

that serve specific groups (for example through the LGBT+ Venues Charter),¹³¹ working with local police and businesses to make streets and the public realm safer and more welcoming, ensuring cleansing services are procured to clean up litter and sanitise streets and public areas, and working with local businesses, local communities, TfL and logistics operators to optimise servicing that occurs at night or supports the night-time economy.

Policy HC7 Protecting public houses

- A In Development Plan Documents, town centre strategies, and planning decisions, boroughs should:
 - 1) protect public houses where they have a heritage, economic, social or cultural value to local communities, or where they contribute to wider policy objectives for town centres, night-time economy areas, Cultural Quarters and Creative Enterprise Zones
 - 2) support proposals for new public houses where they would stimulate town centres, Cultural Quarters, the night-time economy and mixed-use development, taking into account potential negative impacts.
- B Applications that propose the loss of public houses with heritage, cultural, economic or social value should be refused unless there is authoritative marketing evidence that demonstrates that there is no realistic prospect of the building being used as a pub in the foreseeable future.
- C Development proposals for redevelopment of associated accommodation, facilities or development within the curtilage of the public house that would compromise the operation or viability of the public house use should be resisted.

7.7.1 Pubs are a unique and intrinsic part of British culture. Many pubs are steeped in history and are part of London's built, social and cultural heritage. Whether alone, or as part of a cultural mix of activities or venues, pubs are often an integral part of an area's day, evening and night-time culture and economy. An individual pub can also be at the heart of a community's social life, often providing a local meeting place, a venue for entertainment or a focus for social

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<https://www.london.gov.uk/what-we-do/arts-and-culture/how-were-protecting-lgbt-nightlife-venues>



gatherings. More recently, some pubs have started providing library services and parcel collection points as well as food to increase their offer and appeal to a wider clientele.

- 7.7.2 Through their unique and varied roles, pubs can contribute to the regeneration of town centres, Cultural Quarters and local tourism, as well as providing a focus for existing and new communities, and meeting the needs of particular groups, such as the LGBT+ and BAME communities. However, **pubs are under threat from closure** and redevelopment pressures, with nearly 1,200 pubs in London lost in 15 years.¹³² The recent changes to the Town and Country Planning Act (General Permitted Development Order) (England) (2015) have, however, removed permitted development rights that previously allowed pubs and bars to change planning Use Class to shops, financial and professional services, restaurants and cafés without prior planning approval. This change in legislation offers greater protection for pubs and also incorporates a permitted development right that allows pub owners to introduce a new mixed use (A3/ A4) which should provide flexibility to enhance a food offer beyond what was previously allowed as ancillary to the main pub use.
- 7.7.3 Many pubs are popular because they have intrinsic character. This is often derived from their architecture, interior and exterior fittings, their long-standing use as a public house, their history, especially as a place of socialising and entertainment catering for particular groups, their ties to local sports and other societies, or simply their role as a meeting place for the local community. In developing strategies and policies to enhance and retain pubs, boroughs should consider the **individual character of pubs** in their area and the broad range of characteristics, functions and activities that give pubs their particular value, including opportunities for flexible working.
- 7.7.4 **New pubs**, especially as part of a redevelopment or regeneration scheme, can provide a cultural and social focus for a neighbourhood, particularly where they offer a diverse range of services, community functions and job opportunities. However, it is important when considering proposals for new pubs that boroughs take account of issues such as cumulative impact zones, the Agent of Change principle (see [Policy D13 Agent of Change](#)) and any potential negative impacts. Boroughs should consider the replacement of existing pubs in redevelopment and regeneration schemes, where the loss of an existing pub is considered acceptable.
- 7.7.5 Boroughs should take a positive approach to designating pubs as an **Asset of Community Value** (ACV) when nominated by a community group. Listing a pub

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Closing time: London's public houses, GLA Economics, April 2017



as an ACV gives voluntary groups and organisations the opportunity to bid for it if it is put up for sale. The 'right to bid' is not a right to buy and although owners of the asset have to consider bids from community groups, they do not have to accept them. An ACV listing does, nevertheless, give communities an increased chance to save a valued pub or other local facility. Boroughs should consider the listing of a pub as an ACV as a material consideration when assessing applications for a change of use and consider compulsory purchase orders where appropriate.

- 7.7.6 When **assessing whether a pub has heritage, cultural, economic or social value**, boroughs should take into consideration a broad range of characteristics, including whether the pub:
- a. is in a Conservation Area
 - b. is a locally- or statutorily-listed building
 - c. has a licence for entertainment, events, film, performances, music or sport
 - d. operates or is closely associated with a sports club or team
 - e. has rooms or areas for hire
 - f. is making a positive contribution to the night-time economy
 - g. is making a positive contribution to the local community
 - h. is catering for one or more specific group or community.
- 7.7.7 To demonstrate authoritative **marketing evidence** that there is no realistic prospect of a building being used as a pub in the foreseeable future, boroughs should require proof that all reasonable measures have been taken to market the pub to other potential operators. The pub should have been marketed as a pub for at least 24 months at an agreed price following an independent valuation, and in a condition that allows the property to continue functioning as a pub. The business should have been offered for sale locally and London-wide in appropriate publications and through relevant specialised agents.
- 7.7.8 Many pubs built on more than one floor include ancillary uses such as function rooms and staff accommodation. Potential profit from development makes the conversion of upper pub floors to residential use extremely attractive to owners. Beer gardens and other outside space are also at risk of loss to residential development. The **change to residential use** of these areas can limit the operational flexibility of the pub, make it less attractive to customers, and prevent ancillary spaces being used by the local community. It can also threaten the viability of a pub through increased complaints about noise and other issues from new residents. Boroughs should resist proposals for redevelopment of associated accommodation, facilities or development within the curtilage of the

public house that would compromise the operation or viability of a public house. Where such proposals would not compromise the operation or viability of the public house, developers must put in place measures that would mitigate the impacts of noise for new and subsequent residents (see [Policy D13 Agent of Change](#)).