

Committee:	Cabinet	Date:	24 May 2018
Title:	Establishing an Assets of Community Value Committee		
Portfolio Holder:	Cllr Barker, Cabinet Member for Environmental Services		
Report Author:	Simon Pugh, Assistant Director - Governance and Legal spugh@uttlesford.gov.uk	Key decision:	No

Summary

1. The Council has an obligation to determine whether nomination of land or buildings as assets of community value (“ACVs”) should be accepted. This is an executive function and therefore is a Cabinet responsibility. However, the Cabinet has power to delegate this function to a Cabinet Committee or to officers.
2. The Cabinet has not delegated the exercise of this function and nominations seeking designation of land or buildings are referred to Cabinet for decision.
3. There is a statutory time limit of six weeks for reaching a decision on an ACV nomination. This can cause problems if scheduled Cabinet meetings do not fit with this timescale. Special ad hoc meetings of an ACV Committee made up of three Cabinet members have been called on five occasions since August 2017. On each occasion the Cabinet’s consent was obtained to convene the Committee.
4. This report seeks to establish a standing Assets of Community Value Committee made up of three Cabinet members, which would meet when required. It would be open to members to delegate all ACV decisions to the Committee but officers suggest that nominations are referred to Cabinet when this is practical.
5. The main reason for referring nominations to the proposed Committee will be the need to meet the deadline. However, there may also be occasions when the volume of business that Cabinet needs to consider (e.g. at budget time) is such that nominations should be referred to the Committee.

Recommendations

6. That the Cabinet appoints an Assets of Community Value Committee of three members to consider nominations which cannot, in the view of the Assistant Director, Governance and Legal, conveniently be considered by the Cabinet.
7. That the Cabinet appoints to membership of the Committee.

8. That the Cabinet appoints all or some of its members not appointed to the Committee to act as substitutes.

Financial Implications

9. None

Background Papers

10. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

None

Impact

- 11.

Communication/Consultation	Persons making nominations will be informed who will make the decision and when.
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	There is a legal obligation to decide whether to accept nominations within a six week period. The appointment of a committee will help ensure that the deadline is met.
Sustainability	None.
Ward-specific impacts	None.
Workforce/Workplace	None.

Situation

12. There is nothing to add to the summary in paragraphs 1 to 4.

Risk Analysis

13.

Risk	Likelihood	Impact	Mitigating actions
That the Council will not determine applications within the statutory six week period.	3	2	The creation of a committee which can meet when required.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.