

Nomination for listing as an Asset of Community Value

Nominated land

<p>Area to be covered Please describe the nominated land including its proposed boundaries and exact location, address, postcode and a map attachment.</p>	<p>The Plough Inn, Malmesbury Road, Kington Langley, Chippenham, SN15 5PY Including its land, outbuildings and car parks.</p>
<p>Ownership Please state all the information you have on: (i) the names of current occupants of the land, and (ii) the names and current or last known addresses of all those holding a freehold or leasehold estate in the land; Please include a copy of the land registry entry.</p>	<p>SARSEN STONE GROUP LIMITED (Co. Regn. No. 07613085) of Stonebridge House, Nursteed Road, Wiltshire, Devizes SN10 3DY.</p>

Community value

Your reasons for thinking that Wiltshire Council should conclude that the land is of ‘community value’, having regard to the definition in the Localism Act:

- current primary use of the building/ land or use of the building/ land in the recent past furthers the social well-being or social interests (cultural, recreational, or sporting interests) of the local community
- it is realistic to think that now or in the next five years there could continue to be primary use of the building/land which will further the social well-being or social interests of the local community (whether or not in the same way as before)

Please see additional background documents and source material this includes:

1. Background to the Plough.
2. Emails from Andrew Lee 3/9/2018 and 19/9/2018
3. Estate Agents Sale Documents 2021
4. History Source (Wiltshire history website).
5. BlueBell Stoke Ferry website
6. Correspondence from the Public Works Loan Board 1/4/2021
7. Correspondence from the Plunkett Foundation
8. Plough, Schedule of Rateable Values (xls)
9. Rating Lists - Valuation of Public Houses Approved Guide
10. Villagers Blackheath Decision from Waverley Council
11. Complaint Documents from the Feb 2021 ACV application.

Current primary use of the building/ land

The Plough Inn, Kington Langley is one of two pubs in Kington Langley; both were closed before the coronavirus pandemic. The main use of The Plough is the same it has been since the early to mid 1600s - it is a pub and has been so uninterrupted since then to date. Kington Langley Parish Council put in a bid to register the Plough as an Asset of Community Value in 2014, and this was rejected on two main grounds:

“There is insufficient evidence to conclude it furthers social well-being of the local community’ and ‘lack of evidence of use by local groups or for village events.”

Until 2018 The Plough was in fact something of a hub for a number of groups of people and communities and this was certainly not limited to villagers resident in Kington Langley. The pub also regularly served residents of Kington St Michael, Sutton Benger and Christian Malford and Chippenham, also travellers who had come off the M4 and those travelling between Chippenham and Malmesbury. Prior to the A350 being built, the Plough was on the Kington Langley side of the main road, and after it was on the Kington St Michael side. There are numerous businesses in Kington Park, many of whom made use of the Plough and local residences which make particular use of the Plough. Please also note that as far as Kington Langley was concerned, historically the Plough was also "the main pub" it was the site of the village Revel in the 17th Century and also the Harvest Festival. As such, and given it is no longer in the hands of the Wellington Pub Company, the Plough has considerable potential to re-

open as a pub.

Plenty of events happened at The Plough including some notable music nights, its capacity meant that it was capable of having a significant number of guests and did a very brisk trade for work occasions. Its parking capacity meant that it could get coaches of people and at least from 2009-13 provided employment for two full time chefs plus bar staff. In 2010-13 a community radio was established on the premises. The Plough was particularly accommodating with disabled guests the level access throughout was useful, as well as the staff being accommodating and helpful. It has been the favoured meeting spot for a number of residents, but otherwise it does what a pub does: joins people together. While there was very little in "formalised" community meetings there such as sports groups it did provide its own community and provided a great deal of mixing that otherwise wouldn't have happened. The post work trade was brisk, labourers, tradesmen would meet up with businesses-people, farmers, drivers, office workers; there were many business travellers who would stop there including drivers making use of the garage over the road (sometimes because of accidents or problems on the motorways). Often travellers between the big cities would make a pitstop, and there were many fruitful chance encounters, as well as arranged meetings for business and pleasure. It was one place between the two Kington villages where you would have a good idea of who would be there on some occasions, but also no idea about who else would be there, and as such it could have a startling diversity for our area. This is not something you would often find even in Chippenham pubs. The Plough was also a very child friendly pub. While it had internal restaurant areas, the rear patio with its fish would often attract the youngest people, at the front the land outside provided fresh air away from the road in a unique outdoor space, which is not available in most pubs. The Plough also hosts a functioning post box and one of Kington Langley's village noticeboards.

In 2014 the decision by the council was wrong, there were many local groups who used the Plough although they were not formally organised into clubs or interest groups and therefore might not have hit the radar of the Parish Council. But it was a melting pot of different ages, interests, and beliefs. Since 2014 Kington Langley's "other" pub the Hit and Miss closed and has been closed ever since and has not been put up for sale by its owner. This leaves Kington Langley without any facilities beyond the basic provisions of village hall, playgrounds and green spaces, no where to meet and have a meal or get a drink. But the Plough was valued by not only residents of Kington Langley but many more all of whom valued it.

In a second ACV application in 2021 it was accepted that The Plough met this criteria under section 88(2)(a) of the Localism Act 2011.

it is realistic to think that now or in the next five years there could continue to be primary use of the building/land

The Plough is definitely viable as a pub. Here we further look at the reasons why it closed in August 2018 and the reason it can open again.

The former tenant Andy Brewer got into financial difficulties with other pubs, the Plough itself was not problematic. See mail from Criterion Asset Management in 2018. However, the agents then went on to ask up to £45,000 a year rent for it in 2018 (with discounts for refurbishment) going up with RPI at a minimum of 2.5% and 5 yearly rent reviews. Its estimate of turnover if run properly was £400K pa. This shows that it was considered viable as a business but, however, it was then tied to a landlord (The Wellington Pub Company) who gave quite unattractive terms and this did not change until 2021 when they decided to offload the asset, which happened to be in the middle of a pandemic when all businesses such as pubs were all closed and re-opening was subject to that overarching problem. The Wellington Pub Company are no longer the owners and that is a welcome change.

The Plough has been a public house and coaching inn for nearly 400 years. Then, as now, it sits on well travelled routes on the edge of two thriving villages. As well as servicing the local community, and being the "main" pub in its area, it serviced travellers between Chippenham and Malmesbury, now travellers between London, Bristol, Wales and the Midlands and its a pit stop for the M4. There are recent developments including investment at Hullavington Airfield (3 miles North), there is major investment at Junction 17 in a huge logistics park and the Chippenham area is expecting 2,500 new homes with a further major development at Bird's Marsh within walking distance of The Plough. In the meantime the workers at Kington Park nearby made previous good use of as did the residents of The Moors, Kington Langley, Kington St Michael and Stanton St Quintin. Further customers came from Lyneham, Christian Malford, Sutton Benger and Chippenham to name a few. The Plough never had a problem with customers coming through the doors, and this is a situation set to improve as investment in the local area increases. It is indeed well suited as a food destination and normally employed two full time chefs.

Its most recent rateable value was £15,000. Setting a

rateable value is an exercise in examining sales data for drinks and food and making a judgement on what a reasonably efficient operator would be able to make from it. Guidance on this is also attached. The fact it has a rateable value is clear evidence of viability. A comparison of the rateable values of The Plough with other nearby pubs indicates that while individual pubs RVs changed in the years between 2010 and 2017, overall for the area as a whole it went up, demonstrating that the area as a whole has a growing market in the pub trade. Please see attached. That the agents considered it would take £400,000 if run properly and were clearly expecting rental values in excess of £3400 per month after some refurbishment costs in 2018.

The Plough could also benefit from diversification: Kington Langley is not serviced by *any* local facilities, other than a Village Hall, Kington Langley has no shop, post office, club or pub. However, many pubs taken over by the community have diversified successfully into providing additional services, from shops, libraries and post points. We also believe that given its connection to local history there is the possibility of building on this with local history education and making connections with existing archive and museum material in Chippenham making a real possibility of exhibitions and installations. There is much space at the Plough with a lot of potential.

An ACV decision in 2021 stated that The Plough did not meet the criteria in section 88(2)(b) of the Localism Act because of its state of repair and the fact that the present owners do not want it to be a pub. This decision is subject to an ongoing complaint. Neither of the reasons cited met either a legal or reasonable standard and this needs to be considered.

The Plough has in fact, despite the reluctance of the Wellington Pub Company as the main owner for some time, has had a number of repairs over the years. The Plough is a very old listed building and over the years significant work has been done to maintain it. Windows were replaced in 2017. The roof was repaired in 2018. The present owners have not indicated which particular parts are in significant disrepair which makes the building "not fit for use." Having known the building a long time, our view it needs a good refurbish, it needs the bar and signage replacing after it was destroyed, but to suggest that it is not fit for purpose which it has undertaken for nearly 400 years requires more than just an opinion and an afternoons damage. While it is not possible to make a full estimate for the work required we think with that expenditure of not more than £50,000 and probably less, it can be totally refurbished. Ideally, the value of the refurbishments should be removed from the cost of sale.

Furthermore the present owners have made no planning application for change of use so their plans for the building remain somewhat mysterious.

On Feb 6th 2021 the present owners removed the bar, the furniture and the pub signage and much of this was all burned in the garden of the premises. This was a wilful act of bad faith with respect to the building which was marketed and sold as a pub and is a Grade 2 listed building. We believe planning enforcement is still considering the situation (see copied correspondence). Please see the attached sale document from the estate agents which clearly describes its potential. While it is difficult to estimate the cost of "repairs" to the building without having access to it at present these are not insurmountable problems, and many other pubs have been returned to full working condition from states of disrepair. The legal standard to meet under Section 88(2) (b) is that it *could* continue to operate as a pub, not that it *will*. Therefore the views or intentions of the present owners should be considered appropriately but not as the very limit of possibility. We are talking about: could the bar be put back, could furniture be bought, could the damage done by the present owners be reversed then its entirely realistic. Even if such a refurbishment project cost £50,000 that does not mean it is unrealistic. The building sold for £452,000 in 2021 and the suggestion that any organisation who was able to raise the exact same funds to buy it would also be unable have it refurbished is counter-intuitive. (The cost would not include expensive planning applications for change of use as its use would continue!) These are more than reasonable resource requirements. "Needs repairs" is not an adequate reason to deem it not fit for purpose. Virtually anything can need repairs and still be good for its intended use. The indications are that the present owners - who have presently owned the building for a matter of months - less than one tenth of one percent of the time it has actually been a pub - do not intend to run it as a pub. That does not mean that it *cannot* be run as a pub. As the premises remains a licensed premises to this date, only closed due to financial difficulties the then tenant had in 2018, was then offered on very poor terms by the landlord, and then finally sold in the middle of a pandemic which saw ALL pubs close, this does not mean it is impossible. On the contrary The Plough has been a pub for 99.9% of its history and was sold and bought as a pub.

The present owners made a representation that The Plough was no longer fit for purpose. While they destroyed the fixtures and signage, the Plough was marketed as a licensed premises with significant potential. That the present owners saw quite different potential does not make their opinion final. On the

contrary the marketing document used by the estate agents (attached) sold The Plough as “ideally suited to attract destination food trade from surrounding towns and villages”, noted the developments detailed above. The Plough was well located to avail of all these developments and provided an attractive venue in the entirety of its history.

Kington Communities Enterprise Limited was formed in 2021 as a company limited by guarantee with an expressed intention to acquire The Plough and reopen it as a pub. We will convert to a Community Benefit Society in due course with the assistance of the Plunkett Foundation. Our intention is to raise the funds needed to buy The Plough as a community asset and here we sketch out an entirely possible funding plan. We have sought advice from The Plunkett Foundation, The Pub is the Hub and other local campaign groups. Grants are available from More Than A Pub grants, local parish councils will be approached to provide grant or loan support, and community shares will be offered including to other community organisations. In addition to this the Community Ownership Fund announced by the present Chancellor will release £150m fund to support community ownership of which we would intend to apply for a £250,000 match funded grant. This means, should The Plough go on the open market it will be several grades above “realistic” for the Plough to re-open as a pub and a requirement on our part to raise only about £250,000 from the local community. Furthermore, we are also intending to approach all three Parish Councils which supported the February ACV application to assist which they could do through the Public Works Loan Board if not from the precept. We have already confirmed that access to PWLB funds is not dependent on the asset being physically in the parish concerned, please see correspondence.

We further attach a copy of the website for the campaign to save the Blue Bell pub in Stoke Ferry, which has already raised £280,000, the majority from the community, to support its local pub. This is an example we intend to learn from.

In brief then:

- The rateable values of pubs local to The Plough show that the pub trade is growing in the local area from 2010-2017.
- Developments very local to The Plough and the Chippenham area more generally indicate that in addition to its existing customers from Kington Langley, Kington St Michael, Stanton St Quintin, Lyneham, Sutton Benger, those travelling between Chippenham and Malmesbury,

	<p>using it as a pit stop on the M4, there are very likely going to be <i>more</i> opportunities to develop than less in the coming years. There is a straightforward business case for this to be more than viable.</p> <ul style="list-style-type: none"> - The cost of the building and repairs or refurbishments are sketched out and realistic to raise from organisations which give grants, local parish councils, central government grants, and community shares, and these have been listed. - Other pubs in similar situations have been successfully refurbished and developed, locally and notably the Peterborough Arms at Dauntsey Lock which has recently been awarded for its refurbishment by CAMRA. - A community group has been formed with a plan to raise the funds to purchase and refurbish The Plough. - Support for this has been widespread and consistent. <p>We therefore submit that it is indeed possible that The Plough can continue to operate as a pub and that this meets that legal standard required under Section 88(2)(b) of the Localism Act 2011.</p>
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<p>Eligibility to nominate</p> <p>Please provide evidence that you meet the definition of a community nominator as set out in the regulations (i.e. a parish council or voluntary or community body with a local connection).</p> <p>If an unincorporated group please provide a list of 21 names on the local electoral register.</p>	<p>Kington Communities Enterprise Limited is a local community body and company limited by guarantee.</p>
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Your details

Parish	Kington Langley
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Community area	Chippenham
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Your organisation	Kington Communities Enterprise Ltd
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Contact name	
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Position held	Director
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Address	
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Telephone	
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Email	
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I confirm that all information provided is accurate and complete

Name	
Date	17 June 2021

Please return to assetsofcommunityvalue@wiltshire.gov.uk (scanned attachments can be accepted).