

NORTH LINCOLNSHIRE COUNCIL

**LEADER OF THE COUNCIL -
REGENERATION, MARKETING & STRATEGIC
FINANCE CABINET MEMBER**

LAND AT STATION ROAD, BRIGG

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 In its capacity as landowner, to approve the council's formal objection to applications to register land in Station Road, Brigg as a village green pursuant to the provisions of S15 of the Commons Act 2006.

2. BACKGROUND INFORMATION

- 2.1 Applications dated 14 May 2010 have been received by North Lincolnshire Council from Mr G A Holland for three separate plots of land off Station Road to be registered as a village green. The plots of land are shown coloured green, pink and blue respectively on the attached plan and with the exception of the western end of the pink land is all within North Lincolnshire Council's ownership.
- 2.2 The applications have been advertised by North Lincolnshire Council in its role as appropriate Commons Registration Authority and have invited objections to be lodged with the Environment Team at Church Square House, Scunthorpe by the end of business on the 6 October 2010.
- 2.3 The land in question was acquired during the late 1980's and 1990's by the local authority in parcels, with the intent to develop the area for employment uses, the land being allocated by the former Brigg Local Plan for Light Industry. The North Lincolnshire Local Plan re-designated the land in 2003 to land of High Amenity Value. Since that date the land has remained dormant.
- 2.4 The applications are supported by a number of witness statements. In order to succeed an applicant must satisfy the Registration Authority that there has been at least 20 years use of the land concerned for lawful sports and pastimes up to the time of the application. The statements, along with the council's own evidence, have been considered by counsel who has stated that any objection made should include all the points available to the council.

- 2.5 The applicant and his witness statements claim full use of all of the land when clearly the council can demonstrate that part or parts of the land have at various times during the last 20 years been unavailable for use. There are therefore clear grounds for objection.
- 2.6 Given the lack of suitable (due to flood risk) development land in Brigg it is considered that the loss of all of this land to development will have a negative impact on the future development of Brigg. A successful objection to these applications will enable the local authority to review the whole area around Station Road to not only provide suitable development land but to incorporate public open space suitable for dog walking and pastimes desired by Brigg residents.
- 2.7 An urgent decision by the Cabinet Member is required on this matter as the deadline for objections is 6 October 2010.

3. OPTIONS FOR CONSIDERATION

- 3.1 There are three possible options for the Cabinet Member to consider:

Option 1:

To make no objection to any of the 3 applications - this will likely result in all 3 sites obtaining village green status.

Option 2:

To object to any one of the 3 sites - this will likely result in village green status for those sites for which there is no objection, and a non-statutory enquiry being held in relation to the land on which objection is made.

Option 3:

To object to all 3 applications - this will likely result in a non-statutory enquiry being held in respect of all 3 sites.

4. ANALYSIS OF OPTIONS

- 4.1 A decision not to object to any of the applications will mean that the council will lose in perpetuity the possibility of developing the land beyond its present state, and of course within it the chance of any future capital receipts.
- 4.2 Registration as a Village Green will not remove any liabilities the council currently has as landowner.
- 4.3 Option 3 above is the preferred option for approval by the Cabinet Member.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 Financial

Registration of this land as a Village Green will mean that the possibility of future capital receipts will disappear. All liabilities will remain.

5.2 Staffing

There are no other staffing, Property or IT related implications.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

6.1 Statutory - None

6.2 Environmental & Other - None

7. OUTCOMES OF CONSULTATION

7.1 Since the local authority are the Registration Authority for these applications, no specific consultation has taken place with other Service Areas with regard to any possible objection other than advice provided by Legal & Democratic Services, and the Environment Team as to the process.

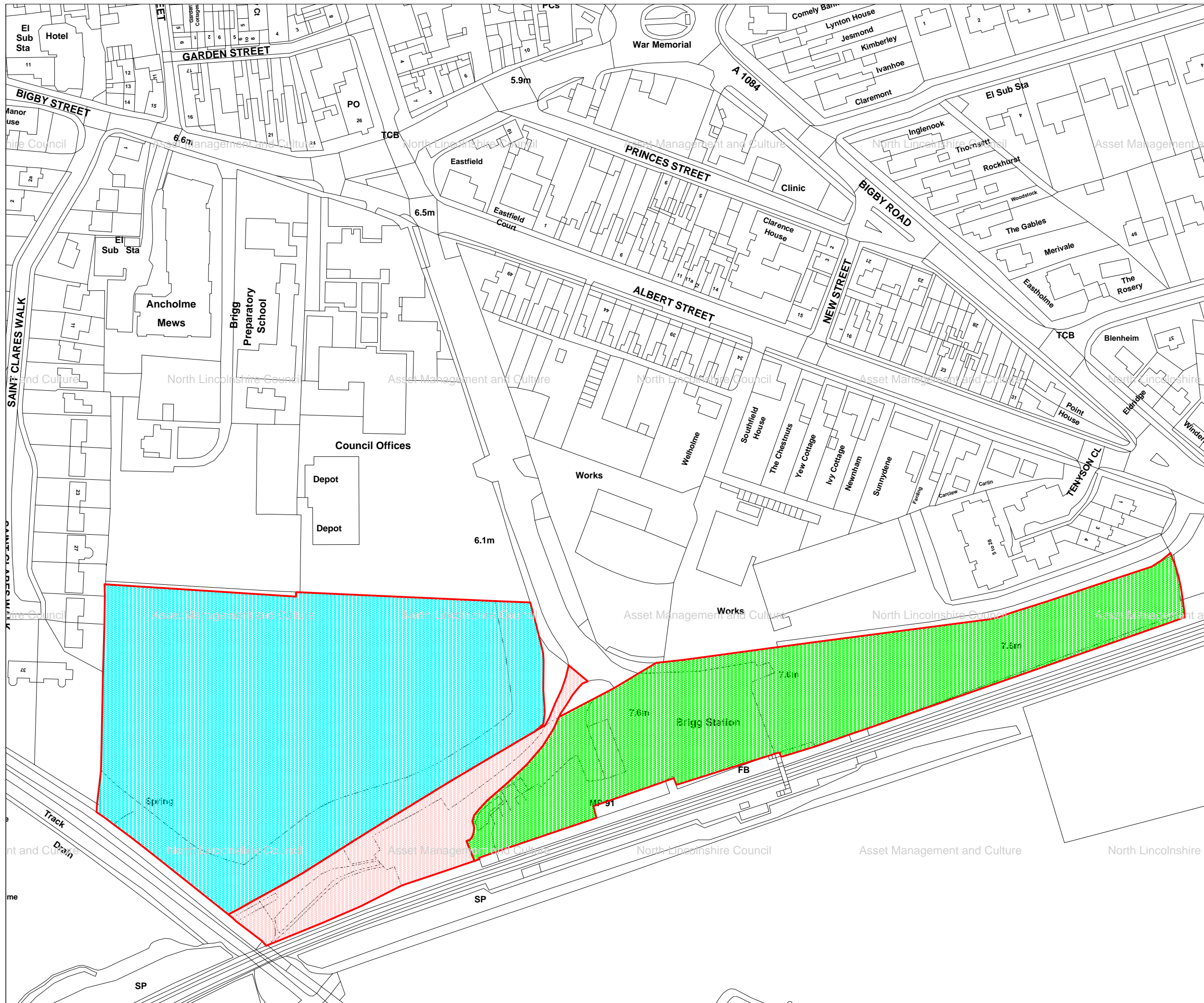
8. RECOMMENDATIONS

8.1 That the Cabinet Member authorises the Service Director Asset Management & Culture to formally object on behalf of the council as landowner to all 3 of the applications to register land in Station Road, Brigg as a Village Green. Such objection to be made with the council's Environment Team by close of business on 6 October 2010.

SERVICE DIRECTOR ASSET MANAGEMENT AND CULTURE

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DN20 8XY

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Date: 4 October 2010



DRAWING NUMBER		REV	
Location Plan only			
DRAWING TITLE	PROPERTY CODE		
Village Green applications			
Station Road lands, Brigg			
SCALE 1 : 1500			
FOR IDENTIFICATION PURPOSES ONLY			
DATE	DRAWN BY		
03 Aug 2010	BKD		
OS SHEET	TA0007SW		
REVISIONS			
REV	DATE	AMENDED	BY

1.07 has of land
"The Old Coal Sidings"
(NB - 0.32 has)

1.09 has of land
"The Old Coal Yard"

1.8 has of land
"The Paddock"

NORTH LINCOLNSHIRE COUNCIL
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