



CAMRA Greater London Region **Pub Protection Strategy**

PURPOSE AND SCOPE

London's public houses are the physical embodiment of over four hundred years of cultural and social evolution. They are national treasures and recognised around the world as a British icon.

Over the period 1983-2013, our records indicate that London lost more than two thousand traditional pubs. In 2013 London suffered a net loss of 90 pubs: every week approximately two London pubs are closing forever.

For some time, members of CAMRA Greater London Region have recognised the threat to the survival of London's pubs. The region believes that all established pubs are viable under the right management and with the right food and drink offer. The threat comes from competing uses for the land and is the result of a combination of inadequate planning controls and irresponsible stewardship of pub freeholders, chief amongst them the indebted pub companies.

This policy statement outlines the strategy adopted by the region in protecting its pub stock. Following collective endorsement by the London Branches on 30 July 2014, it has now been updated to reflect legislative and planning policy evolution and remains a live document subject to regular review.

PART 1 – POLICY

1 OBJECTIVES

- To safeguard continuing pub use on established sites via the formulation and adoption of robust planning policy at local, regional and national level;
- To educate and enthuse planning decision makers and politicians by championing the community social benefits of well managed pubs

Informative: Free market economics will not safeguard pubs. Pub buildings will always be more profitable over short-medium term business cycles in an alternative use e.g. housing or retail. The business choices made by freeholders, leaseholders and tenants will not necessarily have the best interests of London drinkers in mind. CAMRA is the largest body standing up for those interests. Only the planning system, combined with a healthy interest in pubs amongst publicans and customers, can sustain the vibrancy and vitality of the London pub scene.

2 THREATS

Provided pubs are recognised by planning decision makers as falling within use class A4 (Drinking Establishments), their change of use or demolition is subject to planning control. Planning consent must be obtained; otherwise the development is unlawful.

Despite the closure of previous planning loopholes, London's pubs continue to be threatened by:

- Demolition via planning consent;
- Change of use via planning consent;
- Sequential loss via partial conversion of the building or its curtilage;
- Unlawful demolition or conversion

These changes of use are triggered by commercial pressures and a desire to maximise return.

Informative: The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2017 (SI 2017/619) came into force on 23 May 2017 and brought about the welcome closure of previous planning loopholes that had allowed pubs to be converted to cafes, restaurants, betting shops, estate agents or shops without planning consent. It was also lawful to demolish a pub, provided it was freestanding, not statutorily listed and not in a conservation area. The administrative 'lag' in planning policy has resulted in a delay in full appreciation of and adherence to the revised regulations. It has been necessary in some cases to educate local planning authorities on such pertinent matters.

3 CAMPAIGNING TARGETS

The region will direct campaigning in two principal areas:

I) National, regional and local government

- a) to influence and shape planning policy;
- b) to help local planning authorities in framing pub protection policies as part of their local plans;
- c) to encourage and support the rigorous application of pub protection policies and to hold local planning authorities to account when decisions are made to the detriment of pubs;
- d) to influence the attitude and culture within the Planning Inspectorate when pubs are the subject of planning appeals;
- e) to maximise the scope of application of pub protection policies by supporting relevant community groups in nominating pubs as Assets of Community Value (ACV).

Informative: Since the closure of planning loopholes ACVs have limited value save that of the 'material planning consideration' and the hitherto unused power, under Appendix KA of the Crichel Down Rules, for local authorities' compulsory purchase of pub sites under threat of long-term loss to the community. Nominations by CAMRA branches for ACV registration have challenging legal implications and are resource intensive. CAMRA can usefully support and encourage local campaigning groups in submitting ACV nominations but will no longer be directly nominating pubs itself, given the marginal gains in ACV status.

II) Local pub campaigns

- a) to provide technical advice;
- b) to raise the profile of and add visibility to community initiatives;
- c) to encourage the use of nationally agreed techniques, e.g. ACV registration, local listing, public campaigns and social media

Informative: It is not the role of CAMRA as a body to launch or lead campaigns to save individual pubs. However, if a potential campaign already exists, CAMRA will offer support, irrespective of whether the campaigners are CAMRA members or whether the pub serves, or had served, real ale.

4 RESPONSIBILITIES

- Regional Director – to own the substance and the text of this policy and to ensure it is reviewed at annual intervals or more often, as appropriate;
- to co-ordinate regional input to the London Plan and to ensure that volunteers from the London region engage sufficiently with changes to national policy including statutory consultations.
- Branch Chairs – to bring the policy to the attention of all committee members in their branches and to highlight its salient points regularly at branch meetings;
- to ensure that when any pubs in their area that are valued by the community are under threat, local campaigns to preserve them are at least offered support from CAMRA.
- Pub Protection Officers – to act as points of contact in their branch for technical or specialist queries regarding pub protection issues and to support individual members and campaigners within the branch area and occasionally across other branch areas on pub protection issues;
- to liaise with other pub protection officers from across the Greater London Region and share best practice and nurture an active communication network;
- to liaise with local authorities within their branch area and keep a watching brief over the evolution of their pub protection policies.
- Branch Members – to monitor the status of pubs within their locality with particular reference to any change of management, change of ownership, closure, refurbishment or planning application;
- to bring information to the attention of the branch as may be required;
- to OBJECT and to encourage other users of the pub to object if any planning application for change of use materialises;
- to advise publicans, pub-goers and campaigners of the assistance and advice freely offered by CAMRA.

5 DEFINITIONS

Public House:

A licensed premises that must:

- (1) be open to and welcome the general public without requiring membership or residency and without charging for admission (a);
- (2) serve at least one draught beer or cider (b);
- (3) allow drinking without requiring food to be consumed, and have at least one indoor area not laid out for meals; and
- (4) allow customers to buy drinks at a bar (c) without relying on table service.

(a) except when entertainment is provided on limited occasions, when an entry charge may apply.

(b) includes cask or keg beer or cider. References to 'cider' should be read as 'cider and perry'.

(c) includes service from a hatch or specific service point.

Pub Protection:

The campaigning activity within CAMRA that seeks to safeguard public house use on established sites and to bring about the most robust and comprehensive policies at all levels of the planning system to resist the unnecessary loss of pubs.

PART 2 – DOCUMENT HISTORY

Issue	Date	Summary of Changes / Reasons	Author(s)	Status
1	11 June 2014	First draft	James Watson	
1.1	20 June 2014	Edited draft	Geoff Strawbridge	for consultation
1.2	30 July 2014	Edited draft	Geoff Strawbridge	for collective endorsement
2	31 July 2014	Endorsement with minor changes	Geoff Strawbridge	London Liaison Committee
3.0	21 August 2015	New legal status of and campaigning focus on ACVs	Geoff Strawbridge	for consultation
3.1	29 August 2015	Formatting tidied and planning context checked and confirmed	James Watson	for Branches
4.0	8 July 2019	Key legislative changes incorporated. Weight of ACVs clarified, guidance notes revised	James Watson	for consultation
4.1	9 July 2019	Edited draft including revised definition of a pub	Geoff Strawbridge	for consultation

PART 3 – GUIDANCE NOTES

Pub protection is a complex and rapidly expanding area as planning policy and planning law are continually evolving.

The most comprehensive and thorough treatment to date for our purposes has been compiled by Paul Ainsworth of CAMRA's National Planning Advisory Group. Paul's detailed handbook, which may be regarded as an 'instruction manual' on saving pubs, can be found on the CAMRA website:

<http://www.camra.org.uk/pubs>

Greater London CAMRA members and other stakeholders should also familiarise themselves with the regional pub protection page at:

<https://www.london.camra.org.uk/viewnode.php?id=21166>

The principal expertise within London Region lies with the individual branch Pub Protection Officers. There is a hierarchy of protective measures around any pub which assist in its survival as a public house in planning use class terms. None of these measures is infallible as real-life examples often demonstrate. However, in rough order of importance they are:

- Statutory Listing (Grade I, II* and II)
- Use protected by a restrictive covenant
- A designated heritage asset – within a conservation area
- A non-designated heritage asset – locally listed or otherwise identified by the Local Planning Authority
- Covered by an Article 4 Direction or other equivalent planning condition
- Registered as an Asset of Community Value

*Note that the above protective measures are all material considerations for planning decision makers. Since 23 May 2017 any change of use or demolition of pubs is subject to planning consent.

As a volunteer-led organisation, CAMRA does not have the capacity or resource to champion every pub under threat in Greater London. The scale of the problem would require a full-time role in each branch area. This is impractical.

The primary volunteering and campaigning resource will be directed at formulating, strengthening and improving planning policy through active engagement with government at the national, regional and local levels. Individual pub campaigns, no matter how embryonic, must take their own lead, with backing and assistance from CAMRA branches where volunteer resource exists and where the branch, as a whole, recognises a need or desire to assist an individual cause.

From time to time, CAMRA branches may identify 'flagship' campaigns that require additional backing, cross-branch support or even national assistance. Such campaigns will help to raise the profile of CAMRA and its key campaigns and will work towards our long-term planning objectives. Examples include pubs with very widespread support, in high profile locations (e.g. the West End) and with celebrity connections.