

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	Executive Committee
Date:	20th October 2014
Subject:	Land at Newry Beach, Holyhead
Portfolio Holder(s):	Councillor Richard Dew
Head of Service:	Dewi R Williams
Report Author: Tel: E-mail:	R Gareth Jones 2253 rqjhp@anglesey.gov.uk
Local Members:	Cllr J Arwel Roberts, Cllr Raymond Jones, Cllr Robert Ll Jones

A –Recommendation/s and reason/s
<p>The County Council, as Registration Authority, has received an application from the Waterfront Action Group to register land at Newry Beach, Holyhead as a Town or Village Green under Section 15 of the Commons Act 2006.</p> <p>In view of the issues associated with this application, such as the proposed Waterfront Development and proposed surrender by the County Council of its leasehold interest in Newry Beach it is considered appropriate to receive direction as regard to the application.</p> <p>As an interested party the County Council has received a copy of the application and is required to lodge a response by the 27th October 2014 confirming whether it objects, or not, to the application.</p> <p>It is considered there are two options available for consideration;</p> <p>Option 1 – To confirm that the County Council will not lodge an objection to the application.</p> <p>In agreeing to this option the County Council would not be required to attend a Public Inquiry, if it is deemed by the Registration Authority that this application should be considered through a Public Inquiry. However, the County Council could be requested to attend and provide evidence on behalf of its Landlord (Conygar Stena Line Ltd.) should our Landlord decide to object, which is highly likely given that our Landlord is the developer.</p>

Option 2 – To confirm that the County Council will lodge an objection to the application.

In agreeing to this option the County Council would be required to attend a Public Inquiry which could result in costs being incurred. On a previous Village Green Inquiry those costs were £70.8k (Porth Y Wrach, Menai Brige)

Whether the County Council as a landowner objects is not a determining factor in the application. If the County Council objects the Registration Authority may still find that a village green exists and vice versa.

Much of the evidence that the County Council could present at an Inquiry would be available to the various parties through Freedom of Information requests.

Should the County Council object the main basis for this objection would be that the land is held by the County Council as public open space. This means that the public use the land “by right” and not “as of right”. In effect they use the land with the County Council’s permission and so the use would not qualify for village green status.

A plan is appended to this report for information, which identifies the leased area together with the application area.

B – What other options did you consider and why did you reject them and/or opt for this option?

C – Why is this a decision for the Executive?

An application to register land at Newry Beach, Holyhead as a Town or Village Green has been received and the County Council, as an interested party, has to consider whether it is appropriate to lodge an objection, or not, and it is therefore considered appropriate to seek and receive direction as regard to the application.

To seek and receive the Executive’s direction as to which of the options to accept, and that officers are authorized to proceed accordingly.

If the Executive directs that the County Council is to object to the application as landowner then it must resolve to grant the Environment and Technical Service budget for the objection and the Executive must delegate to the Head of Service (Environment and Technical Service) all powers and authority necessary for making and supporting the objection.

CH – Is this decision consistent with policy approved by the full Council?

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D – Is this decision within the budget approved by the Council?

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DD – Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	
2	Finance / Section 151 (mandatory)	
3	Legal / Monitoring Officer (mandatory)	Included as part of the report
4	Human Resources (HR)	
5	Property	
6	Information Communication Technology (ICT)	
7	Scrutiny	
8	Local Members	
9	Any external bodies / other/s	

E – Risks and any mitigation (if relevant)

1	Economic	
2	Anti-poverty	

3	Crime and Disorder	
4	Environmental	
5	Equalities	
6	Outcome Agreements	
7	Other	

F - Appendices:
Plan of the lease area and application area.

FF - Background papers (please contact the author of the Report for any further information):

