

# List your Local Campaign - FAQs

## Section 1: Listing your pub as an Asset of Community Value

### How do I list my pub as an Asset of Community Value?

Listing your pub as an Asset of Community Value is simple! All you need to do is:



For more details on how to register your pub please visit: [www.camra.org.uk/listyourlocal](http://www.camra.org.uk/listyourlocal) or download a copy of CAMRA's [CAMRA's Guide to Listing pubs as Assets of Community Value](#)

### Who can nominate pubs as ACVs?

The following groups can nominate:

1. Parish Council
2. Neighbouring Parish Council
3. Unincorporated Group [an organisation set up by a group of people who come together for a reason other than to make a profit. i.e. 21 people with an interest in saving their local pub]
4. Neighbourhood Forum
5. Community interest groups with a local connection
6. An industrial and provident society

### Can CAMRA branches nominate pubs to be listed?

There are around 200 local branches of CAMRA across the country and there is now strong evidence that CAMRA branches are able to nominate pubs to be listed as ACVs.

South East London CAMRA recently nominated the 'Windmill' as an ACV. In brief, the owner questioned Lewisham Council's decision to accept the nomination on the basis that the local CAMRA branch is not a valid nominating body.

The hearing of the owners appeal took place on 11 December 2014 and Judge Warren concluded that: "*Taking into account the branch's link with CAMRA national, and having heard evidence of what the branch actually does with its money, I consider that as a matter of fact, CAMRA South East London branch would satisfy Regulation 5(1)(c)(ii).*" You can read the evidence in full [here](#)

We are therefore confident that all CAMRA branches should be seen as eligible bodies to nominate pubs as ACVs.

You can find out who your local CAMRA branch is here: <http://branches.camra.org.uk/>

### What criteria will the Council use to decide to accept an ACV nomination?

The only criteria the Council should use to decide whether to accept a nomination are:

- The pub is of community value and is the main use of the land nominated
- That the building is currently operating as a pub of community value (or has in the recent past)

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- That there is a realistic prospect that the building being used as a pub of community value during the next five years

We have encountered some cases of Councils refusing nominations for reasons that CAMRA believes are invalid or immaterial. For example:

- That there are other community pubs nearby
- That the group nominating the asset may not be able to raise funds to buy it if it comes up for sale

If the council does refuse to nominate a pub on this premise please contact the CAMRA campaigns team.

## Do unincorporated groups need to provide a constitution when making nominations?

We have heard of some cases where Councils have gold-plated the legislation by requiring communities to provide very detailed information before considering ACV nominations.

We have met with Barristers and a QC on this point, and their informal view was that they were doubtful a formal constitution is necessary for the nominating group. However, the more detail community groups provide, the less risk there is of nominations being rejected on the grounds of insufficient evidence.

Councils are also increasingly mindful that the owner may appeal a decision to list, so their instinct will be to get as much paperwork as possible to back up their decision.

We therefore recommend that you write up a quick constitution for your group – there is a model constitution available for you here [CAMRA's Model Constitution](#)

## Can I nominate a closed pub?

We do know of some cases where even closed pubs have been listed as ACVs. This is because the Council decided that the pub fulfilled the criteria of having been community assets in the recent past, and there is a realistic prospect of it being of community value during the next five years.

## Should I contact the pub landlord and tell him I'm planning to make a nomination?

This needs to be sounded out depending on the specific circumstances. Of course, if the publican is retiring and supportive of keeping it as a pub then yes, it could work to your advantage to have them on board.

However, there have been some cases (particularly where the pub is owned by a large pubco), where they will try to get around the ACV legislation either by a quick sale or by leasing the pub out to a supermarket chain - negating the whole purpose of ACVs.

## **Section 2: Potential problems with your Local Authority**

### My Council has not published a list of ACVs or any information on their website

We know of a small handful of local Councils with no list and no information on the website. We are actively tackling this with several letters to these Councils highlighting their legal obligation to publish successful and unsuccessful nominations and provide this information free of charge to anybody who asks.

Some Councils have also required that an FOI request is made before providing the information. We have discussed this with legal experts who assure us that the law is crystal clear and an FOI request absolutely should not be required.

Please contact CAMRA in these cases and we can contact them on your behalf.

### What to do if your Council argues that your nomination form was missing some details, or did not go far enough in demonstrating community value:

If your local Council suggests they will not accept a nomination because the form submitted was missing some details, or doesn't go far enough in demonstrating community value, ask to be allowed to submit a new nomination.

As long as the application hasn't been formally added to the Council's "List of Unsuccessful Nominations", it is good practice for Councils to permit new nominations that provide more detail.

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## What happens if the Council takes longer than 8 weeks to list an Asset of Community Value?

Your local authority must make a decision on whether to list an asset within eight weeks of receiving the nomination.

We are actively contacting Councils who fail to issue a response within this timeframe to highlight their legal duty to respond and to express our concern that the pub has no protection from developers during this delay.

If your Council has not published a response to a nomination within 8 weeks, please contact us on the details below.

## What rights do I have if the Council rejects the pub as an Asset of Community Value?

Please be aware that at present the law states that only the owner of the asset has the right to formally appeal - not the nominee.

However the regulations state that it is at the Council's discretion to remove an asset from the rejection list at any time and potentially accept new nominations. Therefore if you think your nomination was rejected unlawfully then please consider writing to your council to highlight this.

### **CAMRA Contact Details**

If you are experiencing any problems with your local Authority or getting an application together to list your pub as an ACV, please contact CAMRA's Planning Advisor Matt Brown on the contact details below.

**Matt Brown**  
CAMRA Planning Advisor  
[matt.brown@camra.org.uk](mailto:matt.brown@camra.org.uk)  
01727 337 851



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### **Additional Resources**

[The Current List of Assets of Community Value](#)  
[CAMRA's Guide to Listing pubs as Assets of Community Value](#)  
[Template Nomination Form](#)  
[Evidence of 21 Local Signatures](#)  
[CAMRA's Model Constitution](#)  
[Government regulation on Assets of Community Value](#)  
[Listing as a local CAMRA Branch: First-tier Tribunal evidence](#)