

Delegated Officer Report

Decision Maker: Nasir Dad, Director of Environment

Date of Decision: 9 July 2024

Subject: Oldham Coliseum Theatre, Fairbottom Street, Oldham –
Asset of Community Value listing

Report Author: Rachel Dyson

Ward (s): St Mary's

Reason for the decision: The Listing of Assets of Community Value process, approved in December 2013, was introduced under the Localism Act 2011 “the Act”. A nomination for listing the following land – Oldham Coliseum Theatre, Fairbottom Street, Oldham, OL1 3SW as an Asset of Community Value was received by the Council from the Save Oldham Coliseum and after consideration it was deemed a valid application for consideration to register.

The nomination was considered by the Council against the criteria set out in the Act (as enacted by the Assets of Community Value Regulations 2012). The decision was made by the Decision Maker after consideration of the Briefing Note provided by Legal Services, and ratified by Councillor Shah, Leader of the Council, to list the asset as the nomination met the criteria as per the ACV assessment form (see appendix 1 – ACV assessment) and the Act.

Summary: To record the decision to list the asset and add it to the Council's register of successful nominations.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

To note the panel's decision to list the asset.

Consultation: including any conflict of interest declared by relevant Cabinet Member consulted.

No conflict declared.

Recommendation(s):

To note the decision for listing the land – Oldham Coliseum Theatre, Fairbottom Street, Oldham, OL1 3SW as an Asset of Community Value.

Implications:

What are the financial implications?

The administrative costs associated with recording the decision to list the asset will be met from within the existing revenue budget.

(James Postle)

What are the legal implications?

- 1 By virtue of sections 87 to 108 of the Localism Act 2011 the Council has the necessary statutory powers to implement the Listing of Assets of Community Value policy as stated in the report.
- 2 The Council's policies and procedures in relation to the Listing of Assets of Community Value have been followed (Rebecca Boyle, Group Solicitor – Corporate)

What are the procurement implications?

Not applicable.

What are the Human Resources implications?

Not applicable.

Equality and Diversity Impact Assessment attached or not required because (please give reason)

Not applicable.

What are the property implications

The property implications are dealt with in the body of the report.

Risks:

The listing of property as an asset of community

value means that the Council must publish the property on its list of land and property ACV list. The Council is exercising a statutory function in designating the Oldham Coliseum Theatre with this Asset of Community Value status. The designation of the asset under a ACV has limited implications for the Council, the main requirement is that if the Council wish to wish to sell the property a six week moratorium period will be in place prior to sale to see if Save the Coliseum wish to be considered as a bidder, whereby a further moratorium may apply.

The Council still currently insures the building, which has been empty for a period of time for demolition only following the expiry of the previous lease. There is an insurance risk when carrying out any future works that insurers will put extra restrictions on the policy. It is recommended that the risk register is updated.

Victoria Gallacher (Head of Insurance and Information Governance)

Co-operative agenda

Working with a resident focus and enabling communities to take ownership and drive change are two of our co-operative behaviours. Having the ability to nominate an Asset of Community Value provides the opportunity for communities to take greater responsibility and be involved in local decision making.

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?	Yes
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Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget?	Yes
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Are any of the recommendations within this report contrary to the Policy Framework of the Council?	No
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There are no background papers for this report

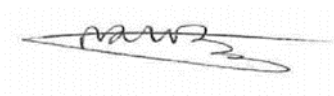
Report Author Sign-off:	

Date:	
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Please list and attach any appendices:-

Appendix number or letter	Description
1	Briefing Note including ACV Assessment Form

In consultation with Director of Environment



Signed :

Date: 9 July 2024