



London Borough of Hounslow
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Hounslow TW3 3EB
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Date: 24th January 2023

Notice under section 91 of the Localism Act 2011

1. The Nomination

A Nomination was received by the London Borough of Hounslow under section 89 of the Localism Act 2011 ('the Act') to list The Town Wharf Public House, Swan Street, TW7 6RJ, as an asset of community value. The nomination was made by The Isleworth Society (Registered Charity Number 1042796). A copy of the nomination is attached at Appendix 1. The annexed Plan shows edged red the full extent of The Town Wharf Public House. A summary of the nomination is set out below:

The Town Wharf Public House was built in November 1987 and was part of the redevelopment of Old Isleworth. It is located on the Town Wharf River Wall facing the Isleworth Ait in the River Thames, close to Syon House and opposite Kew Gardens. The building is listed on Hounslow's Local List. The Town Wharf has four floors: a basement with a beer cellar, bottle and spirit stores; a ground floor with bar, preparation area, games room and river walk; a first floor with the manager's office, toilets, bar, restaurant, lounge; a second floor with kitchen preparation area, staff bedrooms, manager's flat, shower/wc. The Richmond (Friars Lane) to Osterley Lock (Section 7 of 15 of the Capital Ring/Thames Path) crosses the external decking and veranda of the Property (a public right of way). The Town Wharf Public House is currently closed, but evidence supplied with the nomination suggests it was open for business until at least August 2021.

2. The Law and Statutory Guidance

2.1 Under section 87 of the Act the Council must maintain a list of land of community value in its area. A building or other land is of community value if in the Council's opinion an actual current use of the building or other land that is not ancillary use, furthers the social wellbeing or social interests of the local community, and it is realistic to think that there can continue to be non-ancillary use of the building or other land, which will further (whether or not in the same way) the social wellbeing or social interests of the local community or there is a time in the

recent past when an actual use of the building or other land that was not an ancillary use furthered the social wellbeing or interests of the local community, and it is realistic to think that there is a time in the next five years when there could be non-ancillary use of the building or other land that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.

2.2 Under section 89 the Council can only include land in its list of assets of community value in response to a community nomination or where permitted by regulations. A community nomination in England can only be made by either a parish council in respect of land within its area or by a person that is a voluntary or community body with a local connection. Where a valid community nomination is made the Council must consider it and must accept the nomination if the land is within its area and is of community value

2.3 The nomination has been made by The Isleworth Society which is a 'voluntary or community body' (i.e. a charity) with a local connection.

3. Decision and Reasons

The Council **accepts** the nomination by The Isleworth Society and includes The Town Wharf Public House, Swan Street, TW7 6RJ in its list of assets of community value.

The reasons for this decision are as follows:

- i) The property comprising The Town Wharf Public House, Swan Street, TW7 6RJ lies within the administrative area of the London Borough of Hounslow.
- ii) The Isleworth Society are eligible under section 89(2)(b)(iii) of the Act to make a community nomination in respect of The Town Wharf Public House.
- iii) Although the community nomination made by The Isleworth Society did not include all the matters required under regulation 6 of the Assets of Community Value (England) Regulations 2012, as it failed to include the name and address of the freeholder, the case of *Hamna Wakaf v Lambeth BC CR/2015/0026* confirmed that a local authority may permit a nominator to make good a failure to comply with a requirement of regulation 6 after receipt of the nomination. The Isleworth Society provided the name and current or last known address of the freeholder on 9 January 2023.
- iv) The land and building do not fall within a description of land which may not be listed as specified in Schedule 1 of the Assets of Community Value (England) Regulations 2012 (the Regulations)
- v) The Council considers that there was a time in the recent past when an actual use of the building that was not an ancillary use furthered the social wellbeing or interests of the local community, and it is realistic to think

that there is a time in the next five years when there could be non-ancillary use of the building that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.

4. Next Steps

The Town Wharf Public House, Swan Street, TW7 6RJ will be included in the list of assets of community value maintained by the Council under section 87 of the Act.

In accordance with section 91 of the Act the Council will send this notice to:-

- (a) the owner of the land;
- (b) the occupier of the land if the occupier is not the owner;
- (c) The Isleworth Society as the nominee body.

5. Consequences of Listing

The land will remain on the list of assets of community value for a period of 5 years from the date of this notice unless removed with effect from some earlier time in accordance with the provisions of the Regulations.

Inclusion of the land in the list of community assets is a local land charge under the Local Land Charges Act 1975.

As the title to the land been registered the Council is required under Schedule 4 of the Regulations to apply to the Land Registry for a restriction to be added to the registered title of the land that "No transfer or lease is to be registered without a certificate signed by a conveyancer that the transfer or lease did not contravene section 95(1) of the Localism Act 2011".

Under section 95 of the Act an owner must notify the Council by writing to the Asset & Investment Planning Manager (Corporate Property) if they wish to enter into a relevant disposal of the land. Relevant disposal is defined in section 96 and (subject to exemptions in section 95(5) and Schedule 3 of the Regulations) means, a freehold disposal or the grant or assignment of a qualifying leasehold interest, with vacant possession.

A moratorium period is triggered by notification under section 95 to allow any community interest group to submit a written request to be treated as a potential bidder for the land. Owners are advised to refer to the Part 5 Chapter 3 of the Act and the Regulations in full and to seek legal advice if they wish to dispose of the land. **A disposal of listed land which contravenes the requirements of Act and Regulations will be ineffective.**

6. Right of Review

In accordance with section 92 of the Act the owner of the land is entitled to request a review of this decision. The review will be carried out by a senior officer of the Council nominated by the Chief Executive. A request must be made in writing and received by the Council within 56 days of the date of this

notice or such longer period as the Council may agree in writing. Please ensure that the request explains on what grounds the decision should be reviewed.

If a request is made the Council will complete the review within 56 days of receiving the request or such longer period as is agreed with the owner in writing. A request must be addressed to the Niall Bolger, Chief Executive, London Borough of Hounslow, Hounslow House, 7 Bath Road, Hounslow TW3 3EB

7. Right to Compensation

In accordance with paragraph 14 of the Regulations an owner or former owner of the land is entitled to claim compensation from the Council of such amount as the Council may determine, where they have incurred loss or expense in relation to the land which would be likely not to have been incurred if the land had not been listed.

A claim for compensation must be made in writing within 91 days of the loss or expense being incurred (or as the case may be) finish being incurred; must state the amount of compensation sought for each part of the claim and be accompanied by supporting evidence for each part of the claim.

If a claim is made, the Council will consider the claim as expeditiously as possible. A request must be addressed to the Director of Property & Building Services, London Borough of Hounslow, Hounslow House, 7 Bath Road, Hounslow TW3 3EB.

8. Additional Help

Further information about assets of community value is available from the website https://www.hounslow.gov.uk/info/20004/community_and_living/1892/localism. If you need any additional support in relation to disposal of the land, the right of review or right to compensation, you are advised to seek independent legal advice.



Herdeep Chaggar-Ashby
Asset & Investment Planning Manager (Corporate Property)
London Borough of Hounslow

24th January 2023

Assets of Community Value (Community Right to Bid) Nomination Form

Before completing this form please refer to the 'Guidance for Completing the Nomination Form'

The assets of community value provisions of the [Localism Act 2011](#) enable local groups to nominate local buildings or land as an asset of community value. The council is required to consider nominations and where accepted to add this nomination to a local list of assets of community value.

To nominate an asset for inclusion on the local list please complete this form and return it to Hounslow Council to ensure that your nomination is processed in an efficient manner in line with the provisions of the Localism Act and regulations.

You should complete the form as fully as possible. You may attach photos, maps, plans and other documents to help us correctly identify the asset and to support your nomination. Further advice can be found at the [Community Rights website](#).

Completed forms should be returned to Hounslow Council by email to **asset.management@hounslow.gov.uk** or post to:

**Property Asset Management
Hounslow Council
Civic Centre
Lampton Road
Hounslow
TW3 4DN**

If you have any queries about the form please email above

The Freedom of Information Act 2000 (FOIA) applies to the London Borough of Hounslow and therefore information provided by you may have to be disclosed by us in response to a request unless we decide that one of the statutory exemptions applies.

Any information you provide will remain confidential and will not be disclosed to any other party except where required either for official audit purposes or it is deemed subject to the Freedom of Information Act 2000 as detailed above.

Section 1: Your details Eligibility to nominate

*full name as written in your constitution or rules (if appropriate)

1A Community Organisation

Name of Community Group/Organisation *	The Isleworth Society
Address <i>including postcode</i>	c/o 7 Percy Road, Isleworth, TW7 7HD
Charity/company registration number <i>if applicable</i>	Registered charity number:- 1042796
Organisation/group website address	www.isleworthsociety.org

Only certain types of groups/organisations are eligible to nominate assets. Please indicate the nature of your organisation by using the boxes below:

Please refer to the ‘Guidance for Completing the Nomination Form’ on 1A Community organisations

- | | |
|---|---|
| <input type="checkbox"/> Neighbourhood forum | <input type="checkbox"/> A company limited guarantee |
| <input type="checkbox"/> An unincorporated group | <input type="checkbox"/> An industrial and provident society |
| <input checked="" type="checkbox"/> A charity | <input type="checkbox"/> A community interest company |

For an organisation to nominate an asset it must be able to demonstrate that its activities are wholly or partly concerned with the local authority area where the asset sits, or with a neighbouring authority.

If your organisation is an unincorporated group please also attach:

- The names and addresses of the 21 members who appear on the electoral role within Hounslow, or a neighbouring local authority.

You may also wish to attach:

- A copy of your organisation’s constitution
- Articles of association
- Terms of reference
- Governance documents

These are all acceptable forms of evidence.

1B Local Connection

Please refer to the 'Guidance for Completing the Nomination Form' 1B Local Connection

Please outline below how your organisation is constituted to meet the requirements of one of the above groups, this should include information to demonstrate your local connection. **Please attach examples of this such as:**

- Evidence of events that have taken place in the local area
- Document containing photographic evidence of the asset in use.

Copies of the following pieces of evidence are attached:

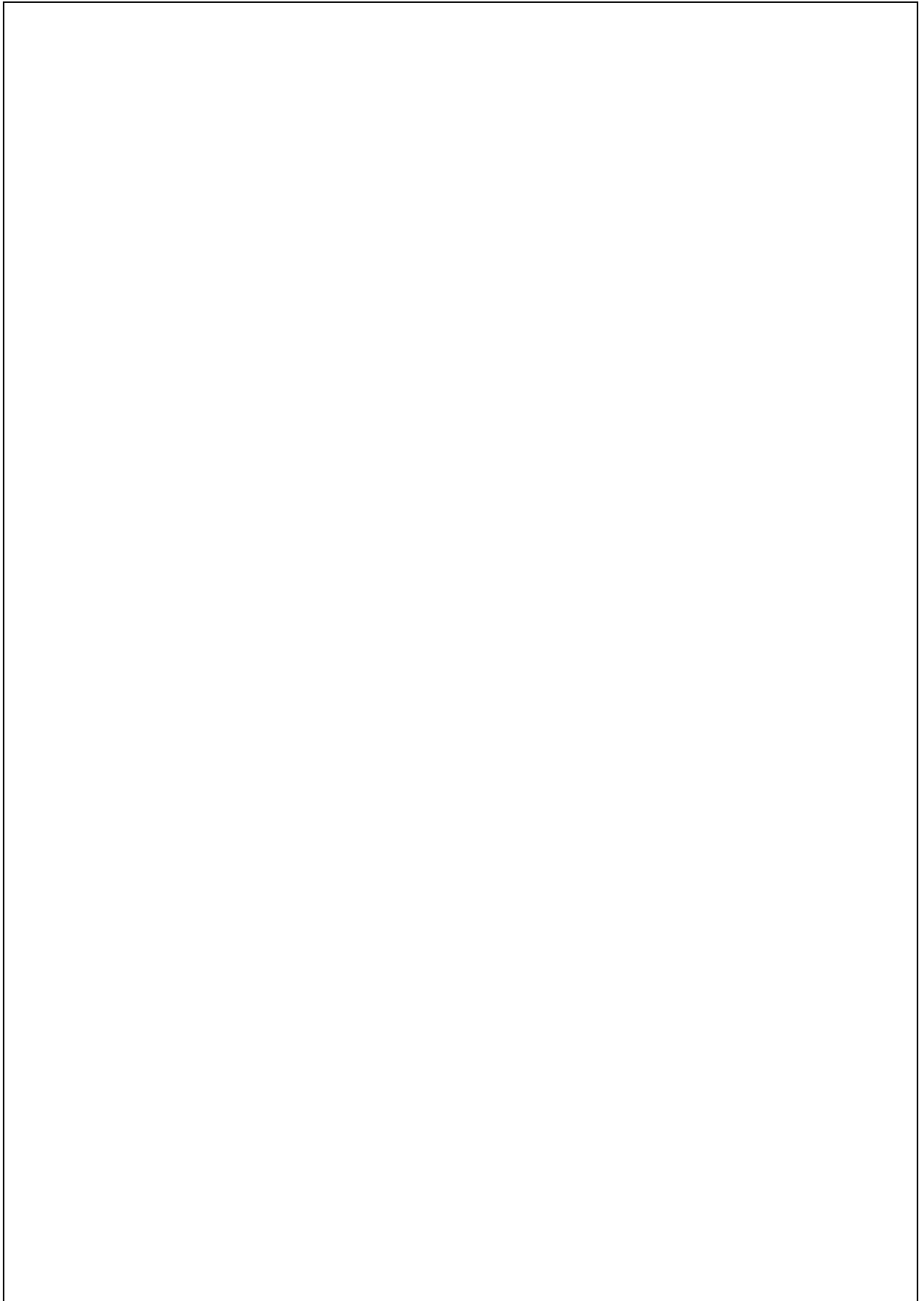
a. The Isleworth Society constitution (Appendix A) with its remit covering the original Isleworth and Syon wards, within which the asset of the 'Town Wharf' lies in the Isleworth Conservation Area.

The Society was founded in 1960, originally known as the 'Friends of Old Isleworth'. Its aim then, and now, is to promote interest in, preserve and enhance the unique character of the area, as well as to initiate and support community activities, events and projects. It is non political and non sectarian. Its main objectives being:-

- i. to secure the preservation, protection, development and improvement of features of historic or public interest**
- ii. to promote high standards of architecture in or affecting the area**
- iii. to spread the word about the area's geography, history, natural history and architecture.**

b. The Isleworth Society's Activity Sheet for the year ending December 2021- Appendix B

c. Photographs evidencing the asset in use- Appendix C



1C Personal details

This is the details of the primary point of contact for the nomination

Title and name	[REDACTED]
Address <i>including postcode</i>	[REDACTED]
Position in the organisation	Chair
Contact telephone number	[REDACTED]
Email address	[REDACTED]

Section 2: Your proposal Name of asset and owner

Name of building/land being nominated	Town Wharf Public House
Address of building/land being nominated	Swan Street, TW7 6RJ
Name and address of current owner	Samuel Smiths, The Old Brewery, Tadcaster, LS24 9SB

2A Description of Asset

Please provide below a brief description of the land or property being nominated, including what it is made up of i.e. building and surrounding grounds and include details of the proposed boundaries. **Please attach a map or diagram of the asset showing the proposed boundaries.**

The Town Wharf Public House:

Owner: Samuel Smith Brewery, Old Brewery High Street, Tadcaster LS24 9SB, Tel: 01937 832225

Developer: Speyhawks, this company went into receivership in May 1993

Architects: Hunt Thompson Associates, now HTA Design LLP

Project Architect: Arne Karlsen

Contractor: Tellings Ltd

Completion Date November 1987

The Town Wharf Public House was part of the redevelopment of Old Isleworth and sits on the Town Wharf River Wall – hence the name – facing the Isleworth Ait in the River Thames, close to Syon House and opposite Kew Gardens. Speyhawk, whose head offices were in Old Isleworth, had over a period of time acquired several sites and produced a master plan for the redevelopment of the whole area, centred on the reconstruction of Lower Square. After outline permission had been granted for the whole development, Samuel Smith (Southern) and its architects Hunt Thompson Associates, took over the detailed design development of the leisure building in order to reflect the brewery's particular needs. See Appendix D for copies of the original planning application drawings.

Relevant sections from "Building" Magazine, Issue no 26 1988 Volume CCLIII No 7553 ISSN 0007-3318, with references to its special interior and exterior design are attached separately at Appendix E and further photos of the original interior and exterior at Appendix F. The bricks and timber joists from the original building on the site were reused in the new building. Inspiration for the interior was taken from Mark Girouard's book "Victorian Pubs". Information about that book can be found at <https://www.goodreads.com/en/book/show/2753386-victorian-pubs> (form will not enable hyperlinks)

Notes from the architect Arne Karlsen about the interior design are found at Appendix G

The Richmond Bridge to Osterley Lock (Section 7 of the Capital Ring/ Thames Path) runs across the external decking and verandah of the Town Wharf as a public right of way. See Appendix H for details of this valuable ramblers' walk.

The Town Wharf has four floors: a basement with a beer cellar, bottle and spirit stores; a ground floor with bar, preparation area, games room and river walk; a first floor with the manager's office, toilets, bar, restaurant, lounge; a second floor with kitchen preparation area, staff bedrooms, manager's flat, shower/ wc. Plans are attached at Appendix D (Town Wharf Plans)- see pages 5-9

A location map is in the same document page 6.

A site plan from the original invitation to its opening is attached at Appendix I

From 2013, Bellway Homes was involved in the regeneration of the nearby area of Isleworth-Swan Court, White Lion Court and Swan Street, which provided an opportunity to provide a new sequence of public spaces and permeable routes, improve and increase the riverside amenity for local residents, and redevelop a building that was under-occupied and underused. A photo of the Town Wharf is included in its publicity brochure with this caption as the number one Public House in close proximity. '1. Town Wharf – 1 minute walk Swan Street, Old Isleworth TW7 6RJ A hidden gem right by the river and a stone's throw from Lion Wharf, a welcoming, quiet location for home cooked food and drink.' See Appendix S Bellway Homes

Section 3: Outcomes Assets of community value

Please refer to the 'Guidance for Completing the Nomination Form' before you complete this section

Does the current principal use of the asset further the social well-being or social interests of the community?

Social interests include cultural, recreational or sporting interests. See the guidance for completing the nomination form for more information about how this is defined.

If you answered "Yes" above: If the asset is not currently in use, was there a time in the recent past where the principal use of the asset was to further the social well-being or social interests of the community?

Please give an example of how the principal use of the asset was/is to further the social well-being or social interests of the community. If the asset is not currently being used to further the social well-being or interests of the local community, during what period did it contribute to this?

Yes, the current principal use of the asset furthers the social well-being or social interests of the community. N.B. This form will not allow entry to the boxes above, nor any opportunity to format headings et al.

Samuel Smiths, the owners of the Town Wharf Public House, have since the outbreak of Covid been unable to retain and locate staff to manage the property despite recent advertising in The Caterer (see Appendix Q) and it is currently closed. This has been and continues to be of considerable concern to the Isleworth Society and it wrote to Samuel Smiths about this in May 2022. See Appendix J

Before then the Town Wharf furthered the social well being and social interests of the community in a significant number of ways:

It provided:

a place to meet, socialise, share conversations;

an opportunity to enjoy refreshments in a special place- a riverside pub in an historic area -see Appendix P for Trip Advisor restaurant ratings in 2021

a welcome break on the Capital Ring/Thames Path walk;

a space for formal and informal work meetings;

a community area for local groups to celebrate together (eg The Isleworth Society held its summer members' social there on at least three occasions since 2012); See Appendix K for the details of the 2017 event.

a key part of the development plans for the local area see Appendix S: Bellway Homes' recent brochure and also Appendix R-Jtp Architects' New Urban Quarter in 'Riverside Regeneration- transforming an historic site into a new neighbourhood'

If the current principal use furthers the social wellbeing or interests of the community, is it realistic to think that this will continue to further the social wellbeing or interests of the community.

If there was a time in the recent past when the current principal use of the asset furthered the social wellbeing or interests of the community, is it realistic to think that in the next five years there could be a principal use that would further social wellbeing or interests, whether in the same way as before or not? *(optional)*

Please explain why you believe this is realistic.

Please describe any risks that should be taken into account when considering whether this asset can continue to further the social wellbeing and interests of the community.

This should go into the section above but the form will not allow access to that box:

Its location is ideal -scenic on the historic Thames riverside with a view of the Isleworth Ait, with its connections with the London Wildlife Trust; it is a part of the neighbourhood, with residents from the nearby new developments at Lion Court and Swan Court, from old and new Isleworth too, as well as visitors; it's accessible to walkers on the very popular Capital Ring/ Thames Path section between Richmond and Osterley with a public right of way through its premises and over its veranda. This route is a relatively recent development and was not open when the Public House was first developed.

Its situation on the banks of the Thames connects with Isleworth's past and reminds about the importance of the wharves and this place's local, regional, national and international connections. Indeed the Town Wharf Public house was named after the Town Wharf area. See Appendix M for more about the history of this place and also Appendix M2, M3, M4 and M5 for copies of historic maps and other documents, provided by Hounslow Local Studies, to demonstrate the importance of the Town Wharf area to the local community over time.

Its facilities are valuable and include: a meeting space, restaurant, pub, facilities for games.

It could attract more users if it were marketed, if the range of its drinks and refreshments were broadened and its opening hours extended to include increasing business opportunities such as coffee/ breakfast facilities, attractive to walkers including those on the Capital Ring/ Thames Path

Risks:

Providing the incentive for its reopening with a more inclusive ownership and management of the site.

There is a risk to community cohesion and sustainability if it is NOT reopened as a going concern as the lack of the business there is leading to anti social behaviour along the river front and on nearby roads.

Please add any other information you would like us to consider.

Appendix L: The building is listed on Hounslow's Local Heritage List: Listed in London Borough of Hounslow: Reference Number ISW64

Appendix I: An article about its opening party in December 1987 including an article in Sundial (Isleworth Parish local news)

Appendix M: The historic Town Wharf area

Appendix M2: Maps and other historic documents about the importance of the Isleworth Riverside area

Appendix N: A letter from Richmond and Hounslow CAMRA providing support for an ACV for the Town Wharf

Appendix O: A letter from the three Isleworth councillors providing their support for this ACV application for the Town Wharf.

Appendix P: Restaurant reviews from Trip Advisor

Appendix Q: Advertisement for staff in The Caterer

Appendix R: JTP Architects- Old Isleworth Redevelopment

Appendix S: Bellway Homes brochure

Checklist of Attachments

- A copy of your organisation's constitution if it has one
- The names and addresses of 21 members who appear on the electoral role within the London Borough of Hounslow, or a neighbouring authority, if your organisation is an unincorporated group
- Evidence of events, documents and/or photographic of the asset in use
- A map, site plan or diagram of the building or land, if you have one

Declaration

I declare that to the best of my knowledge the answers submitted in this form and the associated documents are correct. I understand that the information used in the process to assess this nomination in accordance with Part 5, Chapter 3 of the Localism Act 2011 and associated regulations.

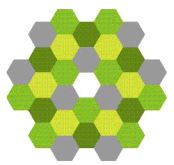
I am signing on behalf of my organisation. I understand that Hounslow Council may reject this nomination if there is a failure to satisfactorily respond to information requests qualified as required for compliance, or if I provide false/misleading information.

Name	[REDACTED]
Date	30 November 2022
Signature	[REDACTED]

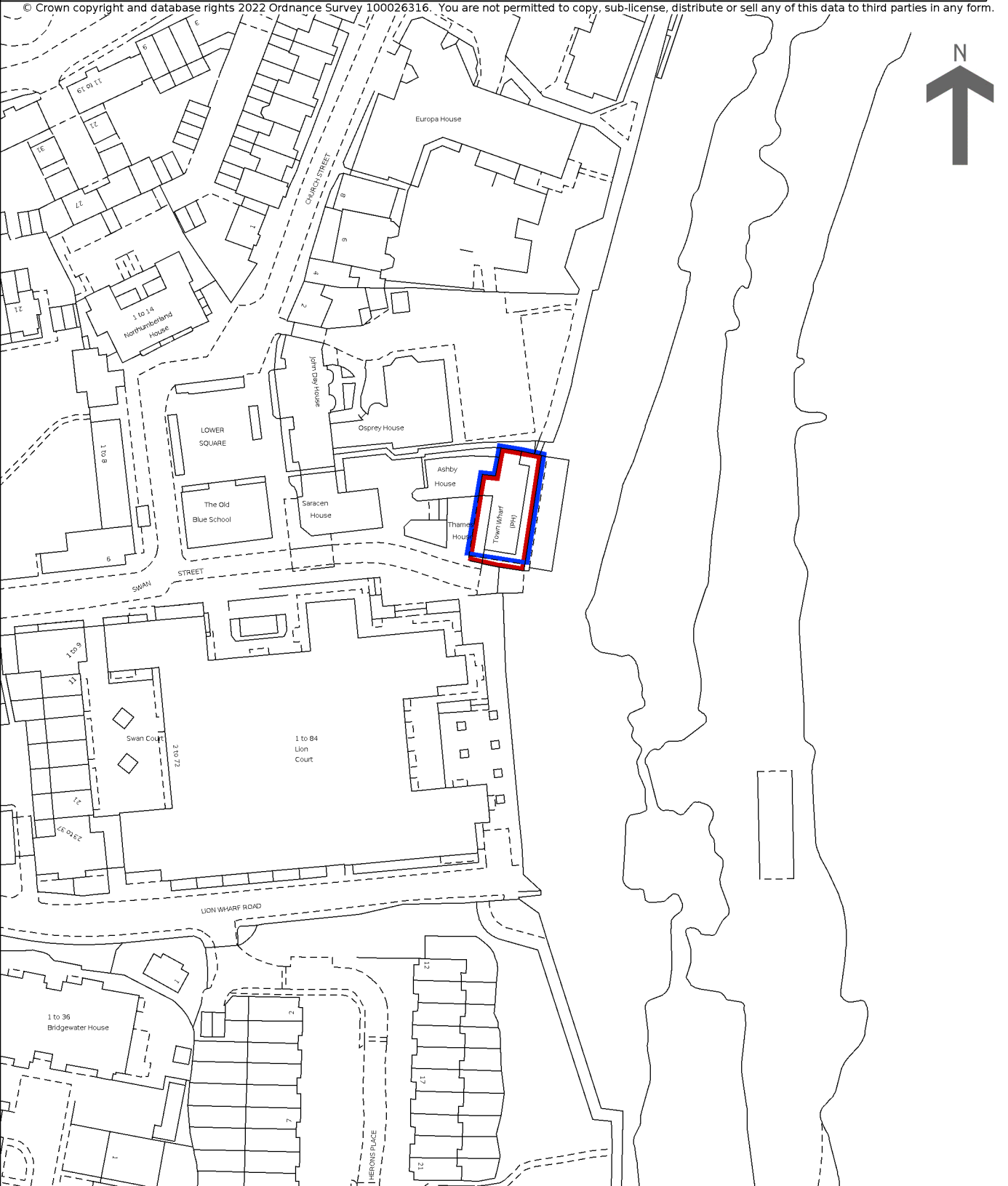


HM Land Registry Current title plan

Title number **AGL550404**
Ordnance Survey map reference **TQ1675NE**
Scale **1:1250**
Administrative area **Hounslow**



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