

Decisions of the Community Leadership and Libraries Sub-Committee

19 December 2018

Members Present:-

Councillor Reuben Thompstone (Chairman)
Councillor David Longstaff (Vice-Chairman)

Councillor Sara Conway

1. APOLOGIES (IF ANY)

None.

2. MINUTES OF LAST MEETING

The minutes were approved as an accurate record.

3. DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY AND NON PECUNIARY INTERESTS (IF ANY)

None.

4. ADDENDUM

An addendum was received.

5. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

6. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

Community Right to Bed: Greensquare

Written comments, received on the afternoon of Friday 14 December, from the Solicitor acting on behalf of the landowner, Higgins Homes plc, had been published prior to the meeting and were noted.

Mr Graham Jardine spoke on behalf of Greensquare Residents Association. He reported that the land had been used by the community for over 100 years and that the residents of the properties surrounding Greensquare had right of way according to the deeds of those properties. He stated however that a notification from the landowner, Higgins Homes plc, had been sent to residents advising that they were trespassing and as a result residents were not formally using the land.

Cllr Longstaff enquired whether legal documents were available regarding the right of way. Mr Jardine stated that each home owner was likely to have such documents, received at the time of purchasing property surrounding the square.

Mr Jardine stated that the landowner, Higgins Homes plc, had terminated the Bowling Club's lease 9 years previously (before its expiration date) by triggering a break clause in

the lease. Mr Jardine stated that at this time the Bowling Club had had a full fixture list so had been in full use.

Mr Jardine added that along with the Clubhouse there were two extra areas of land that the Bowling Club had used. The green area had registered paths for walking and woodland fruit was growing there and was picked by residents.

Cllr Longstaff asked whether residents had been notified that the Asset had been placed for leasing. Mr Jardine stated that a 'To Let' sign had recently been placed against the pillar of one of the houses which had been unclear as it appeared that the sign was in relation to the house rather than the land, and only recently a 'to let' sign had been placed on a pole beside the Bowling Club sign.

Mr Jardine stated that Higgins Homes plc had suggested to the Bowling Club that it tried to renew the lease but it had not been renewed.

The Solicitor in attendance from HB Public Law stated that once a property was listed as an Asset of Community Value an owner wanting to dispose of an asset in Barnet should first notify Barnet Council of its intention to dispose. Interested parties are then given 6 weeks to inform LB Barnet of their interest in bidding for the land, and if such notification is received there follows a six-month moratorium, during which time the landowner cannot sell the land. This provides an opportunity for bids to be developed and submitted by community groups. The landowner does not have to accept any given bid.

Cllr Longstaff stated that the correct process had not been followed in relation to the ACV. The group that had listed the ACV previously should have been informed of the new lease opportunity and provided with the opportunity to express an interest in the lease.

The Solicitor confirmed that the landowner is required to follow the statutory process and could not dispose of or lease the land whilst it was listed because a restriction on the title is usually registered on behalf of the LB Barnet which restricts any disposal without compliance with the restriction.

Community Right to Bid: The Midland Hotel Public House

Verbal representations in support of an ACV listing were heard from Rev Dr Candy and Councillor Helene Pines Richman.

7. MEMBERS' ITEMS (IF ANY)

None.

8. COMMUNITY RIGHT TO BID: THE MIDLAND HOTEL PUBLIC HOUSE, 29 STATION ROAD, LONDON NW4 4PN

The Chairman noted that he had amended the order of the agenda due to a large number of residents attending for Item 8 (Midland Hotel Public House). This application would be decided first.

Two public speakers addressed the Sub Committee in favour of the application.

The Sub Committee **RESOLVED** unanimously:

That The Midland Hotel Public House, 29 Station Road, London NW4 4PN be listed as an Asset of Community Value and added to the Council's Register, based on the statutory criteria set out in the Localism Act 2011, and the evidence provided in the nomination.

9. COMMUNITY RIGHT TO BID: GREENSQUARE, THE LAND BETWEEN BRIARFIELD AVENUE AND ROSEMARY AVENUE ACCESSED FROM TANGLE TREE CLOSE, N3 2LG

The Vice Chairman stated that given the information that had come to light at the meeting (Item 5) he felt that more information should have been included in the report.

Further to a discussion the Sub Committee **RESOLVED** unanimously:

that Greensquare, the Land between Briarfield Avenue and Rosemary Avenue accessed From Tangle Tree Close, N3 2LG be listed as an Asset of Community Value and added to the Council's Register, based on the statutory criteria as set out in the Localism Act 2011, and the evidence provided in the nomination.

10. ANY OTHER ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT

None.

The meeting finished at 7.18 pm