

Assets of Community Value: Listing Decision Notice

Date of Nomination Application: 13th December 2022

Application Number: ACV20/122022
Nominated Asset: Love Lane Green (area indicated by the red boundary on associated plan only)
Site Address: Love Lane Green, South Norwood, SE25 4NG
Ward: Woodside
Nominator: Friends of Love Lane

1. Outcome of Listing Decision: Gavin Handford, Director of Policy, Programmes & Performance, as listing decision maker, having regard to the relevant statutory provisions within the Localism Act 2011 (“The Act”), the Assets of Community Value (England) Regulations 2012 (“The Regulations”) and in so far as is relevant, the non-statutory guidance (“Community Right to Bid: Non-Statutory advice note for local authorities”, October 2012), has considered the nomination application, the supporting documentation and the nomination report for the land indicated by the red boundary on the associated plan and concluded, for the reasons set out in the decision notice below that:

a. The nomination is from a qualifying community or voluntary body.

The nominator, Friends of Love Lane, are an unincorporated group with a genuine local connection and have provided their governing document which states what they are set up to do.

b. The Site should be added to the list of ‘Unsuccessful Community Nominations’

The previously overturned decision on this land was based on the size of the land in question and on the fact that the site visit and evidence submitted indicated it is not used in the same way nor to the same intensity as the smaller, existing ACV fronting the footpath. I note that the applicant has reduced the boundary in line with this feedback and that the landowner has not contested the ACV nomination on this point.



However, the landowner does object on the grounds of lawful access/trespass. This point was raised in the previous appeal but the poor condition of the fence and the lack of signage to indicate the area was private land meant that this point of objection was not upheld. Since then, the landowner’s agent has provided photographic evidence to show that signs have recently been put up which clearly indicate the land is private property and that access is not permitted. The landowner has also stated their intention to take appropriate action should trespass take place in the future.

Therefore, I have to agree with the landowner’s agent that we cannot list the Asset as the activity is unlikely to continue or be resumed in the next 5 years. Accordingly, I am instructing that the site be listed on the ‘Unsuccessful Community Nominations’ list and that interested parties (and local Land Charges where relevant) be notified accordingly.

Date: 17th April 2023

Name: Gavin Handford

Title: Director of Policy, Programmes & Performance

Signature: