

**Report of Head of Scrutiny and Member Development**

**Report to Scrutiny Board (Regeneration)**

**Date: 28<sup>th</sup> February 2012**

**Subject: Town and Village Greens**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**1.0 Introduction and Background**

1.1 At the last Board meeting Members considered the attached report of the City Solicitor Detailing the process for the registration of land as town and village greens.

1.2 Reference was made to the fact that the City Development Directorate was opposing three applications in Kirkstall Ward and clarification was sought as to whether there was any downside in the Directorate withdrawing their objections and allowing the three applications to proceed and for the applicants to present their case to the appropriate Development Plans Panel.

1.3 Following discussions, Councillor B Atha requested that the Board invite the Chief Officer and appropriate Executive Board Member to attend a future meeting to explain why they had rejected this Board's proposal to submit a late response to Defra based on a submission made by the Open Space Society.

1.4 Councillor Atha then proposed that the Board consider approving the following recommendations:-

- that the City Development Directorate withdraw its opposition to the three specific applications within the Kirkstall ward to allow the residents to make the case or not to the appropriate Development Plans Panel
- that legal services cease the engagement of an outside lawyer in respect of these three applications in order to save costs

1.5 The Board was advised to seek a further joint report from the City Solicitor and

Director of City Development on this issue before making any specific recommendations.

- 1.6 Members subsequently deferred consideration of this matter pending the submission of a joint report on this issue at today's meeting and requested that this include the City Development Directorate's specific reasons for its opposition to the three applications within the Kirkstall ward to enable the Board to take an informed view. Members also requested that the joint report include details of other sites where applications are outstanding for Town and Village Green status.

## **2.0 Joint Report of the City Solicitor and Director of City Development**

- 2.1 The joint report of the City Solicitor and Director of City Development on this matter is attached for the consideration of the Board.

## **3.0 Recommendations**

- 3.1 The Board is asked to comment on the joint report of the City Solicitor and Director of City Development and determine on the evidence presented to it what, if any, recommendations the Board wishes to make to the Executive Board on this issue.

## **4.0 Background documents**

- 4.1 None used