

**From:** Nick Molyneux [mailto: [REDACTED]]  
**Sent:** 20 November 2018 10:27  
**To:** Enquiries  
**Subject:** Nottingham City Council - Local Plan Part 2

**FAO: Beverley Doward, Planning Inspectorate**

Dear Ms Doward

**Nottingham City Council - Local Plan Part 2**

I understand that today you begin your examination of Nottingham City Council's Local Plan Part 2.

Unfortunately, it is only this week that the Nottingham Branch of CAMRA has become aware of this examination taking place, possibly due to overly robust e-mail spam filter settings.

However, Nottingham CAMRA would like to bring to your attention matters which we believe should be considered as either Main or Additional Modifications for the purposes of your report.

**(i)** The Local Plan Part 2 creates a two-tier approach to the materiality of Asset of Community Value listing for public houses for planning purposes;

**(ii)** The Council policy towards Asset of Community Value (ACV) listing has been to create additional *ultra vires* tests beyond those required by the localism Act 2011 and the 2012 ACV Regulations. This makes it impossible for citizens to successfully nominate "ordinary" public houses. Although not directly overseen by the Planning Inspectorate, the ACV regime in the City of Nottingham is operated by the planning function and so its operation is an extension of planning policy.

The combined effect of **(i)** and **(ii)** is to create an environment in which not only is the citizen denied the opportunity of protecting ordinary public houses by means of ACV listing, but should ACV listing exist, public houses in the city centre would be denied the protection afforded by the ACV listing being a material planning consideration.

The Nottingham Branch of CAMRA believes that the Local Plan 2 should:

**(a)** ensure that ACV listing is a material planning consideration for public houses across the whole of the city and

**(b)** the Council should remove the *ultra vires* gold-plating / performing seal tests it required for the ACV listing of public houses.

Yours sincerely

Nick Molyneux

Nottingham Branch of CAMRA