#### **MEETING**

#### **COMMUNITY LEADERSHIP AND LIBRARIES SUB-COMMITTEE**

#### **DATE AND TIME**

#### **THURSDAY 4TH APRIL, 2019**

#### **AT 7.00 PM**

#### <u>VENUE</u>

#### HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

Dear Councillors,

Please find enclosed additional papers relating to the following items for the above mentioned meeting which were not available at the time of collation of the agenda.

Item No	Title of Report	Pages
1.	APOLOGIES (IF ANY)	
1.	MINUTES OF LAST MEETING	3 - 6
1.	DECLARATION OF MEMBERS' DISCLOSABLE INTERESTS (IF ANY)	
1.	REPORT OF THE MONITORING OFFICER (IF ANY)	
1.	COMMUNITY RIGHT TO BID: NEW BEVAN COMMUNITY CHURCH GROVE ROAD, LONDON EN4 9DF	7 - 34
1.	ANY OTHER ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT	

Tracy Scollin 020 8359 2315 tracy.scollin@barnet.gov.uk





#### **Decisions of the Community Leadership and Libraries Sub-Committee**

19 December 2018

Members Present:-

**AGENDA ITEM 2** 

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 as a late paper 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 trigerring a break clause in

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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 and there were two leases; one to cover Green Square and a separate lease for the Bowling Club. 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 a 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 it was unclear whether the correct process had been followed in relation to the ACV. The group that had listed the ACV previously should be given the opportunity to try to do so again.

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 by 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 Helen 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

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#### AGENDA ITEM 5

### Community Leadership & Libraries Sub - Committee 4<sup>th</sup> April 2019

Title	Community Right to Bid: New Bevan Community Church Grove Road, Barnet EN4 9DF
Report of	Councillor Reuben Thompstone, Chairman
Wards	East Barnet
Status	Public
Urgent	Yes - there is an 8-week statutory timescale to respond to Community Right to Bid nominations, starting from the date the Council receives the nomination.  The nomination for The New Bevan Community Church was received on 19th February, making the deadline for a decision 16th April 2019.
Key	No
Enclosures	Plan of nominated asset
Officer Contact Details	Danusia Brzezicka, Strategy Officer, Community Participation (danusia.brzezicka@barnet.gov.uk 020 8359 3211)

#### Summary

The Localism Act 2011("the Act") introduced the Community Right to Bid ("CRTB"). 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 there is an actual current use of the building or other land which 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.

It is a right for local people to nominate buildings or pieces of land that they believe contribute to the social interests or wellbeing of their local communities to be listed on a register of Assets of Community Value ("ACVs"), managed by the local authority.

Where land is listed as an ACV, if the owner subsequently wishes to make a 'relevant disposal' (to sell the asset or grant a qualifying lease, which is one originally granted for a 25-year term) they must notify the local authority. This triggers an interim moratorium period of six weeks, during which time the nominating group, or any other community group can register interest in putting together a bid for the asset. If a community group registers interest, this triggers a full moratorium period of six months, during which time the owner may not make a relevant disposal of the asset, except to a community group. The moratorium is intended to allow community groups the time to develop a proposal and raise the required capital to bid for the asset when it comes onto the open market at the end of that period. The owner is under no obligation to accept a bid from a community group and can sell the property to whomever they wish once the six-month moratorium is over. However, if the asset is not disposed of within 18 months from the commencement of the interim moratorium period, then the moratorium period is re-triggered (12 months from the end date of the first moratorium period).

In order to decide whether to list an asset as an ACV, the Act provides that the Council must consider whether the nomination has come from a group eligible to make a nomination, as defined in the legislation; and whether a non ancillary current or recent use of the nominated asset furthers the social wellbeing or social interests (defined as including 'cultural, recreational or sporting interests') of the local community, and whether it is realistic to think it will continue to do so in the future (or, where the use has ceased, in the next 5 years) (whether or not the use remains exactly the same).

A nomination has been received from Ms Rosalyn Howarth on behalf of the Friends of the New Bevan Community Church to list **New Bevan Community Church, Grove Road, Barnet EN4 9DF** (East Barnet ward) as an Asset of Community Value. **This report recommends that the asset is listed as an Asset of Community Value.** 

The nomination is an eligible nomination. The Localism Act 2011 and the Assets of Community Value (England) Regulations 2012 ("ACV Regulations") provide that in order to be eligible, the nomination must be made by a community organisation or group which qualifies under the Act to make the nomination. The Friends of the New Bevan Community Church is an unincorporated group which does not distribute profits and has evidenced membership of 30 members and of which at least 21 are on the electoral register of the London Borough Barnet. Consequently, they are eligible to make a nomination under regulation 5 (1)c of the ACV Regulations.

### The nomination meets the criteria of furthering the social wellbeing or social interest of the community.

The nomination describes the building as located at the top of Grove Road on the Bevan Estate, a large residential estate, constructed in the 1950's to house displaced residents from East Barnet, New Barnet and other nearby areas. The Estate was self-sufficient, with a primary school and secondary school, a recreation ground, a small parade of essential shops, a post-office and a pub (recently destroyed by fire). These community amenities were complemented by the Church constructed in 1958 and became New Bevan Baptist Church, later renamed the New Bevan Community Church. The New Bevan Community Church

allows for a wide range of worship and social, recreational and wellbeing interests for the local community and residents, so it is reasonable to think that the main use of the asset furthers the social wellbeing and social interests of the community. The owner has said it intends to dispose of this building. The nomination states this is the only community space available in the locality and is popular with local residents using this space, suggesting continued viability and demand. It is realistic to think that use of the asset will continue to contribute to the social wellbeing and social interests of the community.

Evidence was requested to verify the above-mentioned activities and this was provided by the nominating group. The nominator provided evidence that the local community have used the building and grounds as evidenced in Appendix 1B showing a wide range of community activities across all age groups. It was deemed that there is sufficient evidence to meet the statutory requirements as the main use of the asset contributes to the social interests or wellbeing of the local community. It is realistic to think that it can continue to further the social wellbeing or social interests of the local community.

#### Recommendations

That the Committee agree that New Bevan Community Church, Grove Road, Barnet EN4 9DF should 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.

#### 1. WHY THIS REPORT IS NEEDED

#### The Community Right to Bid

- 1.1 The Localism Act 2011 ("the Act") introduced a new right for groups of local people to nominate buildings or pieces of land which contribute to the 'social wellbeing or social interests' of their local communities to be listed on a register of Assets of Community Value ("ACVs"), which the local authority is required to maintain.
- 1.2 Nominations can apply to public or private assets, although certain kinds of asset (such as private homes) are exempt.
- 1.3 The Act provides that in order to decide whether to list a nominated asset as an ACV, the Council must consider whether the main use of the asset contributes to the social interests or wellbeing of the local community, and whether it is realistic to think it will continue to do this (whether or not the use remains exactly the same).
- 1.4 The Act defines social interests as 'including cultural, recreational, and sporting interests'. There is no further definition.
- 1.5 The Act provides that land in a local authority's area which is of community value may be included by a local authority in its register of ACVs only:

- (a) in response to a community nomination, or
- (b) where permitted by regulations made by the appropriate authority.
- 1.6 In England a community nomination can be made by a parish council or by a voluntary or community body with a local connection as defined in the ACV Regulations.
- 1.7 The statutory tests which the Council must apply when assessing a nomination are:
  - (i) Its main use furthers the social wellbeing or cultural, recreational or sporting interests of the local community; and it is realistic to think that the main use will continue to further the social wellbeing or cultural, recreational or sporting interests of the local community; or,
  - (ii) Where the main use does not currently have such a community benefit, in the "recent past" it did have and the Council considers it realistic that it would be able to have such a use in the next 5 years.
  - (iii) That the nomination is a community nomination made by a community or voluntary organisation or group which qualifies under the Act to make the nomination.
- 1.8 Where either criterion i) or ii), and criterion iii) of the above is met, the Council must list the land or building on its register of Assets of Community Value.
- 1.9 If the Council lists the nominated land, a restriction is placed on the title to the land at the Land Registry if the land is registered, and a local land charge is registered. If the owner wishes to sell the asset or to lease it for more than 25 years, then the owner is legally obliged to notify the Council. The Council will then inform the nominating group which signals an interim moratorium period of six weeks where the nominating group or any other eligible community group may register an interest in bidding for the asset. If during the six weeks a local community group expresses an interest in taking on the asset and continuing its community use, then a full moratorium is triggered and the sale is delayed for a six-month period. This is designed to give the community group the opportunity to raise funds to try to purchase the asset at market value.
- 1.10 The owner is under no obligation to accept the community group's bid over any other bid. There is no 'right of first refusal' for the community group, only the right to request the moratorium. The owner is free to work with other potential buyers and stimulate the wider market during the moratorium and at the end of the moratorium period can sell to any party. However, if the asset is not disposed of within 18 months from the commencement of the interim moratorium period, then the moratorium period is re-triggered (12 months from the end date of the first moratorium period).
- 1.11 If an asset is listed as an ACV, the asset owner has the right to appeal against this, initially through the Council's internal review process and subsequently through an appeal to the First Tier Tribunal.

1.12 If an asset is not listed, the Council must communicate its reasoning to the nominating group but the nominating group has no right to appeal against the decision under the Localism Act 2011 but may challenge under the general law (as with any decision).

#### Recent policy developments

- 1.13 The Government is currently reviewing the Right. The review is on-going and there is no closing date as it is not a formal consultation. The Council has contributed to the review as an interested party.
- 1.14 A Communities and Local Government Select Committee report published on 3 February 2015 recommended that the review of the Right should increase the moratorium on sale or lease of an ACV to nine months, as well as creating statutory obligations for ACV status to be considered as a material consideration in planning matters. These recommendations have not yet been accepted by the Government but will feed into the review.

### Nomination of New Bevan Community Church, Grove Road, Barnet EN4 9DF

- 1.15 The Friends of the New Bevan Community Church, a local group has nominated the New Bevan Community Church, situated within the Bevan Estate on Grove Road in East Barnet. It is a traditional brick built church with tiled pitched roof, and a separate timber hut, all sitting within land laid to lawns. The interior of the brick building comprises an entrance hall with toilets, an office, a main worship area, a vestry and a small kitchen (no cooking facilities). The total area of the plot is 0.29 acres and the enclosed plan sets out the boundaries of the nominated asset.
- 1.16 The New Bevan Community Church is currently owned by the London Baptist Property Board Limited. The freeholder has been notified that this nomination is currently under consideration.
- 1.17 The nominating group considers that the main current use of the land furthers social wellbeing and interests of the community on the grounds that:
  - The Bevan Estate lies on the margins of the areas of New Barnet and East Barnet and the New Bevan Community Church is the only current community amenity for the local residents. It is thought of as the hub of the community and it is vital that it is maintained as such.
  - New Bevan Baptist Church relinquished the building to the Barnet Christian Fellowship (BCF) under license in 2017, the BCF has worked hard to build on the work it has already done in the community.
  - In October 2018, it was renamed the New Bevan Community Church. As well as the thriving Monday Club and Going Bananas Club, the church also organises a Mother and Toddler group on Wednesday mornings and a Keep Fit class on Wednesday evenings. During the school summer holidays, there are activities and games for children.

- In 2001, BCF was invited by the Moderator of The Baptist Church at that time to share the premises, and they were granted use of the building on Friday and Sunday evenings. The BCF was keen to reach out to the wider community, and started by visiting every house in Grove Road, where the church is situated, to find out what useful contribution the residents thought the church could make. The overwhelming response was "Please do something about the kids." Many of the children who live locally are from single parent families and low-income families, and in the late afternoons and early evenings they would be left to their own devices in the street, with nothing to do and with the real possibility of getting into trouble with the police from a very young age.
- The "Going Bananas" Club was started on Friday evenings during term times, with extra holiday clubs and special events being arranged during the summer. The children play games with a bible theme, learn tolerance, learn respect for others and are given encouragement to do well at school. They are also provided with a hot meal.
- Each year ends with an "End of Academic Year" event at which all the children are presented with a certificate and a gift. This year, the event was attended by 105 people, all of whom were known to the church members of the club, their younger siblings, parents, grandparents, friends and neighbours. Some of the parents had, themselves, been members of "Going Bananas" when they were children. It was an amazing response which any church in this country would have been delighted to experience.
- The premises are also used for church services, a Monday club for the over 60's, a keep fit class and a toddler's group. In addition, the church provides school holiday activities for children and community events such as garden parties and BBQs. The premises are also used by local residents for children's birthday parties.
- As the only community facility for the Estate, the Bevan Community Church
  provides a lifeline for many residents. A lot of the people who rely on its facilities
  and activities are elderly, or single mothers, or widows/widowers, or children
  and the church has helped to enrich their lives in so many ways in terms of
  providing friendship and support in difficult times. The church is the true hub of
  the community and we really don't know what we would do without it.
- In addition, members of the church undertake local humanitarian aid by collecting food for the local Food Bank, collecting hats, scarves, gloves and socks and then distributing them to homeless people living on the streets during the winter, collecting food to make Christmas hampers and then distributing them to anyone in need in the local community.
- The members of the church believe that the premises provide them with the opportunity to do a lot more in the local area, and, whether local residents are church-goers or not, or even, whether or not they are Christians, they regard the New Bevan Community Church as the one thing that has remained constant throughout the years, a place they know they will find comfort, a place they will feel safe, a place to turn to in times of trouble, a place where they feel at home. It is more than just bricks and mortar. It is more than just a church. It represents the heart and soul of the community, and, as such, its value as a community asset cannot be overstated. (See comments from local residents)
- The future community use of the church will include coffee mornings, a "memory café", and a drop-in afternoon when members of the church will volunteer to assist local residents with form-filling or letter writing. In addition,

in view of the fact that the homes of many of the children in the area do not have the facilities or a conducive atmosphere for studying, the church is hoping to run an afternoon homework club, which will be supervised by DBS checked members of the church. This will also fill the gap left by the local Trent C. of E. Primary School, which no longer runs an after-school homework club.

- The property is currently on the open market and there has been a lot of interest, including property developers who wish to demolish the building in favour of housing. This would be a disaster, not only for the members of the church, but also for the wider community (please note that the asset is now Under Offer).
- 1.18 In addition to the information provided in their application, the nominator has provided the following additional information for consideration by the Committee see paras 1.19 and 1.20. It is important to note that this information is provided by the nominator and that officers have not verified this information with the asset owner. The legislation sets a broad and loose definition of 'social wellbeing and social interests'
- 1.19 Firstly, since applying for an ACV status, the nominators have been asked to vacate the building in accordance with their one month notice period. The nominators have asked for an extension of this period to cover the Easter period, but this has been turned down by the asset owner. The asset owner has stated that the extension is not possible due to their application to list the asset as an ACV.
- 1.20 Secondly, the nominating group has stated that they had previously arranged to purchase the building from the asset owners in 2018. The Barnet Christian Fellowship made a deposit of £90,000 and made payments for boiler and external repairs, however the sale fell through and they lost their deposit. The original purchase price agreed with the Barnet Christian Fellowship was £950,000, the property is currently being marketed in the region of £650,000.

#### Application of statutory tests as set out in the Localism Act 2011

Main use of asset furthers social wellbeing or social interests of community

- 1.21 The legislation sets a broad and loose definition of 'social wellbeing and social interests'. The activities listed at paragraph 1.17 are sufficient to demonstrate that a number of historic uses of the land fall within the definition of 'cultural, recreational, and sporting interests'.
- 1.22 There are known plans to sell the land. Evidence has been provided of continued demand, which may mean it is realistic to think the main use of the asset can continue to further social wellbeing and social interest of the community members must consider whether this is so. Under Section 88(1) 'future condition' relates to the future use of the nominated building and whether "it is realistic to think" use of the building will further the social interests and social wellbeing of the local community in future. First Tier Tribunal ACV

decisions emphasise that what is "realistic" may admit a number of possibilities, none of which needs to be the most likely outcome. However, to quote Judge Lane, "it should not be assumed that the requirement of section 88(2)(b) will necessarily be met, merely by a Micawber-like hope that something will turn up" (CR/2014/0015).

- 1.23 The status of the asset as a registered place of worship is not in itself evidence that the asset furthers the social wellbeing or social interests of the community. There is a decision of the First Tier Tribunal in General Conference of the New Church v Bristol City Council (2015) in which the judge commented that the social wellbeing and social interests of the community does not encompass religious observance in a church, mosque or synagogue even under the expanded definition provided by section 88(6) as including cultural interests recreational interests and sporting interests. In the case of the New Bevan Community Church a wealth of information has been provided as evidence of how their activities further the social wellbeing or social interests, as evidenced in Appendix 1b.
- 1.24 Taken together, the view of officers is that points 1.21 1.23 establish that criterion (i) of the statutory tests set out in paragraph 1.7 above have been met. The main current use of the building and the land do further the social wellbeing or social interests of the community and it is realistic to expect that this will happen.

#### The nomination is eligible

1.22 The Friends of the New Bevan Community Church has made its nomination as an unincorporated body with 30 local residents and has at least 21 members who are on the electoral register (a status which qualifies to make nominations) under s 5 (1) c of the ACV Regulations.

#### 2. REASONS FOR RECOMMENDATIONS

2.1 The nomination of the New Bevan Community Church, Grove Road, Barnet EN4 9DF does meet the statutory tests established by the Localism Act 2011 to be considered an Asset of Community Value. The recommendation is, therefore, that the Committee does list the New Bevan Community Church as an Asset of Community Value.

#### 3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The Community Leadership & Libraries Sub Committee could decide not to list New Bevan Community Church, Grove Road, Barnet EN4 9DF as an ACV, but on balance it is judged that the nomination provides sufficient evidence that the statutory criteria set out in the Localism Act 2011 have been met. If the Committee is in agreement with this judgment, the Council must list the nominated asset as an ACV.
- 3.2 An owner has the right to appeal if they feel that their asset has been wrongly listed.

#### 4. POST DECISION IMPLEMENTATION

4.1 The New Bevan Community Church will be recorded on the Register of Assets of Community Value as an ACV. Both the nominating group and the owner of the property will be informed, in writing, of the outcome. A restriction will be registered at the Land Registry and a local land charge will be registered with the local authority.

#### 5. IMPLICATIONS OF DECISION

#### 5.1 Corporate Priorities and Performance

5.1.1 The Community Right to Bid process contributes to the Barnet 2024 Corporate Plan's objective to develop a new relationship with residents that enables them to be independent and resilient and to take on greater responsibility for their local areas by fulfilling one of the rights granted to local communities under the Localism Act 2011.

### 5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 The asset does not belong to the Council and therefore there are no financial implications to this decision.

#### 5.3 Social Value

5.3.1 There are no social value considerations as this decision does not relate to a service contract.

#### 5.4 Legal and Constitutional References

- 5.4.1 The Localism Act 2011 obligates the Council to list assets nominated by local community groups as Assets of Community Value if these are deemed to pass the statutory tests set out in the Act. The ACV Regulations set out the procedure to be followed in assessing a nomination.
- 5.4.2 Under the Council's Constitution (Article 7 Committees, Forums Working Groups and Partnerships, section 7.5) the responsibilities of the Community Leadership Committee include: To receive nominations and determine applications for buildings/land to be listed as an Asset of Community Value (Community Right to Bid).
- 5.4.3 When there is no scheduled meeting of the full Committee which falls within the eight-week statutory deadline for determining applications the Community

Leadership Sub-Committee receives the nominations and determines the applications.

#### 5.5 **Risk Management**

5.5.1 There are no risks associated with the decision to not to list the New Bevan Community Church as an ACV.

#### 5.6 Equalities and Diversity

- 5.6.1 No negative differential impact on people with any characteristic protected under the Equality Act 2010 has been identified with regard to this nomination.
- 5.6.2 Under section 149 of the Equality Act 2010, the council and all other organisations exercising public functions must have due regard to the need to:
  - eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by or under the Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race, religion or belief; and sex and sexual orientation. The broad purpose of this duty is to integrate considerations of equality into daily business and keep them under review in decision making; the design of policies; and the delivery of services.

#### 5.7 Corporate Parenting

5.7.1 As a Local Authority, we have responsibility for the children in care and care leavers within our borough. Corporate Parenting is about offering at least the same standards of care as would a 'reasonable parent' and ensuring that the decisions we make as a Council do not affect this cohort negatively. This report does not provide any implications for Barnet's children in care.

#### 5.8 Consultation and Engagement

- 5.8.1 A draft amendment to the Council's Community Right to Bid policy was carried out between 11 February and 24 March 2014. The results of that consultation were set out in a report taken to the Community Leadership Committee on 25 June 2014 and the Council's guidance on the Community Right to Bid amended following agreement of that report.
- 5.8.2 More specifically, the nominating group has been engaged in dialogue as part of the process of administering the nomination, and given opportunities to submit evidence to support their claim.

#### 5.9 **Insight**

5.9.1 No specific insight data has been used to inform the decision required.

#### 6. BACKGROUND PAPERS

6.1 Community Right to Bid: Consultation and recent developments (Community Leadership Committee, 25 June 2014)
<a href="http://barnet.moderngov.co.uk/documents/s15687/Community%20Right%20to%20Bid%20Report.pdf">http://barnet.moderngov.co.uk/documents/s15687/Community%20Right%20to%20Bid%20Report.pdf</a>.

#### Appendix 1a - Supporting evidence



Monday, 29 January, 2018

After backing the campaign to save New Bevan Baptist Church, Theresa Villiers, Member of Parliament for Chipping Barnet, has expressed her delight that the church in New Barnet will not close after all.

The church's building on Grove Road in New Barnet is owned by the London Baptist Association. Since 2001, it has been shared with the Barnet Christian Fellowship (BCF). The Baptist congregation closed in August 2017 because of falling numbers. The Barnet Christian Fellowship were told that they could continue to use the church building, but only on a temporary basis. The London Baptist Association then received an offer by a developer to buy the building, meaning the BCF would be left without a home.

Following the successful 'Save Our Church' campaign, the Barnet Christian Fellowship has been able to secure the sole use of the church building after the London Baptist Association agreed to sell it to a charity who will maintain it as a centre for the Barnet Christian Fellowship.

Theresa Villiers said "It is fantastic news that the church will be saved. This is thanks to the work of Diane Druce, Natasha Mercer and the Barnet Christian Fellowship. The church is such an important centre for the local community in this part of New Barnet. It would have been a big setback to lose it. I am so pleased I was able to support the successful campaign to save the church."

The Barnet Christian Fellowship is a church group headed by Revd Diane Druce which provides outreach work in the community and offers support services to young families, the elderly and vulnerable residents.

Theresa Villiers visited the church earlier this month to see at first-hand the work undertaken by the Barnet Christian Fellowship and signed its petition in support of the 'Save Our Church' campaign. Theresa Villiers also urged the London Baptist Association to save the church and keep it open.

#### The Rt. Hon. Theresa Villiers MP

Member of Parliament for Chipping Barnet House of Commons, London, SW1A 0AA Tel 020 8449 7345, theresa@theresavilliers.co.uk www.theresavilliers.co.uk www.facebook.com/theresavillierscb

6 March 2019

Dear Ms Brzezicka

I understand that the New Bevan Baptist Church is being considered for consideration as an Asset of Community Value. I would like to support this application for the following reasons.

This church is part of the local community in which it is situated. I have visited it on a number of occasions and can testify to the importance local residents give to the service it provides, both in the form of worship and as a social hub. The latter includes pensioners' lunches, fitness classes, children's clubs and many other groups.

I understand that you have received many comments from residents who wish to see their church continue and thrive for the benefit of the community.

I would be grateful if this letter of support could be drawn to the attention of those making the decision as to whether or not the church should be classified as an Asset of Community Value.

Regards

Danusia Brzezicka

Register of Assets of Community Value

Therem Vu

London Borough of Barnet

Via email: Danusia.Brzezicka@Barnet.gov.uk

#### London Borough of Barnet

Register of Assets of Community Value: London Borough of Barnet North London Business Park Oakleigh Road South London N11 1NP

Monday 18th February 2019



Councillor Felix Byers East Barnet Ward

Conservative Room Hendon Town Hall The Burroughs, NW4 48G

email: clr.f.byers@barnet.gov.uk

Dear

Ms Brzezicka; Members of Community Leadership and Libraries Committee; Whomever it may concern

#### RE: New Bevan Community Church

Users of New Bevan Community Church have a simply inspired mission: to serve the New Bevan community from its heart. The New Bevan area is distinct and separate from neighbouring Cockfosters, East Barnet Village and New Barnet town centres, isolated from the wider borough save for access by car and the 384 bus. But at its centre, at the summit of Grove Road, is New Bevan Community Church — a defining landmark giving this community a sense of common identity and a shared indoor space. It is, unequivocally, an asset of community value.

Despite its name, and like most churches, the New Bevan Community Church's utility extends well beyond religion. Since being established in the 1950s, the Church has been not only a sacred space for worship but a community hub for social events, a venue for public meetings, and a place of refuge for the vulnerable. Today, besides being home to a thriving Pentecostal community convened by the Barnet Christian Fellowship, New Bevan Community Church is host to pensioners' lunches, fitness classes, children's clubs, mother-and-baby sessions, and much else besides. The Church congregation and community groups based at the Church participate in fundraising and other charitable work for local, national and international causes. They welcome the wider community at large celebrations, indoors and outdoors on their grounds, throughout the year. They contribute massively to community cohesion, bringing people together and forging friendships and support networks that would not exist or be sustained otherwise — made possible by the community's having access to New Bevan Community Church.

I have seen for myself how, for very many people even beyond its immediate vicinity, New Bevan Community Church is a home, and integral to their wellbeing. Inevitably, therefore, the vulnerability of the Church's situation today is causing significant anxiety and distress to both its supporters and the many that it supports. The security of the Church's position has been unclear for some time and it is very disappointing that, despite incredible efforts by the pastor, Diane Druce and others to find a workable long-term solution — including a significant charitable intervention by the Winston and Christine Hendrikse Foundation —, the London Baptist Property Board has determined to sell the site. All the good work undertaken at and enabled by the Church — the care it gives to elderly and isolated residents, the space it creates for conversations between different parts of the local community, the local celebrations it hosts — is at real risk. There is no substitute for New Bevan Community Church — there is no alternative space to accommodate the priceless work that takes places here to ensure so many residents' quality of life.

Substantial efforts have already been undertaken in the Church's recent history to secure its future – including the Save Our Church campaign, which secured an ongoing (though sadly now terminating) tenancy for the building, and more recently the sizeable financial commitment made by the Winston and Christine Hendrikse Foundation, which sadly fell through due to the sudden death of one of the principal parties to the project. These efforts, walantly supported by local community campaigners, demonstrate that there is an enormous sustained will to fight to retain.

the building's use by its current tenants and its status as a religious and community centre. I am confident that, provided the community secures a right to bid under the provisions of the Localism Act, there will be no shortage of will to find a buyer who can guarantee the Church's survival. The community's commitment to New Bevan Community Church cannot be overstated. Barnet would be poorer – markedly poorer – for losing this very special place. And there is no shortage of will to save it.

Theresa Villiers MP and I are keen to see the local community reserved the right to submit a community bid to purchase the Church, or find to find a third party bidder to do so on their behalf, to keep a home in the New Bevan area for this branch of Barnet Christian Fellowship and their affiliate groups who do such outstanding work in East Barnet, and secure their future.

Our foremost role as elected members is to make strong representations for the communities we were elected to serve. Let me therefore state that there is perhaps no place in East Barnet that is more invaluable to the wellbeing of communities here or that convenes a more committed group of community activists than New Bevan Community Church.

Due to the constraining urgency of this application, this letter is not comprehensive and is far from exhaustive. If it is thought helpful, I would welcome an invitation to make further representations.

But in any case, I would urge you to resolve that New Bevan Community Church be added to the local register of Assets of Community Value.

Yours faithfully,

Clir Felix Byers



Wilkerson House Uphall Road Hord, Essex 1G1 2JJ

020 8553 5338 - Tel 020 8478 5499 - Tel 020 8478 6162 - Fax

info@tclondon.org.uk www.tclondon.org.uk

Reg. Charity No. 1060777

To Whom it may concern

Re. Barnet Christian Fellowship meeting at New Bevan Baptist Church

We at Teen Challenge London value the contribution that Barnet Christian Fellowship has made to our ministry. We run a 28 bed drug and alcohol rehabilitation in East London where we take troubled men through a rehabilitation programme. Barnet Christian Fellowship have been instrumental in supporting us start a new branch of this programme. We recently bought a building to run a furniture reuse centre and the church are supporting us in the payments for this building. This reuse centre is providing jobs for the men on our programme and providing an income for this ministry.

They also host our two outreach teams for doing church presentations. This is where we showcase the work by having our clients testify as to how they have overcome their addictions. Barnet always invite members of the community in to these events. So they are a proactive force in the community coming against the scourge of drug dealing and addiction in that area of New Bevan estate. Also we have a ministry called 'E- Gangs' that deals with young people caught up in gang life. E Gangs work closely with the police and probation to get young people out of that lifestyle. Diane and her team have been very active in supporting this ministry in its preventative work. Our teams have intervened in several gang related incidents and diffused them.

When our teams come to the church they are always struck as to how many groups of troubled young people come into to hear our presentations. It is obvious that this church has very close ties with this community and this kind of trusting relationship can only come from reaching out to help people on your doorstep over a long period of time.

Teen Challenge London has an incredibly high success rate with helping young people. We are part of a global ministry which is in 165 different countries and globally we have an 87% success rate of clients coming through our programme and graduating, not returning to their old lifestyles over a 5-year period. Each centre throughout the world is responsible for raising its own funds and it is churches like Barnet Christian Fellowship that enable us to keep running.

Yours Sincerely

David Tarr MTh; BA (Hons)







## Rev Diane Druce BA MSc 'Green Pastures', 49 Manor Road, High Barnet, Herts EN5 2LF email: ddruce@btintemet.com

Register of Assets of Community Value London Borough of Barnet North London Business Park Oakleigh Road South London N11 INP

8th March 2019

Dear Ms Brzezicka

Members of Community Leadership & Libraries Committee

Re: New Bevan Community Church

The church in Grove Road is very important to me as Pastor of the Barnet Christian Fellowship which has use of the facilities.

We have been meeting in this church for Sunday Services for 18 years and have grown to love the many people we have come to know. One of our first activities was to visit the homes in the area to find out how we could serve the community. The overwhelming request was for us 'to do something about the kids'. So, for most of these years we have run a free weekly children's club on a Friday evening called 'Going Bananas!' Now we are welcoming the next generation into our club. We have seen some of the more challenging characters develop into caring and positive young people as they have responded to the Love of God in this place.

Our dedicated team serves a meal to everyone after the club. This is followed by 'Gold Diggers & Games'. One of the great attractions of this church for these children is the freedom to run around and play in the safe grounds of the church. So many of them live in flats and few have a safe place to go in the evening.

Our weekly luncheon club for Senior Citizens has provided a place to meet, that and enjoy lunch with others for the last 20 years. We also have a group in regular attendance from the long-term psychiatric ward at Barnet General Hospital. This gives them a weekly outing to a place where they are welcomed and accepted.

The church is the hub of the community, it's where people vote and where they turn when there are issues facing the locality. Children's Parties, Family Wakes are also held at the church which is convenient and available. We have a weekly club for toddlers & parents as well as our Keep Fit programme.

It has been great to see everyone enjoy our free community events whether it's a Fun Day, Healthy Day, Garden Party, Bank Holiday Bash, Sports Event etc.

This church is so important because The Barnet Christian Fellowship caters for any age group, providing community cohesion in the area. This is reflected in the wide variety of individuals of various religious, cultural and ethnic backgrounds who regularly attend the weekly and occasional events we arrange.

It is essential that this church remains to continue to serve the community on the New Bevan Estate.

Yours sincerely Decree Dince Diane Druce (Rev) BA MSc Mrs Pam Murphy (nee Guest) 315 Mutton Lane Potters Bar Herts EN6 2AY

21st March 2019

To Whom It May Concern:

I am sending this account of my life at and memories of New Bevan Baptist Church, Grove Road, New Barnet as I understand it is being nominated as an Asset of Community Value.

I was born in 1947 and began my worship life at that time with my parents and paternal grandmother at East Barnet Baptist Church, in East Barnet village.

I remember my father (Bill Guest) with Mrs Rosemary Neale (later Middleton), Peter Manwaring and the then minister Cyril Miller starting a Sunday School in the builders hut when the Bevan Estate was first being built in the 1950's. Rosemary used to drive her car, called The Duchess, round the estate picking up the children and they would arrive at the hut sitting in the car and standing on the running board. My father would play his accordion and the children would sing choruses and learn stories from the bible.

The present site of Bevan Church had been set aside to be used for a Community Building and the Baptist Union bought it so that a Church could be built there to serve the people on the estate. The Builders left the site but on that piece of land and it became the Sunday School room, later called "The Miller Room" after Rev Cyril Miller who moved away.

I remember Sunday school there and the building of the Church, the laying of the foundation stones and then the final opening. We would worship at Church in the morning, have Sunday School in the afternoon, and then there would be an evening service. All very well attended. The Sunday School was held in the main Church with many classes and the bible class, run by Mr Ken Cooper was held in the back room with the sliding doors closed. Rosemary Neale's father Bernard Pewtress, who was a member of East Barnet Baptist Church, made sure every child had a bible of its own. He would run Scripture Exams and provide prizes for every child. He also held summer parties in the garden of his house in Somerset Road and I remember well playing the sit & ride toys he provided, splashing in his outdoor pool and the strawberry teas served by my mother and other ladies of the church. I remember being involved in Christian Endeavour under the leadership of Chris & Eve Mack where young people learnt to read and learn the bible and sing solos and in groups.

Our first Minister was Rev. Roy Dorey and it was he baptised me on 2<sup>nd</sup> December 1962. I was the first person through the baptistry and my friend Margaret James followed me on that day. Our next Minister was Rev Roy Connor, the Church was always full and there was a thriving young people's section, we even went on Church holidays. Roy Connor conducted my wedding

to my husband John Murphy. After Roy left our minister was Anne Green followed by Margaret Smith. After Margaret there was a time when we had a part time pastor. It was during this time that it became apparent that New Barnet Baptist Church was a fellowship without a building and we had a building but no minister. I was on the Deaconate at that time and it was decided to join forces. We then became New Bevan Baptist Church with Fred Cooke, the minister for New Barnet Baptist Church, becoming Bevan's next minister with Alan assisting for a while, When Fred retired to Wales the Church employed Alan Archer. I left the Church during his ministry and joined Potters Bar Baptist Church following the death of my husband.

I have always had happy memories of my many years growing up at Bevan. It is where I developed my Christian life. During my time at Bevan I served the Church as Sunday School teacher, Deacon, Treasurer and with the music. The Church has served the community in New Barnet and district for many years. There were meetings every night of the week and monthly coffee mornings on Saturdays as well as 2 services and Sunday School on Sundays. I have belonged to a local amateur dramatic company called The Warren for 53 years and when the group had to leave their rehearsal rooms at The Royal British Legion they used Bevan for rehearsals and storage for several years.

Although I have not been part of the Church at Bevan for the past 20 years or so it still holds a very special place in my heart and I believe it to be important for the work it has still to do in the area and should be maintained as an asset to the community.

Yours sincerely.

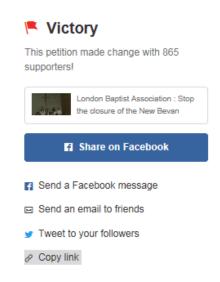
Mrs. Pam Murphy

#### Stop the closure of the New Bevan Baptist Church





As of February the building will be shut down and sold probably allowing flats to be made . This church provides not only a religious service to the local community but offers groups and services to children and the elderly at no cost . This church also provide charity help to all charities. Please sign and give us a helping hand at keeping this church open .



#### Statement by the Lead Member of the Nominating Group

I am a resident of the community in which The Bevan Community Church is located and I am nominating it, on behalf of the 30 individuals, whose details are listed below, as an Asset of Community Value. I have been a member of the Church since approximately 1964, and as such, I feel passionate about its future, and therefore, am qualified to lead this application.

The purpose of this presentation is to demonstrate to The Community Leadership and Libraries Committee the extent to which the Church is used by the community, which is evidenced by a selection of photos, advertisements, Notice Boards, attendance registers for the various activities, together with weekly newsletters/notices. In support of this, I have included a sample of hand-written comments from members of the Church, some of whom are children, which explain why the Church is so important to them.

Ros Howarth

This church is a big part of my life and my 4 boys lifes. I have one son who is discibled Who stound it hard to find activities to Jour in. The church really such him he is accepted and is able to join in I am a single mun and the church helps me massively without the church my is sen would struggle with his homework, as he comes every tresslay to do it. The church has been a great blossing to us all and helps us all out without the church We would lose out massively it is a great Place for the community to come together requirelless off age, gender, one ability. We attend here frickey for houng someines and Ghichages, wednesday , take my youngest Tockler time and holp out, my oldest comes on a twisdory for help with his homework and we attend on sunday evening for the Church Service.

RIKKI ORMEROD 29 FORDHAM ROAD BARNET ENG 9AH

me and my brother have been coming to this church for 11 years and now my a children come.

My son comes on a friday and he absoulty loves it. Its a friendly community that has lots of ongoing activities for all ages, me and my daughter

come to mother and baby group and again she absoulty loves it.
Loosing this church would be a massive deal and cause upset to so many.
Its a place where children and all are safe and loved.
Hayley whelon - 69 Hertford road END 98H

This church has been such a big part of my life for the post trighter town helping to cope with the horse of my Husband and courn for my mother and late of poblems. What would of do without BCF at this church NEW BARNET EMSSNP JUNE ROGER SUTUDOR ROMO NEW BARNET EMSSNP

This church means a lot to me because I go have every friday and all People come together to pay and they pay for me and others. Its also fun and IF it wasne here were would be go on friday after a long week of schall character mercer 13 grove Road EN49DH

This church is a very important part of my life especially no I have on my even It provides some and fellowship and company for me. I will be lost without its

#### Comments from local residents (cont d)

I went to Sunday School at the church in 1968 and to Girl Guides in 1974/1976. I then moved away for 27 years but returned to my family home to look after my dad, and once again I resumed contact with the church, which has been a lifetime for me and has provided me with friendship and support.

Sneila Moss 72 Fordham Road, New Barnet, EN4 9AQ

Terre Money Luthorpe Rd.

My son went to play group at Bevan Church,

some 45 years ago, and the church has been

the hub a our armuney for many years.

## Bevan Community Church, Grove Road, New Barnet, EN4 9DF Comments from members and local residents Why the Church is so important to my family and me

Name: JILLIAN WOODMAN
Address: 1 BOWHOR LODGE TO LEIGESTER BY NEW BARYET, HENTS
Comments: THE REASON I CONE HERE IS FOR ENJOYING THE
CORPONY OF PEOPLE HEAT & ALL THAT IS DONE FOR US
By TIK City NEH WHO WORK So HOMY FOR YS
Name: W.A.LLY. G.L.T.N.N.
Address: 3.7 SPHINT WAY BARNET ENSZEC
Comments: THE REASON I COME HERE IS FOR THE
COMPRNY HERE RESU TO GIVE THE CHARCH
SUSSPORT FOR THE WORK THEY ARE DOWN HERE
Name: HARGARET CHITERMOLE
Address: 13 CHASE SIDE AVENUE ENZIBTU
Comments: To Come have I have to get ? buses
and a train but it is worth it for
the friendship and Surpart off it
al bluck afil my to would be
emptger.

Name Jo Edward pore and Address Hot 8 Gottolan Court , NEW EMPRIET, HESTS ENGATE I have been a member in the church for 20 year and have weathed with the children and families on for 18 yrs and rean the lunge, valuable displacements the object has been mode to the lives of the shiften work personned in the ways between acts. If the church useant here anymore then it would be shown thing of there would the children young people to the try got there would be children young Name MAXIME NOAMBI Address DFA GROVE ROTH) Comments For spull long time that all my children were Kow welcome alt Church and to Banawa It Is teally important for our community really It is uskful and very great opertunder of young Kods to Kearn Gods words.

Name Address LILIA BANGAY PAY a conscriber concer as the comments it to where I from people who woone our following the constant of surry devoting its important mathing case replaced. to see families been and to know more about blad and car beam grave. Luming mayor lo her- an West Welt. Good Bornet Iam 6/4 years old and I Love church GRUP-ROSE GA MOUNT PREMIMET ENG GOD

Name: MRS BETTY HAWES

Address 2. Dunsted The Base E ENS ZIE

Comment The Monday Club resours so much it got us
out and we meet others judge a sing songs, and
Outgoes Alt do salit would mean People would

look inter doors a fete away:

Name: Parks a fete away:

Name: Parks Assars afete away:

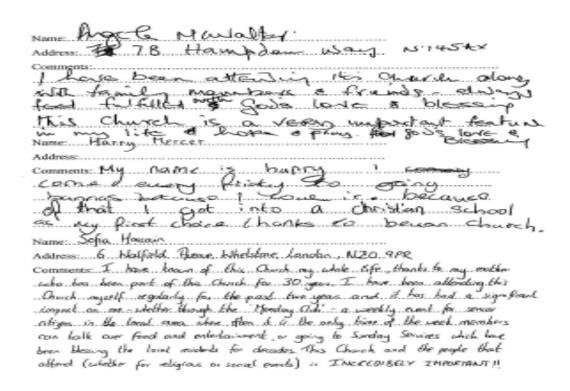
Comments: I love coming too the Manday Club

masting other people talking to a fferent

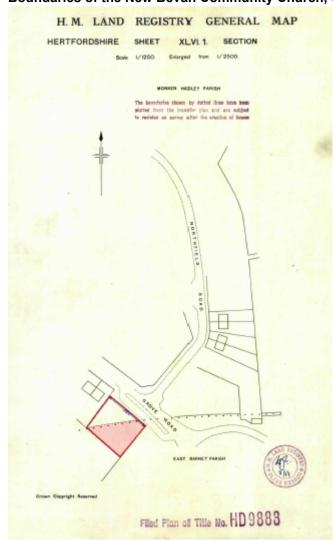
people. Having some one to eat with rather

than bring at home on my own.

Morra Mushangwe Address 20 Columnal Horizo Edwara Crove ENG P66 commons I have been coming to this church to be my Solid Support in this proced to be my Solid Support in this Community. The benev Chietal Fellowship is such a (ock a the Community for the children as well. Name: O41Ve Address: 10 HISHWOOD COURT POTTERS LANE ENS Comments: This church is very unportant to me. It's .. a place for me to come and to meet people. I fan't get out much so I love caming. love it It's so friendly and formationer I come to Name: Literate traiset Address 107 Whitehouse Avenue Boreromine Comments: - Copyrige Lo Charley - Sirasing manda.... Misselfes troopie is very important he me service augo coming to the fit if the church was not there I could not some to Name Mille Dalles age Address: 13 ashurt room Ba Fren Barnet it does the blowle have nothing to do and cause trouble it brings the community truther to and I have it had that truther to und I hope it does not get Stul down Nume Cormelita T. Ragg (Parent) Address: 49 Manor Road, Barnet Enfield ENS 2LF comments In a much and my daughter joins the BCF's Going Bananas Friday Childrens activity. If this service ceases it will be a great less to the community and to my daughter specifically. She always looks forward to joining every activity and hever want to miss it she has formed built relationships will griends we hope this provision will continue. Comments: Fellgity. Edwards. Hat 8, Golden Court, Park Road, Barnet EN49TE I've been coming to this church for Il yours It Mouns so much to come, such a warmand ... Welcoming beacon in the community, a home from home. It is a lifeline to elderly people who have an and interact with people some of Also for children, it is a funtastic place for thom to come on Fridays. It would be a massive loss to the local compared If we lost our prælous church



#### Boundaries of the New Bevan Community Church, Grove Road, New Barnet, EN4 9DF





#### Appendix 1b - Community Activities

### **The Monday Club**



Games



A member's 102<sup>nd</sup> birthday celebration



Seated exercises



Tea at the Ritz afternoon

### Activities for the Community



Cake sale for the Community



Enjoying the summer garden party 2017



Winner of Guess the Weight of the Cake Competition 2018



Relaxing in the shade at the garden party

## Wednesday Keep Fit Class







# Wednesday Morning Toddlers'Group



### **Going Bananas Club**







Listening to bible stories

### **School Holiday Activities**







#### Church Notice Board in fover



Exterior Notice Board



