

Date: 12 May 2020

**DECISION LETTER RELATING TO A STATUTORY INTERNAL REVIEW
CARRIED OUT FOLLOWING A REQUEST TO REVIEW AN EARLIER DECISION
TO RE-LIST THE TABARD PUB AND THEATRE AS AN ASSET OF COMMUNITY
VALUE**

This Statutory Internal Review was carried out by Mr Michael Sudlow, Director-(the Reviewer) in consultation with Councillor Steve Curran (Leader of Hounslow Council) neither of whom had any involvement in the initial decision to re-list The Tabard Pub and Theatre (The Pub) as an Asset of Community Value. The review was carried out pursuant to Regulation 10 and Schedule 2 of the Asset of Community Value (England) Regulations 2012.

1. Representations, evidence and other aspects considered by the Reviewer in arriving at their decision-

The Reviewer considered representations and evidence submitted on behalf of the Owner (Spirit Pub (Managed) Company Limited) by Freeths, its legal representative and the Nominator as follows-

- *The Nomination Form, received by the Nominator dated 09 September 2019, which set out in detail the purpose of the application to re-list the Pub;*
- *All correspondence sent to the Owner and the Lessee of the theatre, inviting their comments to the nomination application pending any decision;*
- *The Decision Notice dated 17 January 2020 setting out the decision to nominate, made by the Director responsible for ACV decisions and reasons for doing so;*
- *All representations (including case law) received from Freeths in support of the Owner's view that the Pub should not be re-listed as an Asset of Community Value.*
- *All comments received from the Nominator in response to the representations put forward by Freeths; and*
- *The statutory criteria to be followed when a review is carried out as contained in the Localism Act 2011 and the Asset for Community Value (England) Regulations 2012 (the **Regulations**).*

2. Decision-

On the basis of the above, the Reviewer has decided to confirm and uphold the re-listing of the Pub as an ACV.

The reasons for this decision are as follows-

- a. The Pub lies within the administrative boundaries of the Council;

- b. The Nominator is a registered charity and is entitled to make the nomination and therefore the re-nomination;
- c. The Pub does not fall within the description of land, which may not be listed in the Council's list of assets of community value pursuant to Schedule 1 of the Regulations;
- d. The Council considers that the current use of the land is not an ancillary use and therefore its use in the current form i.e. a pub and theatre further the social wellbeing and social interests of the local community. Its convenient location allows local parties from all walks of life to meet, mix and socialise at the premises therefore rendering this property an asset of community value.

3. Effect of Decision-

- The Asset will remain in the Council's list of assets of community value maintained by the Council under section 87 of the Localism Act 2011

Dated: 12th May 2020

Michael Sudlow
Director- Assets & Major Projects
London Borough of Hounslow,
Hounslow House, 7 Bath Road,
Hounslow, TW3 3EB



Niall Bolger
Chief Executive

Finance & Resource Services
Hounslow House, 7 Bath Road,
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Att; Tristan Sharples
Freeths LLP

By email only to
Tristan.Sharples@freeths.co.uk

cc. Bedford Park Society

cc. Herdeep Chaggar-Ashby

Your contact: Michael Sudlow
Direct Line: 0208 583 2507
E-Mail: michael.sudlow@hounslow.gov.uk
Our ref:
Your ref:
Date: 12th May 2020

Dear Sirs,

The Tabard Pub and Theatre - Asset of Community Value

I write in relation to your recent application, submitted on behalf of your client Spirit Pub Company (Managed) Limited, (the **Owner**), for a statutory internal review (the **Review**) of the Council's decision to re-list the Tabard Pub and Theatre, Bedford Park, Bath Road, W4 1LW (the **Pub**) as an Asset of Community Value (ACV).

The review was requested by you as the legal representative of the Owner of the Public House on 06 March 2020. As a result of this request, and on my behalf, HB Public Law, solicitors for Hounslow Council (the **Council**), afforded you an opportunity to make representations on behalf of the Owner against the relisting of the Pub, as no formal objection or representations had previously been received from your client. On receipt of those representations the nominator, Bedford Park Society (the **Nominator**), was afforded an opportunity to reply to your representations.

As the person tasked with this internal review, and in consultation with Councillor Steve Curran (the Leader of the Council) I have now considered all the representations and evidence submitted by both parties and (in consultation with Councillor Curran) have determined that the Council's decision to re-list the Pub as an Asset of Community Value should stand.

Please see the attached Decision Letter for further details.

Yours sincerely

Michael Sudlow
Director | Investment Property Management
London Borough of Hounslow