

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	2359
Author:	Joanna Briggs
Department:	Development
Contact:	Joanna Briggs (Job Title: Community Planner, Email: joanna.briggs@nottinghamcity.gov.uk, Phone: 0115 8764041)
Subject:	Community Right to Bid - Asset of Community Value - Broxtowe Country Park
Total Value:	0 (Type: Nil)
Decision Being Taken:	To accept the nomination for Broxtowe Country Park to be listed as an Asset of Community Value as the current use furthers the social interests or well being of the local community, and for the park to be placed on the Councils register of Assets of Community Value. That the determination of any subsequent request by the owner for the designation of the the site to be reviewed be delegated to the Legal Services Manager (Head of Legal Services.)
Reasons for the Decision(s)	The Council considers that the current use of the property as a Country Park furthers the social well being of the local community - see background report for full details of the nomination and reasons for approval.
Briefing notes documents:	Background Report Broxtowe Country Park.doc
Other Options Considered:	This is a statutory decision required to be taken under the Localism Act 2011. Consideration was given to listing the property as an asset of community value, as detailed in the background report and it is considered that its current use satisfies the statutory test for listing. The Council is therefore under a duty to list the land and no other options are available
Background Papers:	Nuthall Parish Council nomination form requesting the site be listed as an asset of Community Value.
Unpublished background papers:	Nomination Letter.pdf

Published Works:	The Localism Act 2011: The Assests of Community Value (England) Regulations 2012
Affected Wards:	Aspley
Colleague / Councillor Interests:	None
Consultations:	<p>Date: 09/10/2015</p> <p>Ward Councillors: Graham Chapman, Carole Mcculloch, Patience Ifediora</p> <p>Cllr Chapman requested information on the implications of its listing as an Asset of Community Value. No further comments have been received.</p> <p>Those not consulted are not directly affected by the decision.</p>
Crime and Disorder Implications:	None
Equality:	EIA not required. Reasons: Statutory decision.
Relates to Council Property Assets:	Yes
Decision Type:	Portfolio Holder
Subject to Call In:	<p>No</p> <p>The call-in procedure does not apply to the proposed decision because the delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The Chair of the Overview and Scrutiny Committee (or Vice-Chair) in his/her absence has been consulted and agreed both that the decision proposed is reasonable in all circumstances and that it should be treated as a matter of urgency.</p> <p>Person Consulted:</p> <p>Consultation Date: 01/01/1900</p>
Advice Sought:	Legal, Finance, Property

Legal Advice: The attached background report identifies and addresses the statutory tests against which applications for listing premises as assets of community value should be considered and the officer's view that those tests have been met. where the tests are met then the Council is required to place the asset on its list of assets of community value. Advice provided by Ann Barrett (Team Leader) on 06/01/2016.

Finance Advice: The decision to accept the nomination for Broxtowe Country Park to be listed as an Asset of Community Value has no direct financial implications while the site continues to be used as a Country Park. Should the City Council decide to dispose of the site at a future date it could be subject to a Community Right to Bid to retain it as open space for the benefit of the community.

Advice provided by Jim Driver (Finance Service Partner) on 04/12/2015.

Property Advice: Nottingham City Council are the freehold owners of the 44 Ha site, however Parks and Open Spaces are the managers and should be consulted.

I understand there is an electricity easement under part of the site and presume the application does not include the adventure playground site. Advice provided by Peter Taylor (Senior Surveyor) on 04/12/2015.

Signatures

Jon Collins (Leader of the Council)
SIGNED and Dated: 24/02/2016
David Bishop (Deputy CE, CD for Development and Growth)
SIGNED and Dated: 26/02/2016