



28 February 2018

Sadiq Khan (Mayor of London)  
GLA City Hall  
London Plan Team  
Post Point 18  
FREEPOST RTJC-XBZZ-GJKZ  
London SE1 2AA

Dear Sadiq,

#### **THE NEW DRAFT LONDON PLAN**

**Comments from the Campaign for Real Ale (CAMRA), Greater London Region.**

Thank you for the opportunity to comment on the draft London Plan issued in early December. I am replying on behalf of the Greater London Region of the Campaign for Real Ale (CAMRA), comprising the 13 CAMRA Branches covering the whole of Greater London.

1 We strongly support the inclusion of a standalone policy on protecting public houses, under the heritage and culture heading. The following article in the February/March issue of our regional magazine, *London Drinker* summarises our response.

*Policy HC7 of the new draft London Plan, published by Mayor Sadiq Khan in early December, makes welcome and timely recommendations to boroughs on protecting existing public houses and supporting proposals for new ones from the perspective of the heritage, cultural, economic or social value of each individual pub.*

*Applications that propose the loss of valued pubs should be refused unless there is authoritative marketing evidence demonstrating no realistic prospect of pub use in the foreseeable future. The business should have been offered for sale locally and London-wide in appropriate publications and through relevant specialised agents for at least 24 months as a pub at an agreed price following an independent valuation and in a condition that allows the property to continue functioning as a pub.*

*The impact of 'trojan horse' conversions is clearly addressed. Proposals for redevelopment of associated accommodation, facilities or development within the curtilage of a pub that would compromise its viability should be resisted and boroughs are encouraged to apply the Agent of Change principle (Policy D12) in safeguarding established venues that generate noise, e.g. live music, by ensuring that developers bear the cost of adequate soundproofing for incoming residents.*

2        However, we feel that the intention of Policy HC7 A 1) would be clearer if a full stop was inserted after 'communities', with the remaining text appearing as a separate numbered subclause, also beginning 'protect public houses where they ...'. Otherwise developers will argue that while a pub may have social value, for example, it does not contribute to wider policy objectives e.g. because there are plenty of other pubs, or nobody uses it in its current guise. We hear such arguments from lawyers often enough.

3        In addition, we recommend that the relevance of this policy be reinforced by an appropriate cross-reference in Chapter 5, which encompasses other kinds of social infrastructure. To paragraph 5.1.1, the following final sentence could be added: 'Another key component of social infrastructure is addressed separately in Chapter 7, Policy HC7, Protecting Public Houses.'

4        At 7.7.1 and 7.7.3, we welcome recognition of the role of unique individual pubs at the heart of local communities. The Chesham Arms in Homerton and the Ivy House in Nunhead are two examples of back-street pubs that are now once again thriving thanks only to massive popular campaigns against the threat of their closure by developers who had acquired the freeholds. The reaction of boroughs to developers' plans in such instances should be to say 'No', rather than to work with the developer to arrive at a plan for some other use that may eventually be approved.

5        With permitted development rights at last rescinded, as noted at 7.7.2, it becomes all the more important for boroughs to take a tough line in response to destructive planning applications. Sadly we lost both the Morden Tavern, a pub that would otherwise have qualified for an English Heritage listing, and more recently the Grosvenor in Stockwell, in cases where Councillors had belatedly opposed development proposals on which officers had initially been supportive, only for the Planning Inspectorate to allow the developers' appeals.

6        We support the call at 7.7.4 for new pubs to be planned especially within redevelopment or regeneration schemes but boroughs should also be encouraged to look at the range of free-of-tie operators in the market rather than defaulting to the national pub chains.

7        Paragraph 7.7.5 rightly recognises that ACV designation, though no longer a prerequisite for removal of permitted development rights, retains some importance for planning. Specifically boroughs may, and we believe should, regard ACV designation as a material planning consideration in determining any planning application, albeit the absence of ACV designation does not mean that a pub is necessarily of any less social or community value. And if an owner/developer is refusing to accept a realistic community bid for a pub but opting instead to leave it empty and deteriorating, the legislation rightly provides for the possibility of compulsory purchase.

8        Paragraph 7.7.6 provides an ample, non-exhaustive list of characteristics a borough should take into account in response to any application involving loss or diminution of a pub.

9        Missing from 7.7.7 in our view is a recommendation that the pub should have been marketed for the requisite length of time not only at an independently agreed price and in functional condition but also free of tie. At present the law allows not only brewers, who might have a justifiable interest in selling their own products, to restrict the products their publicans can sell, but also property owners at large, whose interest in rendering a pub unviable will be well served by tying the publican to an exclusive, expensive supplier of an unappealingly limited range of beverages. The Grosvenor in Stockwell, again, was a case in point.

10 We strongly endorse the warnings at 7.7.8 of the threat of ‘trojan horse’ conversions. All over London there are former pubs (and some new developments, such as the buildings that replaced the Jolly Gardeners in Clapham and the Castle in Battersea) now empty on ground and basement floors pending eventual replacement of what had plausibly been earmarked as pubs by more profitable shops or flats. (Missing from this paragraph is any recognition of the prevalence of supermarket convenience stores selling cheap alcohol over long hours for consumption off the premises in what had been pubs where responsible drinking in moderation was responsibly supervised.)

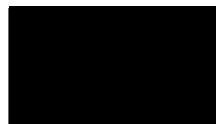
11 However, the ‘or ensure’ option in the last sentence of the paragraph provides insufficiently robust guidance and could in practice give developers an easy get out. In our experience noise containment seldom works; there is no substitute for ancillary accommodation and self-contained freehold pubs. Having a lockup only option will restrict the market substantially to a tiny minority of (typically managed) operators. We are rapidly losing the traditional tenanted or freehold public house due to this constant splitting of planning units, which then never join up again into one whole pub.

12 Two other themes could helpfully be spelt out in support of Policy HC7 A 1)

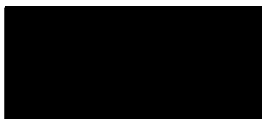
- the need for boroughs to adopt pub protection policies as part of their strategic plans – those who have not done so should follow the examples of those that have – and enforce them;
- the negative impact of Late Night Levies in penalising community pubs that might otherwise host the occasional small-scale late live music session or New Year’s Eve celebration, while the supermarkets should arguably be paying for any extra policing the young consumers of their enticingly cheap spirits might warrant.


Thank you for your attention.

Yours sincerely,



Geoff Strawbridge  
CAMRA Greater London Regional Director





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Sadiq Khan, the Mayor of London  
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*Dear Sadiq,*

**THE NEW DRAFT LONDON PLAN**

In forwarding the enclosed formal response on behalf of the Campaign for Real Ale (CAMRA), I would like to thank you personally for the priority and resources you have given to highlighting and addressing the threats to the survival of so many of London's irreplaceable pubs.

We met a few years ago at the Wheatsheaf in Tooting. The strength of the campaign to secure both ACV registration and the Article 4 Directions necessary at the time to preclude demolition or conversion of that pub without the need for planning consent led to Wandsworth's adoption of a ground-breaking pub protection policy. I believe that policy in turn helped convince Government last year finally to rescind the permitted development rights that property speculators had so ruthlessly exploited.

The focus of the draft London Plan in Policy HC7 is very much welcomed and I would like to take the opportunity to compliment the work of the staff in your Office. London regional CAMRA volunteers will continue to offer you all possible support.

Thank you so much.

*Yours sincerely,*



Geoff Strawbridge