



REVIEW OF LISTING AS AN ASSET OF COMMUNITY VALUE

THE AUGUSTUS JOHN, FORDINGBRIDGE

This Statement has been prepared by Simply Planning Limited (SPL) on behalf of the Freehold owners of The Augustus John, NewRiver Trustee 7 Limited and NewRiver Trustee 8 Limited. The Statement demonstrates that The Augustus John does not qualify as an Asset of Community Value (ACV) on the basis that the actual current use of the building (and associated land), that is not an ancillary use, does not further the social wellbeing or social interests of the local community; the Nomination fails to meet the requirements of s88(1)(a) of the Localism Act 2011 (The Act).

No evidence has been provided that the primary use of the property is for the benefit of the local community, nor that those community uses described are more than ancillary. The primary use of The Augustus John is a licenced premises selling alcohol and food to members of the public, with associated letting rooms. Although the Nomination identifies various activities undertaken in the pub, it does not identify any additional primary uses or activities that meet the definition of having community value; they are all activities that are ancillary to (and not uncommon) to the primary pub use.

Whilst we accept that pubs are capable of being an ACV within the scope of the Act, the Local Authority must be satisfied that the present use furthers the social wellbeing or social interests of the local community and it is realistic to think that use will continue. We do not suggest that the current use is unlikely to continue; it is NewRiver's intention to retain the existing, successful pub business.

The lead Nominator for the ACV lives in Lymington and is not, therefore, part of the local community; there is clearly an organised campaign from CAMRA to nominate pubs where there has been a change of ownership. There is clear evidence of this in Appendix B of the Nomination, which unjustly describes NewRiver as '*an aggressive property development company registered in the Channel Islands. NewRiver Retail specifically targets pubs in prime positions with car parking to facilitate the cancerous spread of unwanted convenience stores*'. Perhaps a personal crusade, rather than seeking to protect a pub with a genuine community use?

The said, the various assertions made in Appendix A of the Nomination are considered below (Appendix B should be disregarded in its entirety):-

- *The pub consists of a tastefully decorated and furnished bar and adjoining restaurant area. There are four letting bedrooms and a large car park.* No evidence of community use – part of the primary use as a licenced premises including restaurant and accommodation.
- *Horticultural displays are placed outside the pub.* No evidence of community use – providing an attractive entrance is good commercial, business practice for pubs.
- *Car boot, vintage, craft sale and farmers markets are held every Saturday.* We would contest this assertion – our on-site observations suggest these activities are not held 'every Saturday' and the 'Recurring Events' section of The Augustus John website (www.augustusjohnfordingbridge.co.uk/events) does not corroborate this statement. In any event, these are all ancillary, commercial activities that supplement the income of the primary pub business.
- *Visiting groups include classic car and motorcycle owners, parking facilities are available for walkers and cyclists.* No evidence of any connection to the local community.
- *A designated wall within the pub is available for monthly display by local artists, toys and games are available for all ages to enjoy.* We accept that this furthers social wellbeing interests but it is purely ancillary and in itself does not meet the requirements of s88(1)(a) of the Act.

- *Food is prepared by a quality chef sourcing local ingredients with take-away facility for fish and chips and burgers.* No evidence of community use; part of the primary use as a pub with restaurant.
- *A full programme of events takes place weekly – movies, Thai themed night, quiz, etc.* Again, these are an integral and ancillary part of a pub business. These sorts of events are not uncommon. For example, similar events are held in The Ship in Fordingbridge (which interestingly has not been subject to an ACV Nomination as there has been no recent change in ownership).
- *Live music is held monthly.* Again, an ancillary part of many pub operations including The Ship Inn, Fordingbridge.
- *Patronage by Fordingbridge Rugby Club.* There is no real evidence that local clubs, societies use The Augustus John as a meeting place. The Fordingbridge Rugby Club drinking in The Augustus John is just part and parcel of its primary use of a licenced premises. There is no suggestion that they do not equally patronise other pubs elsewhere.
- *The pub is close to Rockbourne Roman Villa, The Avon Valley Path and local course fishing facilities.* Not relevant.

The Report to Colin Read in respect of the Nomination provides no real consideration or assessment of the respective cases – it simply concludes that the case is made for the Nomination. We note with interest the consultation response from Local Ward Member, Councillor Ann Sevier who comments *‘also no local residents have approach me looking to save the pub!! At the moment I feel unable to support this public house becoming an Asset of Community Value’*.

It is very easy to find in favour of an Asset of Community Value Nomination, but on consideration of the individual facts and characteristics in this case, there is simply not sufficient evidence to meet the requirements of the Act. The Nomination should not, therefore, be upheld on Review.