



## **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 the April 2015 changes in planning legislation and remains a live document subject to regular review.

## **PART 1 – POLICY**

### **1 OBJECTIVES**

To safeguard continuing pub use on established sites in planning use class terms.

To bring demolition and all changes of use of pubs within planning controls.

*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**

London's pubs continue to be threatened by:

- Demolition;
- Change of use via permitted development;
- Change of use via planning consent;
- Sequential loss via partial conversion of the building.

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

*Informative: Except if the land has been nominated or designated as an Asset of Community Value (ACV) or if an Article 4 Direction has been issued to require planning consent, owners are free under planning law to demolish public houses that are freestanding and not in conservation areas. When the pub no longer exists, there can be no argument to save it on pub protection grounds. With the same exceptions, permitted development also allows conversion of 'drinking establishments' (Use Class A4) to any of classes A1 (retail), A2 (professional and financial services), A3 (café/restaurant) or B1 (offices, though change of use currently limited to two years) without a requirement for consent. Changes of use involving consent normally involve a residential development (C3/C4) although places of worship (D1), community centres and crèches have also been popular conversions.*

### 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.
- d) to maximise the scope of application of pub protection policies by nominating or supporting other people in nominating pubs as Assets of Community Value (ACV).

*Informative: A CAMRA Branch may submit an ACV nomination in the name of CAMRA Ltd without the need to canvass 21 signatories. As confirmed in the First Tier Tribunal Decision on the Windmill, Sydenham, (CR/2014/0011), a CAMRA Branch is entitled to rely on CAMRA's status as a company limited by guarantee which does not distribute any surplus it makes to its members in order to satisfy Regulation 5(1)(e). It is then entitled to rely on its own activities in order to satisfy Regulations 4(1)(a) and (b).*

#### **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, Article 4 Directions.

*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 NOMINATE their local pubs for ACV registration, with the knowledge of Pub Protection Officers and the agreement of Branch Chairs;

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.

## **PART 2 – DOCUMENT HISTORY**

### **5 DEFINITIONS**

Public House: A licensed premises which is open to and welcomes the general public without requiring membership or residency, and allows free entry. In addition, it must serve at least one draught beer, allow drinking without requiring food to be consumed, have at least one indoor area not laid out for meals and permit drinks to be purchased at the bar without relying on table service.

*Informative:*

- 1) Entrance charges are permitted on certain limited occasions when entertainment is provided or on special events e.g. New Year's Eve*
- 2) The draught beer need not be real ale.*
- 3) Service at the bar may include 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 that purpose, bring demolition and all changes of use of pubs within planning controls.

6 AMENDMENTS RECORD

<b>Issue</b>	<b>Date</b>	<b>Summary of Changes / Reasons</b>	<b>Author(s)</b>	<b>Approved By</b>
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

### **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>

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

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 closing the planning 'loopholes' – the rights that currently allow the demolition and change of use of pubs without prior consultation – 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 which 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.