

Report

Wythall Park

Relevant Portfolio Holder	Councillor Kit Taylor
Portfolio Holder Consulted	Yes / No
Relevant Head of Service	Ruth Bamford
Report Author	Job Title: Head of Planning, Regeneration and Leisure Services Contact email: r.bamford@bromsgroveandredditch.gov.uk Contact Tel: 01527 883219
Wards Affected	Drakes Cross
Ward Councillor(s) consulted	Cllr Sue Baxter
Relevant Strategic Purpose(s)	Communities which are safe, well-maintained and green
Key Decision / Non-Key Decision: This is a non-key decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	
This report contains exempt information as defined in Paragraph(s) of Part I of Schedule 12A to the Local Government Act 1972, as amended	

1. **RECOMMENDATIONS**

The Cabinet / Executive Committee RESOLVE / RECOMMEND that:-

- 1) Support the listing of Wythall Park, 52 Silver Stret, Wythall B47 6LZ as an Asset of Community Value**

2. **BACKGROUND**

- 2.1 As Members are aware from previous reports the Localism Act gave communities a right to identify a building or other land that they believe to be of importance to their community's social well-being and nominate such land / buildings to be registered with the Local Authority as an "Asset of Community Value".
- 2.2 Registration lasts for six years and if the property comes up for sale, the legislation allows a community group six weeks to express an interest in its purchase and if they do so, there is a six-month period within which they can prepare their bid to buy the asset. The property in question can then be sold on the open market. Community groups have the same rights as any other bidders and there is no preference given to the local community bid.

Report

2.3 The Council has received a nomination from Wythall Parish Council to list Wythall Park as an ACV. The nomination is attached at Appendix 1.

2.4 Whereas the regime has generally been to register properties in private ownership, this nomination is unusual in that the land is owned by a Charity, The Wythall Community Hall Trust and run by Trustees.

2.5 The Parish Council states in its nomination form the following:-

Wythall Park stands as the primary local recreational space serving the residents of Wythall, pivotal in fostering community well-being and leisure pursuits. The Park is owned by Wythall Community Hall Trust, a registered charity(no.523212) and is managed by Wythall Community Association, also a registered charity (no.243332). The park is managed and maintained by volunteers.

Within Wythall Park's expanse are gardens, planted woodlands, children's play areas and open areas for play and casual use. It caters to diverse interests, featuring amenities for organised activities, which include three football pitches and one Gaelic pitch, an archery range, tennis courts, a bowling green, and a dog training area.

The Trust oversees buildings including Wythall House and Park Hall, offering them for communal use by local groups. Additionally, the site accommodates structures such as the Scout Hut, Tennis Pavilion, and Archery Building, believed to be owned by the Trust and leased to affiliated organisations.

The purpose of the application to list Wythall Park as an Asset of Community Value is to safeguard its future resilience, if due to unforeseen challenges like financial constraints or volunteer shortages, community action/funding could be investigated to ensure the continued existence of a much valued and important community asset.

Nomination lasts for six years and will need to be re-nominated after that time to maintain registration on the ACV register. The past nomination expired on 26 February 2024.

2.6 The Wythall Park meet all of the statutory criteria for listing, as set out at 5.2 below.

2.7 Members are reminded that the final decision regarding whether to list an asset rests with the Head of Planning and Regeneration in

Report

consultation with the Portfolio Holder for Planning and Regeneration and Cabinet is being consulted by The Head of Planning and Regeneration as part of the consultation process.

3. OPERATIONAL ISSUES

- 3.1 There are no specific operational implications for the District. The list of nominated assets is maintained by Land Charges officers and is available on the Council's Website.

4. FINANCIAL IMPLICATIONS

- 4.1 Property owners who believe they have incurred costs as a result of complying with these procedures can apply for compensation from the Council. As previously reported to Council, Government recognises this as a potential risk to local authorities, however since 2015 each listing authority must meet in full any successful compensation claim against it.

Report

5. LEGAL IMPLICATIONS

- 5.1 The Localism Act 2011 made provision for a system to list “assets of community value”, giving community groups the right to make nominations, and requiring local authorities to maintain local registers. Detailed rules around the operation of assets of community value are set out in the Assets of Community Value Regulations 2012.
- 5.2 The test for listing an Asset of Community Value as set out in Section 88 (1) of the Localism Act 2011 is as follows:-
“A building or other land in a Local Authority’s area is land of community value if in the opinion of the authority:-
- (a) an actual current use of the building or other land that is not an ancillary user furthers the social well-being or social interests of the local community, and
 - (b) 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 well-being or social interests of the local community.

6. OTHER - IMPLICATIONS

Relevant Strategic Purpose

- 6.1 Please explain how the proposed action supports the Council’s strategic purpose(s). Discuss this with your Head of Service.

Climate Change Implications

- 6.2 None from this report.

Equalities and Diversity Implications

- 6.3 None from this report.

7. RISK MANAGEMENT

- 7.1 The ACV register is maintained by the Council to ensure that all assets nominated are included to mitigate any risks associated with assets not being included on the register. Consideration by officers and members will be undertaken at each nomination to ensure a consistent approach is taken.


Report

8. APPENDICES and BACKGROUND PAPERS

Appendix 1 – Nomination Form

Report

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Councillor Kit Taylor.	8 May 2024
Lead Director / Head of Service	Ruth Bamford	Please give the date they signed off the report here.
Financial Services	Peter Carpenter. 	07.05.24
Legal Services	Nicola Cummings	17.04.24
Policy Team (if equalities implications apply)	Not applicable	If applicable, please give the date they signed off the report here.
Climate Change Team (if climate change implications apply)	Not applicable	If applicable, please give the date they signed off the report here.