

FORMER BLACK CAP PUBLIC HOUSE, CAMDEN

Iceni Certificate of Immunity from Listing Application Statement
March 2016



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1. Introduction

1.1 Introduction

This report forms part of the submission statement for a Certificate of Immunity application for the former Black Cap Public House, Camden. It is intended to seek immunity from Statutory Listing by Historic England, and, accordingly, includes a detailed history of the site, and assessment against both national and asset-specific listing criteria produced by Historic England.

The Black Cap forms part of the Camden Town Conservation Area, and is highlighted as a building of interest that makes a positive contribution to the area.

A Public House has existed in some form on the current Site since at least 1781, and though the current structure possibly retains some elements from this early building, there is evidence in the current fabric, supported by map regression analysis, that indicates the original building has been substantially altered and expanded. The Black Cap was in operation until 2015 when it shut after a number of failed development proposals to insert modern flats, and shortly after, was designated an Asset of Community Value by Camden Council under the Localism Act. After shutting, the Site began to deteriorate, being further damaged by squatters, and is currently occupied by Guardians. There is also heavy opposition from local community groups in regards to the loss of the pub as an LGBT+ space, particularly the Black Cap Foundation.

A site visit was conducted on 8 March 2017, the photographs from which are reproduced in the report below to provide a view of the building interiors and exteriors. Comprehensive research has been carried out at the British Library and Camden Local Studies and Archives in particular, with reference also made to secondary sources, listed in the Bibliography below. This research has been supplemented with a wider thematic study of LGBT+ community buildings to place the Black Cap into its proper historic and architectural context, informed closely by Historic England's own current investigation into the subject.

1.2 Planning and Development Background

Faucet Inns are the freehold owners of the Black Cap. The building was closed in April 2015 by the previous owners. This was due to the previous owners of the building (whom Faucet Inns were managing the building on behalf of) being subject to a contractual requirement to sell the building on a vacant possession basis.

Since the closure, Faucet Inn have been in negotiations with the local community and the London Borough of Camden to prepare proposals to facilitate the re-opening of the building, to allow for the necessary investment to be made in repairing and refurbishing the buildings dilapidated physical fabric and to enable the long term future of the building to be secured as a viable business.

The property is subject to a number of planning land use and Asset of Community Value (ACV) constraints. These significantly affect what can and cannot be done to the building when compared to normal pub and have reduced the flexibility and adaptability of the business and have prevented investment, the most recent example being the withdrawal of the most recent commercial tenants. Overcoming these challenges has been the principal reason that the building has remained vacant.

2. Assessment Criteria

2.1 National Listing Criteria

Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) imposes a duty on the Secretary of State to compile or approve a list or lists of buildings of special architectural or historic interest as a guide to the planning authorities when carrying out their planning functions. The statutory criteria for listing are the special architectural or historic interest of a building. To be considered for listing, a building must have 'special' interest.

In its Principles of Selection for Listing Buildings DCMS (2010) sets out the following criteria applied when considering buildings or structures for designation:¹

Architectural Interest: to be of special architectural interest a building must be of importance in its architectural design, decoration or craftsmanship; this also includes nationally important examples of particular building types and techniques;

Historic Interest: to be of special historic interest a building must illustrate important aspects of the nation's social, economic, cultural, or military history and/or have close historical associations with nationally important people. There should normally be some quality of interest in the physical fabric of the building itself to justify the statutory protection afforded by listing;

Age and Rarity: the older a building is, and the fewer the surviving examples of its kind, the more likely it is to have special interest (after 1840 due to the great increase of standardisation, and subsequent larger number of buildings erected and preserved, a more selective approach is necessary);

Aesthetic Merits: the appearance of a building – both its intrinsic architectural merit and any group value – is a key consideration in judging listing proposals. However, external visual quality might not always be a guiding principle, as some buildings that are important for reasons of technological innovation, or as illustrating particular aspects of social or economic history, may display little external visual quality;

Selectivity: Where a building qualifies for listing primarily on the strength of its special architectural interest, the fact that there are other buildings of similar quality elsewhere is not likely to be a major consideration. However, a building may be listed primarily because it represents a particular historical type in order to ensure that examples of such a type are preserved. Listing in these circumstances is largely a comparative exercise and needs to be selective where a substantial number of buildings of a similar type and quality survive. In such cases, the Secretary of State's policy is to list only the most representative or most significant examples of the type;

National interest: The emphasis in these criteria is to establish consistency of selection to ensure that not only are all buildings of strong intrinsic architectural interest included on the list, but also the most significant or distinctive regional buildings that together make a major contribution to the national historic building stock. For instance, the best examples of local vernacular buildings will normally be listed because together they illustrate the importance of distinctive local and regional traditions. Similarly, for example, some buildings will be listed because they represent a nationally important but localised industry.

State of Repair: it is of final note that the state of repair of a building cannot be taken into account when considering the degree to which a site meets the above criteria.

2.2 Additional Listing Criteria and Considerations

Further to the national listing criteria, Historic England has also produced a listing selection guide for Commerce and Exchange Buildings, which includes public houses in its assessment. It sets out a brief history of development of public houses, particularly over the nineteenth and twentieth centuries.

The guide also provides a subset of listing criteria to assist with the assessment of public houses, which are as follow:

Selectivity: Most commercial buildings post-date 1840. Many other commercial building types – offices, pubs, shopping arcades, department

stores, and hotels – are largely nineteenth-century creations. Because they survive in such large numbers and were subject to a high degree of standardisation, selection for designation needs to be very discriminating.

Group Value: However, it is also the case that nineteenth- and twentieth-century commercial buildings transformed our townscapes and gave many English town centres their distinctive character. Where coherent commercial townscapes survive reasonably intact, there will be a strong case for designating individual components comprehensively in recognition of their cumulative impact, or assessing them holistically as part of an area appraisal; claims for listing may well be reinforced by group value of neighbouring listed premises.

Date: All medieval commercial buildings will be eligible for designation since they are exceptionally rare. Even fragmentary evidence will be very important. Most buildings prior to 1840 surviving in anything like their original form will be listable; intact contemporary details and fittings, both internal and external (like shop fronts, tiled decoration, counters and back-fittings) may justify a high grade. As with all buildings after 1840, rigorous selection is necessary. Given the high rates of attrition, however, all buildings which retain claims to special architectural interest, irrespective of date, deserve careful consideration. Intact modern retail architecture of note is surprisingly rare, however, so it is important to identify these examples as well.

Rarity: It is easy to overlook the significance of some modest and plain commercial buildings. They can sometimes possess significance beyond their outward form. Also, listing in the past has favoured the opulent and the grand at the expense of the more modest, the 'gin palace' and the palazzo bank rather than the beer shop or humble savings bank: consequently the latter have suffered disproportionate loss. Listing should aim to redress this balance where special historic interest clearly resides in unadorned fabric on the grounds of rarity. Unusual sorts of business – undertakers, pawnbrokers and hatters, for instance – may have left premises of note which are deserving of protection. And some common types of establishment – like fish and chip shops – are actually very rare in

terms of bespoke and intact premises of interest.

Alterations: Commercial premises are intrinsically prone to change and alteration, and cannot be expected to survive in their original configuration. Careful assessment is needed as to whether enough survives of the special interest for designation to be warranted. Sometimes the special interest will be concentrated in a single aspect of a building (such as a shop front or fine interior) and this needs to be identified at the designation stage. Front elevations can sometimes be sufficiently interesting or rare architecturally to warrant listing, even if the interior has been substantially altered or even lost.

Interiors: Commercial architecture is sometimes skin-deep, and many cases of buildings being listed for their facades only can be cited. Particularly for more recent buildings, special interior interest may be present only in key areas such as entrances and directors' suites; office floors tend to be plain and prone to alteration. Due allowance should be made for this.

Signage: Where historic signage or advertisements survive, these can contribute to the case for listing. Exceptionally this will include painted signage or advertising on blind end walls. Surviving signage with especially interesting lettering, unusual illustrations, or advertising a distinctive product or company may warrant listing in its own right, even if the building to which it is attached is of negligible interest. It should be remembered that the development of corporate identity is part of the interest of commercial buildings.

Authenticity: Care needs to be taken as a fair number of shop fronts that look original often turn out to be modern reproduction, and attention is needed in confirming authenticity when assessing for designation. This applies to banks, pubs and hotels as well.

Community interest: Commercial premises, as prominent places of public gathering, have sometimes played leading parts in the story of a community and their claims to note should be considered accordingly.

Some commercial buildings tell of the establishment of minority communities through their signage as well.

2.3 Historic England Pride of Place

Pride of Place is a Historic England initiative led by a team of historians and scholars at Leeds Beckett University's Centre for Culture and the Arts with the aim of identifying locations and landscapes associated with England's LGBTQ heritage. Although the review has no set criteria by which a location can be nominated or considered for listing, it does provide context in which these locales should be understood and analysed in addition to standard listing principals.

Pride of Place has been organised to achieve several specific goals:

- To identify, document, and increase awareness of the significance of LGBTQ histories and heritage in relation to England's buildings and landscapes.
- To engage community members, the heritage sector and scholars in documenting locations of LGBTQ heritage by identifying sites, and by sharing and recording these histories for the future.
- To identify a number of key LGBTQ heritage sites for consideration for inclusion on the National Heritage List for England (NHLE), and to amend existing entries on the NHLE where there are important LGBTQ histories attached to listed sites which deserve to be made better-known.
- To nominate buildings or landscapes for consideration for local heritage listing on the basis of their significance to LGBTQ histories.
- To encourage the management of current heritage sites open to the public, as well as those designated in the future, to include LGBTQ histories in their interpretive content as a key part of engaging with the public.

