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 THE CHURCH  
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# Annex F

21 November 2017

Dear Harvey,

**Mission and Pastoral Measure 2011  
Closed Church Building of Leeds All Saints  
Proposed Pastoral (Church Buildings Disposal) Scheme**

Thank you for your letter in connection with the draft scheme providing for the sale of the above closed church for education and training purposes, and for enclosing the representations received for and against the draft scheme.

You asked a number of specific questions and my answers are set out below.

***1. Could you set out the background to the marketing of the building, offers received and the reasons the diocese recommended the proposed use?***

The Church of All Saints, Leeds, closed for regular public worship on 1 August 2016. Following the appointment of an agent and the receipt of a market appraisal and valuation, the church building and the adjoining church hall were marketed jointly as one property from March 2017. There was considerable interest in the property and, by the end of May, ten offers had been received; eight of these were on or above the guide price. Offers were received from a number of other Christian groups, two commercial organisations and an arts organisation.


The Diocesan Mission and Pastoral Committee has delegated its functions regarding closed church buildings to a Closed Churches Task Group. A sub-group of the Closed Churches Task Group reviewed all the offers with the agents, taking into account the proposed use and proof of funding/financing, and agreed to invite a shortlist to submit their 'best and final' offers. The shortlist comprised the Eritrean Orthodox Church; Country Style Foods; and the arts organisation, who had submitted the top three offers. The Group also decided to invite Freedom Church to submit a 'best and final' offer, due to their existing work with the local community and All Saints' School.

A number of factors were taken into consideration when deciding to recommend the proposed use. It should be noted that the level of interest in the property, the number and range of offers received, and the variety of proposed uses was unusual for a closed church building in this Diocese and contributed to the decision to follow a 'best and final' offer process in this case.



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The Group is very much aware of the guidance in the Code of Practice to the Mission and Pastoral Measure that notes that worship by other Christian bodies is “generally the best use” for closed church buildings. However, the Code also lists a number of other suitable uses, including cultural or educational purposes and suitable commercial uses. The Group considered that all those on the shortlist invited to put forward ‘best and final’ offers were proposing suitable alternative uses for the building.

It may also be helpful to add at this point that, although the church building and hall are physically attached and are being jointly marketed, the Group was mindful that they are in different ownerships. The closed church is of course vested in the Diocesan Board of Finance [DBF] and its disposal is subject to the requirements of the Mission and Pastoral Measure. The hall is held in trust by the DBF for the Parochial Church Council [PCC] of St Philip, Osmondthorpe, the parish in which the former church and All Saints School now sit, and its disposal does not fall under the Measure, but is subject to charity law. (The PCC had previously agreed to a joint marketing of the hall with the former church building.) The Closed Churches Task Group was mindful of the need to balance these different interests and also that the net sale proceeds would be split to reflect the different ownership.

By the deadline for ‘best and final’ offers, the offer from Country Style Foods was significantly higher than all the others and was supported by independent proof of funding. It was considered that Country Style Food’s proposed use of the former church and hall as a training and educational centre, and their programme to recruit and train local young people, would bring benefits to the local community. The Group also noted their proposal to offer the school use of the hall at no cost. For all these reasons, the proposed use was recommended.

## **2. What were the reasons that the Diocese chose not to pursue the interest of either the Eritrean Orthodox congregation or the Freedom Church?**

As noted above, both the Eritrean Orthodox congregation and Freedom Church were shortlisted from the original offers and invited to submit a ‘best and final’ offer by a deadline date.

The Eritrean Orthodox congregation has been worshipping at St Aidan’s Church in Leeds for many years. We recognise that they would very much like to have their own building for worship. In this case, the Eritrean Orthodox congregation increased their offer during the ‘best and final’ offer process, but did not provide independent proof of funding to demonstrate that funds were available to support this offer by the deadline date. At the deadline, this offer was lower than that submitted by Country Style Foods. Following the deadline, the Eritrean Orthodox congregation submitted a further offer, higher than the offer from Country Style Foods. However, when proof of funding was provided it did not cover the full amount of this revised offer.


The lateness of the offer after the ‘best and final’ deadline and the delay in providing independent proof of funding was a factor in the decision-making process. It was considered that it would not be fair to others involved in the process, who had complied with the timetable and stipulations set out, to consider any incomplete submissions or submissions made after the deadline.

We welcome the work that Freedom Church has been doing in the local community and their support for the school. Freedom Church was also shortlisted from the offers received, but felt unable to increase their original offer. By the end of the process this was significantly below the others received, to the extent that the Group considered that it was not possible to take this forward.



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**3. What is the Diocese's view about the potential impact on the School and the local community of the loss of the Church Building? Are there other community facilities within the neighbourhood?**

Prior to closure, the School had been using the church building for a weekly collective worship service and for special services at festival times, including its Nativity service. We appreciate that the School community misses the opportunity to use the church building for such occasions. However, no representations were received by the Church Commissioners against the proposed closure of the church building during the closure process in 2016, including from the School Governors, those involved with the school, or the wider community.

Users of the church hall were given plenty of notice of the proposed closure and although they expressed regret, no representations against the proposed closure were received from hall users.

Other community facilities in the neighbourhood include: The Vinery Centre; Richmond Hill Community Centre; Newbourne Methodist Church; and St Philip's, Osmondthorpe. St Vincent's Support Centre offers advice, support and education.

**4. What conversations took place with All Saints CofE School about using the closed church building and what consideration, if any, was given in the use seeking process to their continued use of the Church Building?**

Shortly before the church building was closed, the Headteacher raised the possibility of the school continuing to use the closed church building with diocesan officers. Unfortunately, it is not our practice to allow use of closed church buildings during the use-seeking period because of premises' management and insurance reasons.

**5. What is the Diocesan view of the concerns raised about the possibility of increased traffic in the area caused by the proposed use and the potential impact on the safety of Children attending All Saints' School?**


The safety of children attending All Saints' School is of paramount importance. However, I am not clear what evidence there is to suggest that the proposed new use of the church building will lead to an increase in traffic in the area. I have noted the statements regarding traffic management in the submission from the Managing Director of Country Style Foods.

I note that some of the representations raise concerns about traffic in the area with reference to other developments or proposed developments. I would always encourage the School Governors and others with concerns to draw these to the attention of the relevant authorities at the appropriate time. I understand that the redevelopment of the former Leeds Roads Baths/Library is currently underway, planning permission having recently been granted for the change of use of this formerly derelict building to a gym/fitness centre with associated car parking. The only access to this site is along Cross Aysgarth Mount, the short, no-through road leading to the school. The local authority did not receive any letters of objection in response to the statutory public consultation nor did their highway officers raise any concern when they were consulted on the planning application.



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**6. What impact does the Diocese believe that pursuing the proposed uses of the building will have on furthering the Mission of the Church of England?**

The proposed use will provide training and educational opportunities for local young people, with an intention to prioritise in recruitment those from deprived or underprivileged backgrounds. We do not consider this to be incompatible with the mission of the Church of England, which is defined in the Measure as "the whole mission of the Church of England, pastoral, evangelistic, social and ecumenical". Indeed, one of the strands of the Diocesan vision is *Transforming Communities* and this proposed use has clear benefits for the local community.

Following sale of the building, the proportion of the net proceeds attributable to the church hall will be passed direct to the PCC of St Philip's, Osmondthorpe, the parish in which the former church building resides. This will be used to support their mission and ministry to the whole area of the parish, as described in their representation. The net proceeds attributable to the church building will of course be split according to the provisions of the Mission and Pastoral Measure 2011. I understand that one third will be passed to the Church Commissioners for the Churches Conservation Trust and the remaining two-thirds will be paid to the Diocesan Pastoral Account to support the mission of the Church of England throughout the Diocese.

**7. Are there any other factors which the Commissioners should be aware of in their consideration of these representations?**

We are very conscious of the need for Christian ministry and witness for the people of the local area and the Church of England has provided for this through the parish of St Philip, Osmondthorpe, which now serves this community.

Yours sincerely,

The Rt Revd Nicholas Baines  
Bishop of Leeds



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The Right Reverend the Bishop of Leeds  
Hollin House  
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Harvey Howlett  
Casework Support Manager  
Pastoral and Closed  
Churches

Your ref:  
Our ref: RC46/185  
16 November 2017

Dear Bishop

**Mission and Pastoral Measure 2011  
Closed Church Building of Leeds All Saints  
Proposed Pastoral (Church Buildings Disposal) Scheme**

Following the publication of the draft scheme providing for the sale of this closed church for education and training uses, we received 13 representations about the draft scheme s (8 against and 5 in favour) and 2 petitions both against the proposal.

The representations against came from:

- Mr Pattinson, Head Teacher of All Saints Church of England VA Primary School and writing on behalf of the Governors of the School
- Mr Kibrom Gerezgeher, parent with children at All Saint's School
- Mr David Westerman, Volunteer and former Governor at All Saint's School
- Mark and Kathi Kelly, Elders of the Freedom Church,
- Mrs Baron-Kordecki, Members of Staff of All Saints School
- Mr Berhami Tefferi on behalf of the Eritrean Tewahdo Orthodox Church,
- Mrs Myra Dobson,
- Mrs Hannah Jones, who also submitted comments from other local residents.

In addition a petition, supported by 230 signatures was submitted by Mr Pattinson opposing the proposed uses and in support of use by the Freedom Church, and a petition submitted by Mr Tefferi, supported by 122 signatures, opposing the proposed uses and supporting use by the Eritrean Orthodox Church.

The representations in favour came from:

- Margaret Cook and Susan Karitons, Churchwardens and Jackie Bailor, Deputy Warden of St Philip's Church Osmandthorpe
- Carol Stenner, a former member of the All Saints congregation
- Felicity Greenfield, Churchwarden of St Hilda's Parish Church Cross Green
- Fr Darren Percival, Priest in Charge of St Hilda's Cross Green and St Saviours Richmond Hill.
- Mr Joe Wood, Managing Director of Country Style Foods Ltd.

I enclose copies of all of the representations (with personal data removed).

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The Church Commissioners are a registered charity (number 1140097).

## Representations Against

*Mr Pattinson*, writing on behalf of the Governors of All Saints Church of England Voluntary Aided Primary School (All Saints School), confirm their objection to the draft scheme. The Governors consider that the decision to close the church has had a negative impact on the community of Richmond Hill and on the School, but argue that the Diocese has an ongoing duty of pastoral care to local people and that the building should be used for Christian purposes through its sale to another Christian congregation.

He explains that Freedom Church have agreed that if they were to purchase the building they would allow the school to use it for weekly collective worship and special services and would also consider the School using it for expanded nursery provision. This would be approached through a partnership agreement that looks at how best to serve the local community and enabling the School to use the building in a variety of ways. In addition, Freedom Church would themselves wish to provide complementary services in support of the local community. There are extremely limited public meeting resources in the neighbourhood and acceptance of the bid from the Freedom Church would greatly benefit communities by facilitating more.

While the Governors are aware that Country Style Foods has indicated that the School can use the hall after its sale, they consider this offer to be vague, unspecified, and not contractual, whereas a formalised partnership arrangement with Freedom Church would enable reliable and regular access.

The Governors also raise safety concerns regarding a commercial use of the property, due both to the inevitable increase in traffic flow and also parking in the vicinity, which is already at a premium outside the School. This would greatly compound the increased traffic resulting from the new gym opening nearby, access to which is also by Cross Aygarth Mount very close to the School.

The Governors note that the former leisure centre building, which sits between the former church and the School, is also about to come up for sale. They are concerned that a further commercial or industrial use here further isolate the School and exacerbate traffic, parking and air quality issues. They therefore urge reconsideration of the decision for sale in favour of the bid from Freedom Church.

*Mr Gerezgeher*, a parent with two children at All Saint's school, writes to raise concerns about the consequences of more traffic and the risk for children's safety. He opposes sale for commercial use and recommends that the building should instead be sold for use as a church.

*Mr Westerman*, a volunteer and former school governor at All Saint's school, raises concerns about the purposes for which Country Style Foods may use the building. He also questions why the building is being sold on, arguing that it should be available for people to use. He supports the proposed use by Freedom Church as a continuing worship use with a healthy congregation and friendly relationship with the community at large. He argues that the community can't stand to lose to developers again and says the church and hall closed with little or no consideration given to the community. He fails to see how a few jobs would enhance and give back to the community and also raises concerns about the safety and security of local residents and children from increased traffic, noting that the school road cannot sustain any more traffic and indicating that parents with children have near misses whether on foot or by car.

Mr Westerman added to his original representation and submitted photographs which he states make clear the extent of the land already owned by Country Style Foods in the vicinity and to indicate some of their more recent property acquisitions.

*Mark and Kathi Kelly*, Leaders/Elders of the Freedom Church, explain that as a local Christian church meeting in the School, they have a vested interest in its well-being and that of the wider community. They say that they relocated to the area in 2016, since when they have hired the School hall. They are committed to developing community groups to outwork their mission, including a parent toddler group, messy church and after school and youth clubs, all being utilised by local people. The Church now needs to house these groups itself and gather as a worshipping congregation and needs to find a building with good facilities where everything can take place under one roof and service to the local community can be enhanced. They note the particular social and economic concerns facing people in the area and outline their development plan to work with others to meet these needs.

They note that Freedom Church made a viable offer for the property, offering the asking price in good faith, but not able to offer more than the amount for which the building had been independently valued. They argue that their offer would be the most suitable alternative use for the building in accordance with the Church of England's own values and mission and the Code of Practice to the Mission and Pastoral Measure.

They also look forward to continuing their relationship with All Saints School and share the concerns raised by the school governors about traffic flow, parking and road safety in the vicinity of the school with the prospect of use by Country Style Foods.

Finally, they argue that removing an accessible sacred and community space from local people will be highly detrimental in the long term to community cohesion, well-being and prospering.

*Mrs Baron-Kordecki*, has worked at All Saints School for 25 years and describes the pleasure the children had in visiting the church when it was in use. She argues that it is no surprise that there is a steady and general decline in church congregations when buildings are de-consecrated and sold off to be taken over by businesses. Children are missing out on being able to access and experience the church and all it entails since closure and she argues that it will be an even sadder day for them to see the building turned into a business venture.

*Mr Tefferi* writing on behalf of the Eritrean Tewahdo Orthodox Church sets out the background to their original bid to purchase the building for worship and then their increased offer. They argue that the proposed use by Country Style Foods is not the ideal for a historic building, from a Christian perspective, and write that it should continue to be used for worship, pointing out the demand for such use.

He also explains that they have met with the headmaster of All Saint's School and discussed their future plans and confirm that if their proposed use for worship is allowed to proceed they will allow the School to use the building. They write that the School would support sale of the building to the Eritrean Orthodox Church and ask that the decision to sell be reconsidered in favour of that body so that the building can be used for the spread of God's word for the future.

*Mrs Dobson* objects to the proposed sale of the building to a commercial business and argues that although it may have been decided that it was no longer to remain open, the next best alternative is that another Christian Church should continue to keep a Christian presence in the area. She believes that the offers made by more than one Christian group should take priority over financial considerations and also argues that the staff and pupils of

All Saints School be considered, explaining that witnessing their devastation at the last service in the church building was heart-breaking.

*Hannah Jones* writes as someone who has lived in the area for the last 10 years, and whose son attends All Saints School, and she sees a community with very few community spaces and great poverty. She indicates that many church groups use cheap warehouses around the estate but few are trying to reach the people who live within it. The building should be passed to either another church or community group who will continue the Christian calling to serve the poor. She argues that the Church of England should include the added value and non-financial benefits brought by community groups, charities and churches wanting to serve the local community in its assessment criteria for the bidding process.

She also raises concerns about the safety of children and risks to pedestrians using the street, with parking already under strain, indicating that people coming for a church use would not add to the traffic and parking problems except for maybe Sundays when the school is closed. She argues that All Saints church was built for the community and should remain a place of safety, a holy place, a place to inspire learning and as a social space where people find community.

She also forwards a number of comments from other members of the community echoing concerns about the lack of available community space and suggesting that the Church is putting money ahead of uses for worship and community benefit.

#### *The Petitions*

Copies of the text of the two petitions we received are attached with the names redacted. One, supported by 230 signatures, opposes the use by Country Style foods and asks the Diocese to accept the offer by the Freedom Church. The other petition, supported by 122 signatures and submitted with a covering statement from the Eritrean Orthodox Church, opposes the use by Country Style Foods and asks the Diocese to accept the bid by the Eritrean Orthodox Church.

#### *Representations in favour*

*The Churchwardens and Deputy Churchwarden of St Philip's Osmandthope* write as the wardens of the church into which the parish of All Saints has been subsumed and on behalf of the wider PCC. They explain that the PCC delegated their interest in the sale of the site to the Diocese and were pleased to hear of the decision to sell to Country Style Foods and express their whole-hearted support for the scheme going ahead.

They explain that any monies received by St Philip's Church will directly benefit the mission and ministry of the church across the whole of this area of East Leeds, including the area around the building. This would contribute to improving the quality of community facilities at St Philip's and allow the parish to develop their main Church building to be used more widely by the community.

They argue that Country Style Foods is a good local business, supporting the local community through charitable projects, and would utilise the buildings to provide training and job opportunities for local people, helping to achieve a more confident and prosperous community. They also say that the former All Saints Vicarage has been well cared for by Country Style Foods since they acquired it, giving them confidence that they would also look after the closed church building.



Finally, they note that the area around the former church building is already industrially based and that use of the site as a training facility would not be out of keeping with the surrounding environment.

*Carol Stenner* writes as a former member of the All Saints congregation, which she says was mainly a 'gathered' congregation, with only one or two who were residents within the parish. She was Churchwarden at the time of closure and notes that no representations against closure were made. She feels that this indicates that there was not a need for a church in that area of the parish. She welcomes the proposed use by Country Style Foods, who have already invested in the area, and this now offers further potential for local employment prospects through training and educational opportunities. She notes that the school is also being offered use of the premises and believes the Scheme overall offers a more accessible and advantageous use to residents of the parish.

*Mrs Greenfield*, Churchwarden of St Hilda's Cross Green, supports the proposed use, hoping that it will bring increased employment opportunities, especially for unskilled labour, to an area of great deprivation with few community facilities. She says that people in the adjacent Cross Green area, which is deprived and with high unemployment, look to such employers for the few job opportunities there are in the area. She also welcomes the offer to make the church hall available to All Saints School, which is the only Church of England school in the locality.

*Fr Darren Percival*, the parish priest of the neighbouring parish of All Saints, supports the proposed disposal to Country Style Foods noting that it is, for many of the people whom he serves, a local employer with a strong brand name, employing local people. He asks that the hall might be made available to the local community as well as the School, given that there is only limited community space in Cross Green or Richmond Hill.

*Mr Joe Wood*, managing director of Country Style Foods, writes in support of his company's proposed use of the church building and hall. He says that the company has been based at the same location in Richmond Hill for over 30 years, relying on the strength of the local community for its success, and now employed more than 600 people who predominantly live in Richmond Hill area.

He outlines the intended use for the property to create a bakery training academy to complement the main premises west of Pontefract Lane. The two halls would be used to support the company's programme of recruitment and training of local young people and he states the intention to recruit at least 300 local apprentices during the next 36 months, all of whom would be trained at the premises to become qualified bakers and confectioners. Priority would be given to those who show willing but may come from deprived or underprivileged local areas.

Mr Wood further explains the plan to maintain the main worship hall as a large open space, while installing a number of training workstations in the smaller hall. He reiterates the company's willingness to allow All Saints School to continue to use the hall at no cost and, in addition, it intends to extend this invitation to other community groups, so that the former church remains a focus for community life in the surrounding area. He suggests that the training workstations within the smaller community hall could be used for cookery or food related classes within the community. He stresses Country Style's commitment to improving the wider local community as a supporter of the Leeds Community Foundation.

Mr Wood recognises the traffic management concerns with adapting the former church to the proposed educational use, particularly with regard to traffic on the approach to the school, and sets out how the Company envisages this might be managed. He explains that Country Style has extensive private parking at its nearby main commercial facility, while

noting that purchase of the church and hall would include a private driveway and parking area at the rear to accommodate deliveries and any visitors or staff needing immediate vehicular access.

He says it is Country Style's intention that there would not be a need for any on street parking and steps would be taken to ensure visitors did not park on the road near to the premises. In any event, he expects that most of those making use of the training facilities would not be arriving by car.

It will be necessary for our Church Buildings (Uses and Disposals) Committee to consider the matter and I should be grateful for your comments on the representation[s] in general and on the following , more specific points:-

1. Could you set out the background to the marketing of the building, offers received and the reasons the diocese recommended the proposed use?
2. What were the reasons that the Diocese chose not to pursue the interest of either the Eritrean Orthodox congregation or the Freedom Church?
3. What is the Diocese's view about the potential impact on the School and the local community of the loss of the Church Building? Are there other community facilities within the neighbourhood?
4. What conversations took place with All Saints CofE School about using the closed church building and what consideration, if any, was given in the use seeking process to their continued use of the Church Building?
5. What is the Diocesan view of the concerns raised about the possibility of increased traffic in the area caused by the proposed use and the potential impact on the safety of Children attending All Saints' School?
7. What impact does the Diocese believe that pursuing the proposed uses of the building will have on furthering the Mission of the Church of England?
8. Are there any other factors which the Commissioners should be aware of in their consideration of these representations?

The next two meetings of the Church Buildings (Uses and Disposals) Committee at which this case could be considered are due to be held on 7 December 2017 and 14 February 2018. If the matter is to be considered at the meeting in December we will need to receive your response by Wednesday 22 November at the latest. This is to allow time for this letter and your reply to be sent to the representor, for them to make any further comments and, if necessary, for you to respond.

The Commissioners are now required to consider the representations under the quasi-judicial process laid down by the Measure. A legal challenge may arise from the Commissioners' decision if, among other things, it is based materially on incorrect information. Of necessity the Commissioners rely on others to provide information to assist their deliberations, and to this end I should be grateful for your help.

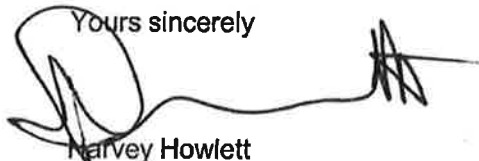
Once we have received your comments the Commissioners will decide on the basis of the written representations whether oral representations will be heard or the case considered on the papers alone. The decision on whether to hold a hearing is one which will be taken by

the Commissioners in the light of the particular circumstances of the case. We will confirm that decision in due course.

We would normally expect representations to be considered at the earliest opportunity but please let me know if you are unable to meet the timetable for the 7 December meeting.

I am sending a copy of this letter to Judith Calvert at the Diocesan Office and to the Commissioners' Case Officer Emma Cosgrif for information.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Harvey Howlett', written over a horizontal line.

Harvey Howlett  
Encs