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Our reference: n/a
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Dear Sir or Madam

Whitfield Street Children's Playground and Nursery, 54a Whitfield St, London W1T 4ER

I am writing to inform you that the nomination of Whitfield Street Children's Playground and Nursery, as an Asset of Community Value (ACV) has been successful. The designation will commence from the date of this letter.

The legislation (also known as the "community right to bid") allows defined community groups to ask a Council to list certain assets as being of "community value". The Council must accept the nomination if the property has been nominated by an eligible community group and if it meets the criteria for community value as set out in the legislation. The legislation imposes certain restrictions on the sale of a property which has been listed as an asset of community value. These are summarised in this letter.

The nomination for the has been made by The Fitzrovia Trust Ltd, which is an 'unincorporated body' that meets the statutory requirements for making nominations. The nominating organisation (The Fitzrovia Trust, a long-established local community group) has a considerable proportion of its membership living close to the premises.

Based on the information provided as part of the nomination and our own investigations, the Council is satisfied that Whitfield Street Children's Playground and Nursery operated by Rainbow Angels Nurseries & Learning Centres, meets the criteria in the legislation for an asset of community value; that is, that in the opinion of the authority, the actual current use of the building or land (that is not an ancillary use) furthers the social wellbeing or social interests of the local community, or has done so in the recent past, and it is realistic to consider that it will do so again during the next five years.

In the opinion of the local authority:

- The nursery has been offering places to those living in Fitzrovia and the wider Bloomsbury area since 2007, and that the play space is open seven days a week during daylight hours to local people. It is managed and maintained by the Fitzrovia Trust and has play equipment for children of all ages.

- It is located next to the American International Church amongst a dense residential area of at least 8,000 residents on a street that includes offices, restaurants and housing.
- The Nursery and playground are located in the central part of Fitzrovia that has many offices and many of the babies and toddlers that go to the nursery are the children of people who work in nearby offices. The nursery staff state that parents and families are strongly encouraged to take a full part in nursery life. One parent noted after a children's event organised by The Fitzrovia Trust "The social events bringing parents, children and staff together have made us feel very connected and included."
- Another parent and resident wrote about social wellbeing benefits of the nursery: "I could go on and on as there are lots of reasons to choose this nursery but if you're looking for a place where your child can grow having fun with love and care to be his best self then have faith." "Since moving to Fitzrovia, I have felt more of a sense of community than anywhere else I've lived in London and it's because of spaces such as these, which allow neighbours to come together and congregate in third spaces."
- Three other parents remarked that the nursery has: " a large private outdoor garden and a children's playground next door so plenty of outdoor play which my daughter loves", "it has a large outdoor garden for kids to run around and easy access to the large adjoining playground I haven't seen any other nursery in the area that has such quality outdoor space" and "the nursery has a lot of space for kids to play indoor and outdoor" examples which all provide adequate provision for their social and recreational interests.
- Rainbow Angels Nurseries & Learning Centres are private day nurseries providing full or part-time quality childcare and education for children aged 3 months to 11 years from diverse and multicultural backgrounds. They offer affordable places, private day care, sessional classes, breakfast clubs, after school clubs and holiday clubs.
- The outdoor play area is included in the designation of an ACV. Camden's planning policies identify deficiencies in open space in the Borough: Fitzrovia is an area where opportunities for play are limited by the built-up nature of the area. The Council's supplementary planning document Camden Planning Guidance on Public Open Space says - "1.21 High quality public open space is vital for health and well-being. It provides a space for people to meet and socialise, helping communities to develop and strengthen. It helps give neighbourhoods their sense of place, provides historic interest and can help provide a sense of stability in a rapidly changing city. It provides a place where children and young people can play, learn and grow. Many open spaces provide access to nature. The importance of public open space cannot be exaggerated in an inner London location, where space is limited and open space has to meet a wide range of often competing demands" (page 6). The nursery's outdoor play space includes the Camden Council-owned Whitfield Gardens "natural" play area for children and young people. This play space is particularly important in Central London / Fitzrovia where access to private amenity space and opportunities for play are often limited.
- In 2023 the nursery received a substantial award from the Derwent and West End Community Fund to provide new play equipment, which supports the conclusion that it is realistic to think that the site will continue to further the social wellbeing and social interests of the community.
- The applicant notes that the nursery is over-subscribed and with the recent Government directive of providing 15 hours of free childcare per week nursery places will be more in demand.
- No objections have been received to the nomination and no evidence has been provided to the Council to suggest that the nursery does not meet the criteria for being designated as an Asset of Community Value.

- It is considered that the nomination provides sufficient evidence to demonstrate that Whitfield Street Children's Playground and Nursery is a well-used community asset, which further the social wellbeing of the local community.

Therefore, Whitfield Street Children's Playground and Nursery, 54a Whitfield St, London W1T 4ER will be added to the list of assets of community value on the Council's website at www.camden.gov.uk/acv and it will stay on the list for up to five years starting from the date shown on this decision letter. In addition, we will also place this asset on the local land charges register and will apply for a restriction on the Land Register.

In accordance with statutory requirements, if you intend to sell the asset, you must inform the Council in writing. Once you have informed us, you must not sell the asset for 6 weeks. If within 6 weeks of our receipt of your notification of intent to sell, the Council receives a written request to be treated as a potential bidder from the nominating organisation or any other Community Interest Group, then a full moratorium comes into effect: a period of six months from the original notification to us of your intent to sell. If we do not receive a written request from a potential bidder, then the asset is no longer subject to restrictions on its sale.

The purpose of the six month moratorium is to allow the community time to raise funds to purchase the asset at market value. Please note that the legislation does not prevent you from selling the asset to whoever you choose and at what price at the end of the six month moratorium period.

You have the right to appeal against the decision to list the asset within eight weeks of the date of this letter. Further details are available on our website at www.camden.gov.uk/acv.

If the appeal is successful, the asset will be moved to the list of unsuccessful nominations. The intention of this is to ensure transparency and to avoid multiple nominations of an asset that does not meet the definition.

Please do not hesitate to contact the Planning Policy Team if you wish to discuss this further or if we can be of any assistance with this process. If you require further information on assets of community value in Camden, please visit the website: www.camden.gov.uk/acv.

Yours sincerely



Dan Pope
Chief Planning Officer
Supporting Communities