# **ACCOMPANYING NOTE: DISPOSAL OF LAND FORMING PUBLIC OPEN SPACE**

# **LAND AT SUTTON LAWNS, LAWN AVENUE**

# **ASHFIELD DISTRICT COUNCIL**

1. This note is prepared as an accompaniment to the notice regarding the proposed disposal of land at Sutton Lawns, Lawn Avenue (the “Land”) which has been made in accordance with s.123(2A) of the Local Government Act 1972.

## Proposed Land Swap

1. The proposed disposal is being made as part of an intended land swap with the Sutton in Ashfield Recreation Grounds 2006 Charitable Trust (the “Trust”).
2. The Trust own land in the District and retain such land as recreation grounds, to be used for the benefit of the residents of the District. The Council is the sole Trustee of the Trust.
3. One of the sites held by the Trust is land off Lammas Lane, Sutton in Ashfield (the “Lammas Road Site”). This site has been used by the Council to deliver the Lammas Leisure Centre and it is now intended that the Council permanently acquire the land forming the Lammas Road Site from the Trust. As part of that acquisition, the Trust will acquire the ownership of the Land in a direct land swap.
4. In accordance with its charitable purposes, following the transfer of the Land to the Trust, it will be kept and maintained as a recreation ground for the benefit of the residents of Council, in accordance with the charitable purposes of the Trust.
5. The Council currently maintain the Land as open space which is accessible to the public, so the only anticipated practical change resulting from the transfer of the Land to the Trust, will be the legal ownership of the Land.
6. As a registered charity, the Trust will continue to be regulated by the Charity Commission and the Charity Commission will be responsible for ensuring that the Trust complies with their legal responsibilities.

## Process

1. Prior to any disposal being agreed by the Council, any objections and/or representations, made by 6th December 2024 and made in accordance with the terms of the Notice, will be considered by the Council. The merits of the proposed disposal will be considered at a Cabinet Meeting of the Council.
2. The Trust will also carry out its own consultation on the proposed land swap and the Trust must secure approval from the Charity Commission in order to complete any disposal, regardless of any position adopted by the Council. Members of the public will also have the opportunity to respond to that consultation with any representations and or objections. These will be considered by the Charity Commission as part of their decision-making process.

## Further Information

1. For any queries, please direct these in writing to:  
     
   Ruth Dennis,   
   Executive Director Governance and Monitoring Officer,   
   Ashfield District Council,   
   Council Offices,   
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