

Report of:	Charlotte Benjamin, Director of Legal & Governance Services Executive Member, Environment, Finance and Governance- Councillor Barrie Cooper
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Submitted to:	Licensing Committee – 26 July 2021
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Subject:	Land at The Avenue, Nunthorpe– Village Green Registration
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Summary

Proposed decision(s)
That the Committee accepts & approves the application to voluntarily register the land at The Avenue, Nunthorpe as a Village Green

Report for:	Key decision:	Confidential:	Is the report urgent? ¹
Decision	No	No	No

Contribution to delivery of the 2020-23 Strategic Plan		
People	Place	Business
Registration as a Village Green will make the most effective use of the land in support of the Councils physical and social regeneration agendas	Registration as Village Green will provide improved facilities that will assist in enhancing the quality of life of the residents living in the area.	Registration as a Village Green will protect a valued asset that will help improve the physical, mental and social wellbeing of the community

Ward(s) affected
Nunthorpe

What is the purpose of this report?

1. To seek approval to the registration of land at The Avenue, Nunthorpe as a Village Green

Why does this report require a Member decision?

2. The approval of the application to register the land is not an officer decision, nor is it covered by an officer scheme of delegation.

Report Background

3. The Avenue site is a Council open space of 2.74 Ha (6.76 acres). It is used for informal recreation, and forms a valuable amenity space serving the Nunthorpe community.
4. The site is protected as primary open space within the Councils Local Plan (2014). In recognition of the importance of the open space to the local community, approval is now sought to voluntarily designate the site as a Village Green.
5. A search of the Title Deeds reveals that there are two significant sewers, which cross the site, and rights exist to maintain these and other drainage. Works required to maintain the drainage would be considered a criminal offence following registration. As such, it is proposed to exclude these parts from the site subject to the registration.
6. In recognition of the importance of the open space to the local community a report seeking approval to make the relevant application for voluntary designation of the site as a Village Green, was presented and approved by Executive at its meeting on 16th March 2021.

What decision is being asked for?

7. That the Committee accepts and approves the application to register the land at The Avenue, Nunthorpe as a Village Green

Why is this being recommended?

8. The land at The Avenue, Nunthorpe is a valued open space resource that benefits the local community. Village Green status recognises its importance and role in the local community and represents the most appropriate course to seek to protect it in perpetuity.

Other potential decisions and why these have not been recommended

9. Two alternative options were considered:
 - i. To retain the current designation and status of the land without Village Green registration. Whilst the land is held by the Council as open space and maintained as such this would not afford the land any long term protection; and
 - ii. That the land be designated as Local Greenspace in the forthcoming Local Plan review. Whilst this offers more protection than the current status of the land, the designation could be removed via a subsequent review of the Local Plan.

Impact(s) of recommended decision(s)

10. The principal impact of the registration as a Village Green will mean that the land is in effect protected in perpetuity from development.

Legal

10. The application to voluntarily register the land as a Village is made in accordance with the provisions of section 15(8) of the Common Land Act 2006. As the registration is being sought voluntarily the freehold of the land remains with the Council.

Financial

11. There are no financial implications for the Council over and above existing obligations for the maintenance of the land.

Policy Framework

12. The decision to voluntarily register the land as Village Green is in accordance with the Councils adopted Local Plan (2014) which protects it as green wedge and primary open space.

Equality and Diversity

13. The decision to voluntarily register the land as Village Green is in accordance with the Councils adopted Local Plan (2014) which protects it as green wedge and primary open space.
14. The registration of the land as a Village Green has been subject to an initial Impact Assessment, which identified that a full IA was not required.

Risk

15. Approval of the application to register the land as Village Green will deliver on the Mayors pledges with regard to the protection of key green spaces.
16. The principal risks should the application be refused are:
 - i. Reputational damage with the community; and
 - ii. The potential pressure for the designation of other site within the Councils ownership to be given the same designation.

Actions to be taken to implement the decision(s)

17. Subject to the grant of Committee approval, the Council will proceed to voluntarily register the Village Green as proposed.

Appendices

Appendix 1: Application Form

Appendix 2: Plan

Background papers

Body	Report title	Date
Executive	Voluntary Registration of The Avenue, Nunthorpe as a Village Green	16 th March 2021

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