

## **Council – 23 September 2013**

### **Notice of motion – Community pubs**

Set out below is a notice of motion to Council on 23rd September 2013 from Councillors S. Coughlan, Illmann-Walker, Oliver, Jeavons, Jukes and Burley:

*“This Council recognises the financial and other pressures leading to the closure of many of our public houses across the borough and nationally, and regrets the loss of many community pubs which are valuable neighbourhood assets”.*

*This Council therefore resolves to support the national ‘Fair Deal for your Local’ campaign, and welcomes the Government’s commitment to introduce a statutory code of practice to ensure fair dealing by pub companies and for tied licensees; in particular to support Option 3 of the parliamentary Business, Skills and Innovation committee consultation, which gives tied pub tenants the ability to buy products from the open market and to pay a fair market rent for the building.*

*Furthermore this Council to resolves to submit the following proposal under the Sustainable Communities Act:*

*‘That the Government help protect community pubs in England by ensuring that planning permission and community consultation are required before community pubs are allowed to be converted to betting shops, supermarkets, pay-day loan stores or other uses, or are allowed to be demolished’”.*

### **Assets of Community Value**

The Council has in place a procedure for handling applications for listing as Community Assets. That procedure follows the statutory provisions and the appropriate Regulations (2012). The Council does not offer assistance to prospective nominators of land/buildings (either in the form of help or finance), as it performs the role of regulator, such that it has the responsibility for considering and determining applications, as well as dealing with appeals. Currently, prospective nominators are given details of the Walsall Voluntary Action for assistance in preparing the application and there are various organisations who may assist with grants and the like.

### **Permitted Development Rights**

The Town and Country Planning (General Permitted Development) Order 1987 (as amended) - Schedule 2 Part 3 Class A provides: “ Development consisting of a change of use of a building to a use falling within Class A1 (shops) of the Schedule to the Use Classes Order from a use falling within Class A3 (restaurants and cafes), A4 (drinking establishments) or A5 (hot food takeaways) of the Schedule” is permitted. That is to say that planning permission is deemed to be granted by the Order. As such, express planning permission is not required for changes of use from community public houses to supermarkets and other retail establishments.

Simon Neilson,  
Executive Director, Regeneration  
13th September 2013