an eligible body as set out in section 89 of the Localism Act, i.e. that they are voluntary or community body with a local connection, which broadly means that the group must demonstrate that its activities are wholly or partly concerned with the Oxford City Council area.
12. Section 89 of the Localism Act states:
- (1) Land in a local authority's area which is of community value may be included by a local authority in its list of assets of community value only—
 - (a) in response to a community nomination, or
 - (b) where permitted by regulations made by the appropriate authority.
 - (2) For the purposes of this Chapter “community nomination”, in relation to a local authority, means a nomination which—
 - (a) nominates land in the local authority's area for inclusion in the local authority's list of assets of community value, and
 - (b) is made—

- (i) by a parish council in respect of land in England in the parish council's area,
- (ii) by a community council in respect of land in Wales in the community council's area, or
- (iii) by a person that is a voluntary or community body with a local connection.

(3) Regulations under subsection (1)(b) may (in particular) permit land to be included in a local authority's list of assets of community value in response to a nomination other than a community nomination.

(4) The appropriate authority may by regulations make provision as to—

- (a) the meaning in subsection (2)(b)(iii) of “voluntary or community body”;
- (b) the conditions that have to be met for a person to have a local connection for the purposes of subsection (2)(b)(iii);
- (c) the contents of community nominations;
- (d) the contents of any other nominations which, as a result of regulations under subsection (1)(b), may give rise to land being included in a local authority's list of assets of community value.

(5) The appropriate authority may by regulations make provision for, or in connection with, the procedure to be followed where a local authority is considering whether land should be included in its list of assets of community value.

13. Regulation 4 of the Assets of Community Value (England) Regulations 2012 states:

- (1) For the purposes of these regulations and section 89(2)(b)(iii) of the Act, a body other than a parish council has a local connection with land in a local authority's area if—
- (a) the body's activities are wholly or partly concerned—
 - (i) with the local authority's area, or
 - (ii) with a neighbouring authority's area;
 - (b) in the case of a body within regulation 5(1)(c), (e) or (f), any surplus it makes is wholly or partly applied—
 - (i) for the benefit of the local authority's area, or
 - (ii) for the benefit of a neighbouring authority's area; and
 - (c) in the case of a body within regulation 5(1)(c) it has at least 21 local members.

Regulation 5 states:

- (1) For the purposes of section 89(2)(b)(iii) of the Act, but subject to paragraph (2), “a voluntary or community body” means—
- (a) a body designated as a neighbourhood forum pursuant to section 61F of the Town and Country Planning Act 1990;
 - (b) a parish council;
 - (c) an unincorporated body— (i) whose members include at least 21 individuals, and (ii) which does not distribute any surplus it makes to its members;
 - (d) a charity;
 - (e) a company limited by guarantee which does not distribute any surplus it makes to its members;
 - (f) [a co-operative or community benefit society] which does not distribute any surplus it makes to its members; or
 - (g) a community interest company.
- (2) A public or local authority may not be a voluntary or community body, but this does not apply to a parish council.

(3) In this regulation “co-operative or community benefit society” means a registered society within the meaning given by section 1(1) of the Co-operative and Community Benefit Societies Act 2014, other than a society registered as a credit union.

14. The UPPC describe themselves in the application form as a “limited” company “owned by the community”. If one looks at the definition of a voluntary or community body in Regulation 5, this includes “(e) a company limited by guarantee which does not distribute any surplus it makes to its members”.
15. The UPPC is considered to meet the criteria of a voluntary or community body according to the regulations, and therefore the nomination is accepted to be valid.

Whether the current use furthers the social wellbeing or social interests of the local community

16. The UPPCC is a community owned enterprise whose objectives are to cater for the social and inclusion needs of the local community as well as providing a venue for entertainment and connection. It is a large and well used venue that has formed part of economy in Oxford and has served as a venue for the wider community. It can be considered as having furthered social interests and wellbeing for the local community.

Whether it is realistic to think that there can continue to be 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.

17. The UPPCC has operated in the premises on the basis of a leasehold, which is due to expire in 12 years. The freeholder has not indicated that they want to redevelop the building after the lease ends.

Conclusion

18. In conclusion, we accept the Ultimate Picture Palace as an Asset of Community Value because it serves as a vital cultural and social hub for the local community. As one of the last remaining independent cinemas in the area, it offers accessible, diverse, and enriching film experiences that foster community engagement and inclusion. The cinema's historical significance, strong community support, and active role in promoting the arts make it an indispensable part of the local identity. Recognising it as an Asset of Community Value ensures that this institution is protected for current and future communities to enjoy.

Decision

I confirm that:

Nominated Asset: Ultimate Picture Palace Community Cinema
Site Address: Jeune Street, Cowley Road, Oxford, OX4 1BN

Should be an Asset of Community Value and included on the City Council's Register of Local Assets of Community Value Register and placed on the Local Land Charge Register.

Name: David Butler
Title: Director of Planning & Regulatory Services
Signature:
Date: 11/06/2025

Contact Officer: Gabriella Barnes
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