**APPENDIX 6**

**HEREFORD CITY COUNCIL**

**COUNCIL MEETING 8th September 2015**

**LISTING OF PUBLIC HOUSES AS ASSETTS OF COMMUNITY VALUE**

**1. Background**

1.1 The recent proposal to convert the Broadleys, a popular community pub, to a mini-market has highlighted a weakness in planning controls. Initially Herefordshire Council sought a response in consultation from the City Council as it was an application for change of use. However, it has since determined that this is a permitted change of use and no planning consent is required, therefore no consultation with the Council or the local community is required.

1.2 This situation can be partly addressed by an Article Four Direction, which is a statutory statement of policy that within its area the Planning Authority will consider changes of use that would otherwise be permitted development to be subject to planning consent, and therefore consultation. This does not prevent such changes from taking place, only that they cannot take place without local consultation. It is not therefore an effective way of preventing what might be considered in the local area to be undesirable loss of public houses.

1.3 The licensed pub trade has been undergoing a substantial contraction for many years, as is evidenced by the number of closed public house in Hereford. This is partly due to a change in drinking habits, with much more alcohol being bought for consumption off the premises and most supermarkets and general stores now offering a wide range of alcoholic drinks. As pub sites become commercially less viable it is often the case that site value for redevelopment, either for housing as in the Railway in College Road, or retail as with the Broadleys far exceeds the business value of the licensed premises. Thus economic forces drive owners, who are often property companies leasing to the licensee for a limited period, to consider changing the use of their sites.

1.4 The Campaign for Real Ale (CAMRA) are instrumental in trying to preserve the traditional public house as a centre for the sale of real ales but also as vibrant community hubs, and may local groups have campaigned across the county with CAMRA to keep pubs in business.

**2. Assets of Community Value**

2.1 Chapter Three and Part Five of the Localism Act 2011 allows for a planning authority to register a building as an asset of community value. This requires an owner to consult about changes of use, and give the community time to put together a bid to buy the asset to prevent redevelopment which might be considered undesirable. It does not absolutely prevent redevelopment, especially if the local community cannot raise funds to meet the market value of the asset under consideration, but it does slow development and can be an effective deterrent.

2.2 CAMRA have already applied for the Plough public house in Plough Lane to be registered in order to resist a proposal for it to be changed to a pizza restaurant. This action has been supported by the Planning Committee.

2.3 The proposals of CAMRA for registering the public houses it considers to be at risk in Hereford are attached to this report and the Planning Committee resolved to offer this matter to full council for a policy decision. If it is the view of Council that each asset and site should be considered on its merits as and when proposals are brought forward, that would be a matter best left to the Committee and it would be logical to refer the matter back to them. If however the Council believes that the public houses listed are of community value and that a general policy which will in turn inform both the immediate response to an proposals for change and the developing Hereford Area Plan would be useful it is reasonable to make that policy decision at this meeting.

**3. Recommendation**

**3.1 That Council determines whether to agree that those public houses listed by CAMRA in the attached report are assets of community value and to move towards registering them as such with Herefordshire Council.**

Steve Kerry

Town Clerk