



Community nomination in respect of

Barlaston Methodist Church, Park Drive, Barlaston ST12 9DP

Notice under section 91 of the Localism Act 2011

1 Nomination

On 8th July 2025 the Council received a nomination under section 89 of the Localism Act 2011 ('the Act') to list the **Barlaston Methodist Church, Park Drive, Barlaston, ST12 9DP** as an asset of community value. The nomination was made by **Barlaston Parish Council**. A copy of the nomination is attached at **Appendix 1** and a plan showing the boundaries of the nominated land is attached at **Appendix 2**.

2 Law and Statutory Guidance

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 an actual current use of the building or other land that is not ancillary use, 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.

Under section 89 the Council can only include land in its list of assets of community value in response to a community nomination or where permitted by regulations. A community nomination in England can only be made by either a parish council in respect of land within its area or by a person that is a voluntary or community body with a local connection. Where a valid community nomination is made the Council must consider it and must accept the nomination if the land is within its area and is of community value

3 Decision and Reasons

The Council **accepts** the nomination by **Barlaston Parish Council** to include the **Barlaston Methodist Church** in its list of assets of community value.

The reasons for this decision are as follows:

1. The Barlaston Methodist Church lies within the Borough of Stafford. An aerial photograph of the land appears to show it as a building with an adjoining car parking area. The building appears to be well maintained with signage advertising its use as a Church and giving notice of the next church service. Its appearance is that of a modern church building.
2. Barlaston Parish Council is a body eligible to make the application under section 89 of the Act.
3. The land does not appear to fall within a description of land which may not be included in the list as specified in Schedule 1 of the Regulations.
4. In order for a listing to be successful, a nomination must show that the land is of community value. This can be achieved by showing evidence of an actual, non-ancillary, use of the land that furthers the social wellbeing or social interests of the local community, currently, or that furthered such interests in the recent past.
5. In this case, the nomination acknowledges that *“the primary purpose [of the building] is as a place of worship”*. However, it goes on to say that it has a *“broader use as a multi-functional space that furthers both the social wellbeing and social interests of local residents”*. It states that the building *“is used regularly by a wide range of community groups, including the Women’s Institute, a sewing group, adult dance classes, tai chi and a bridge club. It also serves as the venue for a free monthly community coffee morning and mini craft market - known locally as Warm Welcome Wednesdays - where residents can enjoy tea, coffee, soup and cake”*.
6. The nomination also states that *“The church is also the official polling station for elections, and the Parish Council rents office space within the building and is where the Parish Council Clerk is based. The Parish Council holds its monthly and all public meetings in the main hall. It is available for private hire for events such as parties, funerals and local celebrations”*.
7. In making my decision, I have had regard to the First Tier Tribunal Decision in *The General Conference of the New Church v Bristol City Council* [CR/2014/0013]. In that case, the judge considered that *“social wellbeing and social interest of the community...does not encompass religious observances in a church, mosque or synagogue etc”*. They found that *“such a building will not in practice fall within section 88 unless there is some other non-ancillary use being made of it, which does further the social wellbeing/social interests of the local community”*. I am persuaded by the reasoning within that decision and

do not consider the use of Barlaston Methodist Church for religious purposes to qualify for its inclusion as a community asset.

8. This leaves open the question of whether there are any other non-ancillary uses that could qualify for inclusion of the building as a community asset.
9. Firstly, I must discount the use of the building as office space for the Parish Council. I do not consider that use as an office constitutes a use by the local community. However, the holding of public council meetings could arguably further the cultural interests of the local community in that it allows residents to attend and raise/discuss matters of local importance. The use by other local community groups could also be classed as uses that further social wellbeing/interests of the local community. The hiring of the hall by local people for local celebrations or events could also fall within the definition of a community use. I therefore need to consider whether these uses are both current (or in the recent past) and are not merely ancillary to the primary use of the building as a church.
10. The nomination does suggest that church attendance has declined in recent years. However, I have no evidence to support this. I note that the building appears to be well maintained by the owners, with a website that advertises weekly church services and has an active calendar of staff and circuit meetings related to the running of the church.
11. The nomination does helpfully provide links to current webpages explaining, and advertising, current community uses. This appears to encompass community uses every week (Warm Welcome Wednesday, Tai Chi and Bridge Club), every other week (Sewing Club) and monthly (Parish Council meetings, Women's Institute and Barlaston Coffee Morning). All these uses appear to be current uses. There is no detail regarding how often the building is hired out for local events.
12. What constitutes an "ancillary" use is undefined within the legislation. It will often fall to a subjective judgment of the type and scale of activity in each case and an assessment of whether that activity should be classed as incidental, supportive, or "ancillary" to a primary use, rather than a discreet use on its own. In the *New Church* case the judge determined that the sole purpose of the building was that of a church, "*even when other non-religious groups were permitted to make use of the church.*" However, that decision was based upon the facts of that case and the judge had regard to the fact that "*the other uses did not have more than ancillary character. They were disparate, largely ad hoc*

and even before closure had dwindled to the point where only one group was using the church on a regular basis. In short, immediately before its closure, the reality was that (despite the decline in congregations) the church was still a church; not a community or social centre”.

13. In the present case, I find that the community uses are regularly programmed and not *ad hoc*. On balance, I consider the regularity and quantity of use to be sufficient to amount to non-ancillary community uses.
14. Having found that there is a current community use of the building, I then need to consider whether it is realistic to think that community use of the land can continue. I have no evidence before me to suggest that its current use, or another community use, could not continue.
15. For the reasons set out above, the nomination of this land is successful, and both the Barlaston Methodist Church and its adjoining car park will be listed on the register of community assets.

4 Next Steps

Barlaston Methodist Church, Park Drive, Barlaston will be included in the list of assets of community value maintained by the Council under section 87 of the Act.

In accordance with section 91 of the Act the Council will send this notice to:-

- (a) the owner of the land
- (b) the occupier of the land if the occupier is not the owner
- (c) Barlaston Parish Council as the nominee body

5 Consequences of Listing

The land will remain on the list of assets of community value for a period of 5 years from the date of this notice unless removed with effect from some earlier time in accordance with the provision of the Regulations.

Inclusion of the land in the list of community assets is a local land charge under the Local Land Charges Act 1975.

The Council is required under Schedule 4 of the Regulations to apply to the Land Registry for a restriction to be added to the registered title of the land that "No transfer or lease is to be registered without a certificate signed by a conveyancer that the transfer or lease did not contravene section 95(1) of the Localism Act 2011".

Under section 95 of the Act an owner must notify the Council by writing to the Head of Law and Governance, Stafford Borough Council, Civic Centre,

Riverside, Stafford ST16 3AQ if they wish to enter into a relevant disposal of the land. Relevant disposal is defined in section 96 and (subject to exemptions in section 95(5) and Schedule 3 of the Regulations) means, a freehold disposal or the grant or assignment of a qualifying leasehold interest, with vacant possession.

A moratorium period is triggered by notification under section 95 to allow any community interest group to submit a written request to be treated as a potential bidder for the land. Owners are advised to refer to the Part 5 Chapter 3 of the Act and the Regulations in full and to seek legal advice if they wish to dispose of the land. A disposal of listed land which contravenes the requirements of Act and Regulations will be ineffective.

6 Right of Review

In accordance with section 92 of the Act the owner of the land is entitled to request a review of this decision. The review will be carried out by a senior officer of the Council nominated by the Chief Executive. A request must be made in writing and received by the Council within 56 days of the date of this notice or such longer period as the Council may agree in writing. Please ensure that the request explains on what grounds the decision should be reviewed.

If a request is made the Council will complete the review within 56 days of receiving the request or such longer period as is agreed with the owner in writing. A request must be addressed to the Chief Executive, Stafford Borough Council, Civic Centre, Riverside, Stafford ST16 3AQ.

7 Right to Compensation

In accordance with paragraph 14 of the Regulations an owner or former owner of the land is entitled to claim compensation from the Council of such amount as the Council may determine, where they have incurred loss or expense in relation to the land which would be likely not to have been incurred if the land had not been listed.


A claim for compensation must be made in writing within 91 days of the loss or expense being incurred (or as the case may be) finish being incurred; must state the amount of compensation sought for each part of the claim and be accompanied by supporting evidence for each part of the claim.

If a claim is made the Council will consider the claim as expeditiously as possible. A request must be addressed to the Head of Law and Governance, Stafford Borough Council, Civic Centre, Riverside, Stafford ST16 3AQ.

8 Additional Help

Further information about assets of community value is available from the

website <http://mycommunityrights.org.uk/community-right-to-bid/> If you need any additional support in relation disposal of the land, the right of review or right to compensation you are advised to seek independent legal advice.

Signed: 

Dated: 24th July 2025
Head of Law and Governance