

Case Name: *Punch Partnership (PML) Ltd v Arun District Council & Anor* 2018 UKFTT CR-2018-0001 (GRC) (7 June 2018)

Full case: [Click Here](#)

Commentary: Nomination of a public house as an Asset of Community Value by a CAMRA branch

The nomination was challenged on technical points relating to the identity and constitution of the branch of CAMRA that made the nomination.

The following grounds were pursued:

- (1) the branch did not exist as a separate entity and that the nomination had been made as an agent for CAMRA and therefore there was no local connection. It was held that the branch did exist and there was no agency;
- (2) the nomination was made without the authority of the branch. There was nothing to support this assertion;
- (3) there was no valid prohibition against distribution of surplus to members. Regulation 5(1)(c) requires that any surplus is not actually distributed, not that there is a constitution with this specific provision.

The legislation was designed to be accessible to citizens from all walks of life, it would be unfortunate and contrary to Parliament's intention if this jurisdiction became mired in technicalities and procedural points and if appeals resurrected arguments that had been dismissed in earlier cases.

Case summary prepared by Town Legal LLP