

CABINET MEMBERS DELEGATED DECISION

Open/Exempt		Would any decisions proposed:			
Any especially affected Wards Yes	Mandatory/	Be entirely within Cabinet's powers to decide		YES/NO	
	Discretionary /	Need to be recommendations to Council		YES/NO	
	Operational	Is it a Key Decision		YES/NO	
Lead Member: Cllr Baljinder Anota E-mail: cllr.baljinder.anota@west-norfolk.gov.uk			Other Cabinet Members consulted:		
			Other Members consulted: Cllr Josh Lowe – Ward Member		
Lead Officer: Honor Howell – Corporate Governance Manager E-mail: honor.howell@west-norfolk.gov.uk			Other Officers consulted: Oliver Judges – Executive Director - Place		
Financial Implications YES/NO	Policy/Personnel Implications YES/NO	Statutory Implications YES/NO	Equal Impact Assessment YES/NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/NO	Environmental Considerations YES/NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)					
Date meeting advertised: 03/06/2024			Date of meeting decision to be taken: 10/06/2024		
Deadline for Call-In: 17/06/2024					

TITLE: APPLICATION TO RELIST THE WALKS FOOTBALL STADIUM, KING'S LYNN AS AN ASSET OF COMMUNITY VALUE

Summary

The council received an Asset of Community Value (ACV) nomination from The Blue & Gold Supporters' Society in respect of The Walks Football Stadium, Tennyson Road, King's Lynn, PE30 5PB.

Under the Localism Act 2011 sections 87 to 108 and the Assets of Community Value (England) Regulations 2012, an ACV is land in the Council's area that the Council consider having community value on the basis that:

S.88(1)(a) the primary current use of the land furthers the social well-being or social interests of the local community

And

S.88(1)(b) it is realistic to think that the land can continue to be used in a way that will further the social well-being or social interests of the local community (whether or not in the same way as previously)

Land/buildings which don't current hit the threshold can also be regarded as being an ACV if they met the threshold in the recent past and it is realistic to think they can do so again in the next 5 years (Section 88(2))

The Property currently benefits from ACV status and was listed on 20 May 2019 and therefore, the Property must be removed from the Council's ACV register unless the Council is satisfied that there is continued compliance with the definition of an ACV. Notices of a valid nomination dated 25 April 2024 was served on the Group, the owner of the Property (the Council), and the current occupier (Lynn F.C. Limited).

Recommendation

That The Walks Football Stadium, Tennyson Road, King's Lynn, PE30 5PB continues to be listed as an Asset of Community Value.

Reason for Decision

To enable the asset to continue to contribute to the social interest and well-being of the local community.

1 Background

- 1.1 Under the Localism Act 2011, the Community Right to Bid process enables eligible groups and entities to nominate land or property to be registered as an Asset of Community Value (ACV). The process is designed to offer communities greater opportunities to take ownership of assets and facilities important to them.
- 1.2 A building or land within West Norfolk can be listed as an ACV if the council considers that:
 - The primary current use of the asset furthers the social wellbeing or social interests (cultural, recreational and/or sporting) of the local community
 - It is realistic to think that there can continue to be use of the asset which will further the wellbeing or social interests of the local community, although not necessarily in the same way as before
 - The asset had a use which furthers the social wellbeing or social interests (cultural, recreational and/or sporting) of the local community in the recent past and it is realistic to think that there is a time in the next 5 years when it could do so again (whether or not in the same way as before).
- 1.3 The council received a nomination from The Blue & Gold Supporters' Society to continue to list The Walks Football Stadium as an ACV. The application was valid and met the criteria laid in legislation for the listing of an asset:

- The Society are a community interest group and meet the Article 5 criteria
- Article 6 – the nomination contains a plan and sufficient information to identify the owners of the property
- The property is local
- Provided supporting evidence for concluding that the asset is of community value

1.4 On the evidence provided, the Property has a clear primary current use which furthers the social wellbeing of the local community. Specifically, the Property has been the home of senior football in King's Lynn and West Norfolk since 1879. The result being that the Property has acted as a social hub for football enthusiasts and their families in the local community. The social bonds forged through local football clubs and the community is well known. The nomination submits that the Property is also used as the hub for a soccer academy programme, with invitations being given to school and youth football teams to experience the pre-match and match atmosphere at the walks. Legal opinion is that the evidence overwhelmingly demonstrates a clear primary current use which furthers the social wellbeing and interests of the local community in accordance with s.88(1)(a).

2 Options Considered

2.1 A voluntary or community body that wishes to nominate an asset to be listed as an ACV must ensure that its nomination includes the following:

- A description of the nominated land including its proposed boundaries
- A statement of all the information considered in reaching the decision to nominate, including the names of any current occupants and the names and addresses of all those holding a freehold or leasehold estate in the asset
- The reasons for the conclusion that the asset is of community value
- Evidence that the voluntary or community body is eligible to make a community nomination.

2.2 The Society have met the requirements for the listing of The Walks Football Stadium as an ACV, and a decision has been taken to list according to legal advice obtained.

2.3 The application to list The Walks Football Stadium was acknowledged as being valid on 25 April 2024 and the Council have until 20 June 2024 to make its decision on whether to continue to list the Property as an asset of community value. Notices of a valid nomination were served on the owners of the Property, and they were given until 9 May 2024 to respond to the nomination.

2.4 The Property has been the home of senior football in Kings Lynn since 1879 and its current use shows no sign of abating. The nomination form submits that 28 first team games have been hosted at the Property this year alongside numerous ladies and youth team fixtures; there is no evidence to suggest that this level of use will not be repeated next year. Accordingly, it is realistic to think that the Property will continue to be used in a manner which furthers the social wellbeing of the local community.

2.5 The Council's decision is therefore, to list The Walks Football Stadium as an ACV.

3 Policy Implications

3.1 The ACV policy was agreed by Cabinet in December 2023. This application qualifies for listing in accordance with the council's policy on Assets of Community Value and the Localism Act 2011.

4 Financial Implications

4.1 There are no financial implication.

5 Personnel Implications

5.1 None

6 Environmental Implications

6.1 None

7 Statutory Considerations

7.1 The council has a duty to consider applications for listing as an ACV in line with the Localism Act 2011 and its own adopted policy.

8 Equality Impact Assessment (EIA)

8.1 Pre-screening EIA attached.

9 Risk Management Implications

9.1 None

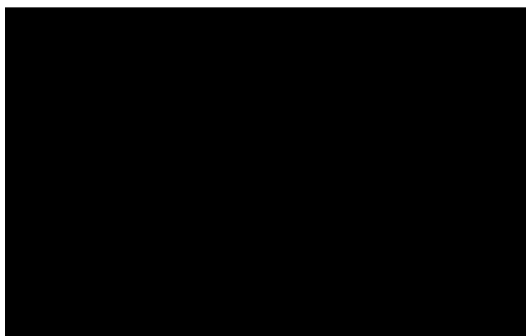
10 Declarations of Interest / Dispensations Granted

10.1 None

11 Background Papers

11.1 None

Signed:



Cabinet Member for: Property and Corporate Services

Date: 31/05/2024

Pre-Screening Equality Impact Assessment

Borough Council of
**King's Lynn &
West Norfolk**



Name of policy/service/function	The Walks Football Stadium – Listing as an ACV				
Is this a new or existing policy/ service/function?	New / Existing (delete as appropriate)				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	The Walks Football Stadium is being listed as an Asset of Community Value, in line with the policy.				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			X	
	Disability			X	
	Gender			X	
	Gender Re-assignment			X	
	Marriage/civil partnership			X	
	Pregnancy & maternity			X	
	Race			X	
	Religion or belief			X	
	Sexual orientation			X	
Other (e.g low income)			X		
Question	Answer	Comments			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	Yes / No				
3. Could this policy/service be perceived as impacting on communities differently?	Yes / No				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes / No				
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions?</p> <p>If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	Yes / No	Actions:			
		Actions agreed by EWG member			

Assessment completed by: Name	Honor Howell
Job title Corporate Governance Manager	Date 30.05.24

Please Note: If there are any positive or negative impacts identified in question 1, or there any 'yes' responses to questions 2 – 4 a full impact assessment will be required.