

1. London Borough of Enfield
2. A. Bishop-Laggett
3. First Statement
4. Exhibits "ABL 1" – "ABL 1"
5. Dated this day of January 2006

IN THE LANDS TRIBUNAL

CLAIM NO. LP/37/2004

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Applicant

- and -

OBJECTORS TO MODIFICATION OF
BROOMFIELD PARK COVENANT

Respondent

WITNESS STATEMENT OF ADRIAN BISHOP-LAGGETT

I, Adrian Bishop-Laggett of 27 Kenmare Gardens London N13 5DR believe that the facts of this Witness Statement are true and understand that it may be placed before the Lands Tribunal.

Insofar as the content of this Witness Statement is within my personal knowledge, it is true and insofar as it is not within my personal knowledge, it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS:

- 1.1 My name is Adrian Bishop-Laggett. I retired in 1992 after 34 years in the BBC as a Senior Sound Supervisor, responsible for the direction of the audio on television programmes. I am president of my professional body, the Institute of Broadcast Sound and from 1992 to 2004 was publisher of the IBS journal *Line Up*.

- 1.2 My wife, Ann Bishop-Laggett, and I have lived in Palmers Green in the London Borough of Enfield for nearly 45 years. We have been active both in our local residents' association and for the last nine years in the Federation of Enfield Residents' and Allied Associations (FERAA), which is the over-arching body for residents' associations in the Borough.
- 1.3 I make this witness statement from facts and matters within my knowledge, which are true. Where any fact or matter is not within my knowledge it is true to the best of my knowledge and belief.

2. Background

- 2.1 Since the first fire in 1984 I have supported the restoration of Broomfield House, particularly if the plan included community use.
- 2.2 After the failure of the Council's plan to allow the brewers Whitbread to restore the House for use as a restaurant, my wife joined the group that had opposed the plan – the Broomfield House Community Group (BHCG). Following incorporation in May 1999 this is now known as the Broomfield House Trust (BHT).
- 2.3 The Council asked the BHCG/BHT to work up a plan for the restoration, which they completed in association with consultancy Prometheus Limited in February 1999. The plan was for a partial restoration, with full restoration probably requiring a degree of commercialism that would have been unacceptable to the BHCG. Concurrently the Council was in negotiation with brewers Bass, whose plans for the building were chosen in preference to those of the community group.
- 2.4 In 1999, when the Bass plan was withdrawn following widespread public opposition, the Broomfield House Task Force (The Task Force) was formed. The Task Force's members were drawn primarily from members of the community representing a number of bodies interested in seeing Broomfield House fully restored. The chairman was the leader of the Council, and we had two ward councillors (one from each of the main political parties) and local resident Stephen Twigg, then member of parliament for Enfield Southgate. My wife represented FERAA; I became involved later, in 2000 (see Exhibit marked ABL 1 for details of community membership of the Task Force).

3. Development of Task Force plan

- 3.1 The Task Force's brief was to produce a plan for the restoration of Broomfield House so that it would
 - provide space for community and educational use

- provide a park café facility for park users
 - be self sustaining with the least possible commercial use, and
 - be restored and run at no cost to the Council Tax payer
- 3.2 We explored a large number of possibilities for the House which are outlined in the Options document reference CD/F/1 in the Core Documents. A catering consultant from Turpin Smale Ltd was engaged to assess what revenue might realistically be raised from the café and from commercial letting of rooms in the house. Estimates of the running costs of the House were arrived at, based on the planned uses.
- 3.3 The space available for community, educational and commercial activities was reduced for two main reasons: for the restoration to meet the requirements of the Disability Discrimination Act it was necessary to include a means of access to the upper floor by lift for people with disabilities; and it was also necessary to include alternative exits from the upper floor in case of fire.
- 3.4 Once these provisions had been made, it became apparent that generating sufficient income to sustain the House would be difficult. The rooms are not that large, and the whole of the remaining space would need to be let at commercial rates. Even if this were sufficient, we would not have met our brief, which included community and educational uses.
- 3.5 A number of options to provide extra space to allow for community and educational activity were considered, and the concept of an Annex, similar to the orangery often associated with large houses, was chosen. This was to be joined to the House with a glass-covered walkway, which would also provide shelter for café users in inclement weather.
- 3.6 The Annex itself would provide a facility which could be used for small weddings, providing income to sustain the House, and could also be used for concerts, exhibitions, and other community and educational activities. The rooms in the House would then provide space for community and educational activities at a lower hourly rate.
- 3.7 There is a great need in this part of the borough for the restored House and Annex, which will benefit the community and local businesses and schools, as well as enhancing the historic park for its many users.

4. **Community involvement**

- 4.1 A great deal of work has been carried out voluntarily within the Task Force by the community representatives, tackling specific areas of the project and feeding the results into the main Task Force. For example, I

have worked on the fundraising sub-group and the covenants sub-group, and have taken part in the selection of consultants for feasibility studies.

- 4.2 Outside the Task Force, members have reported back to the communities that they represent and with which they are involved (there is a list of these in Exhibit ABL 1). Communication has been through meetings, newsletters, and e-mail forum.
- 4.3 The Task Force has itself produced several information leaflets together with an informative web site which was visited about 30,000 times in the four months between September and December 2005.

5. **Endorsement of Task Force plan**

- 5.1 The majority of those visiting the public exhibition of our plans in 2002 and visiting the House on various Open Days have been very supportive, expressing frustration at the length of time the project has taken to come to fruition. Many questionnaires were filled in by the public, the majority supporting the plan.
- 5.2 I have addressed a number of Enfield groups about the Task Force plan and without exception have met with support.
- 5.3 The Task Force plans for the restoration of Broomfield House are endorsed by FERAA and their sister body FECA, between them representing many thousands of borough residents, together with all the amenity societies in the borough.

6. **My involvement with the Task Force and the Covenant changes**

- 6.1 I was invited to join the BHT by the group's chairman, Rev David James, and was later asked to deputise for him at a meeting of the Task Force. At this meeting I became concerned at the hostility that existed between different groups and set out, as a neutral observer, to try to reconcile differences between the various factions.
- 6.2 I was able to dispel some of the antipathy that existed between members of the BHT and other members of the Task Force. However, it transpired that there were some very entrenched positions on both sides, and I discovered that some members of the BHT refused to accept the argument for a change in the covenants, which to me seemed self-evident:
 - for the House restoration to be viable it had to be self-sustaining in the long term;

- there would therefore need to be an amount of purely commercial activity;
 - such activity could be challenged under the existing covenants;
 - no funding body would be prepared to put money into the project unless a modification to the covenants was made.
- 6.3 There was an understandable suspicion on the part of BHT members that a change to the covenants would open the door for a wholly commercial use for the building, with local residents being left with no legal protection against this. That has never been the purpose of the Task Force in promoting the current scheme.
- 6.4 Sincere and prolonged attempts were made to resolve these issues within the Task Force, which by now I had been invited to join on a permanent basis as a second FERAA representative. I served on a sub-group set up to arrive at a revision of the existing covenants that would still afford proper protection to local residents. The revision was intended to allow only the uses that the Task Force decided were appropriate and which were necessary in order to enable the proposed restoration scheme to go ahead. The modification that is before the Tribunal today was approved by the Task Force on the recommendation of the sub-group.
- 6.5 All the information in this statement is either directly from my own knowledge or to the best of my knowledge and belief.

Statement of Truth

I believe the facts stated in this witness statement are true.

Signed

A. Bishop-Laggett

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2. A. Bishop-Laggett
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Claimant

- and -

OBJECTORS TO MODIFICATION
OF BROOMFIELD HOUSE
COVENANT

Defendant

**WITNESS STATEMENT OF
ADRIAN BISHOP-LAGGETT**

Philip Copland
Borough Solicitor to the Council
P O Box 50
Civic Centre
Silver Street
Enfield
Middlesex
EN1 3XA

Ref: LS/L/SI/41733
Tel: 0208 379 6447
Fax: 0208 379 6493

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EXHIBIT

This is the Exhibit marked "ABL 1" referred to in the Statement of Adrian Bishop-Laggett

I believe the facts stated in this Exhibit are true.

Signed:

Dated:

Composition of the Broomfield House Task Force

The following members of the community are the original members of the BHTF formed in 1999. Details of the organisation(s) they represent are given in the list that follows:

Reverend David James, Methodist minister: BHT (Chairman)

Mrs Margaret Wilkinson: BHT

Mrs Audrey Kirby: BHBT (also chair of SDCT)

Mrs Caroline Carter, lawyer: BHBT

Mr Peter Fisk, architect: CAG

Mrs Ann Bishop-Laggett: FERAA (also CAG)

Later attendees:

Adrian Bishop-Laggett: FERAA (July 2000, full time from November 2000)

Roger Blows: BHT, deputising for Reverend David James

Mrs Anne Leonidou: BHT, deputised for Mrs Margaret Wilkinson a few times

Mrs Guadalupe Turner: BHT, on one occasion

Colin Pointer: BHBT (and also EPS)

Key to organisations

BHCG – Broomfield House Community Group: members were mainly residents in the roads immediately adjacent to Broomfield House

BHBT – a building preservation trust affiliated to the national Association of Preservation Trusts. Set up under the auspices of the four amenity societies in the Borough – Enfield Preservation Society, Enfield Archaeological Society, Edmonton Hundred Historical Society, and the Southgate District Civic Trust.

The BHBT was incorporated in 1991 to prevent the House being demolished after the first major fire in 1984.

BHT – Broomfield House Trust: formerly the BHCG, incorporated in May 1999

CAG – Conservation Advisory Group: a body set up by the Council of the London Borough of Enfield to advise on planning matters in or adjacent to conservation areas.

EPS – Enfield Preservation Society: formed in 1936 to give a voice to Enfield residents in protesting against unwarranted and unjustifiable changes.

FECA – the Federation of Enfield Community Associations: similar to FERAA but dealing predominantly with council tenants and leaseholders.

FERAA – the Federation of Enfield Residents' and Allied Associations: the overarching body for residents' associations formed some 25 years ago.

SDCT – Southgate District Civic Trust: formed to protect amenities in the Southgate area