

Decision Maker:	Claire Upton-Brown - Assistant Director of City Development
Date of decision:	July 2017
Subject:	Nomination for the Wind in the Willows Children's Nursery at West Lodge, to be placed of the Register of Assets of Community Value
Report by:	Phil Dodshon - Principal Planning Officer Culture and City Development
Wards affected:	Milton Ward
Key decision:	No
Full Executive decision:	No

1. Purpose of report

- 1.1 The Council received an Asset of Community Value (ACV) Nomination in relation to The Wind in the Willows Nursery at West Lodge, Locksway Road, Milton (adjacent to St James Hospital). The nomination came to Portsmouth City Council on Tuesday 27th June 2017. There had been some contact with Officers before it came in. A copy of the nomination is at Appendix B.
- 1.2 The purpose of this report is to make a recommendation to the Assistant Director of City Development in respect of the determination of the nomination of the Wind in the Willows as a building of community value. That is:
 - a) Where an actual use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests of the local community (either at the times of the application or at a time within the recent past); and
 - b) It is realistic to think that the use can continue (or that there is a time within the next five years that it would so resume)
- 1.3 The Council adopted a *Policy for Defining Social Interests/ Well-being* for determining ACV nominations on 4 February 2013. This policy is attached at Appendix A.

2. Recommendations

- 2.1 **The Assistant Director is recommended to ACCEPT the nomination on the grounds that the nursery does further the social well-being or social interests of the local community as an essential community facility,**

being a place for in which children are cared for in a developmental environment, during times in which their parents or guardians are unavailable.

3 Background

3.1 The Nomination was submitted by the Wind in the Willows Portsmouth, an organisation that meets the eligibility requirement for such nominations, in being an unincorporated body comprised of 21 local members (all of who live in the city), and which does not distribute any surpluses to its members. 'Local member' means a person who is registered, at an address in the local authority's area or in a neighbouring authority's area, as a local government elector in the register of local government electors kept in accordance with the provisions of the Representation of the People Acts.

3.2 The Wind in the Willows Pre School is a private business that was registered in 2015 and operates from West Lodge, which sits within the curtilage of St James' Hospital, a Grade II Listed Building. The building is owned by the NHS. The nursery is open five days a week, from 7.15 am to 6 pm, 51 weeks of the year. The Ofsted inspection in June this year graded it as Outstanding. This is the highest ranking, the others standards are Good, Requires Improvement and Inadequate.

3.3 West Lodge is a modest, but historic, single storey knapped flint 'gate building,' situated within the curtilage of St James' hospital (at its south west corner adjacent to Locksway Road). Despite having replacement UPVc windows, the building's design and materials give it a picturesque quality, in combination with its age these factors give it an appreciable degree of architectural and historic interest.

3.4 An NHS briefing paper available online entitled '*Community health services in Portsmouth and the future of the St James' Hospital site Update: Summer 2014*' stated:

Apart from the mental health facilities and the Victorian main building, there are a number of other buildings - some in poor condition. Some are already empty, such as Yew House, Fair Oak and West Lodge. Reducing the size and cost of St James' is a key priority.

3.5 Since then West Lodge was brought back into use, and is leased to 'The Wind in the Willows Portsmouth.' The NHS did not renew their lease in April this year and the tenants have been told verbally they will have to vacate the building by December 2017.

4. The St James Hospital redevelopment

4.1 St James is part of a wider comprehensive redevelopment of not only the NHS land but also the adjacent Langstone Campus. The Homes and Communities Agency have also acquired some land between them (north and

east of Fair Oak Road) and so there are three landowners working together on a Development Brief. Back in 2014 the NHS said their objective was to halve the annual estate running costs at St James to save more than £3 million per year.

- 4.2 The NHS have West Lodge and nearby Forest Lodge within the 'development envelopes' on the emerging St James and Langstone Campus Development Brief. This means the Lodge has been identified as an area of land for redevelopment. Currently Officers do not know what the NHS wishes to do, however the Report mentioned above says that in 2014 they were:

. . . considering whether we should seek planning permissions for the residential development of any surplus land and buildings before we sell them

- 4.3 It is reasonable to assume the NHS have residential aspirations for West Lodge.

5 Summary of the owners' comments

- 5.1 The NHS were told about the Nomination on Wednesday 28th June 2017 and asked for any comments by the 17th July 2017. A Solicitor acting on behalf of them said:

We write to acknowledge receipt of the nomination form, and to confirm that NHS Property Services does not intend to comment at this stage, prior to the Council's decision on whether or not to list the nominated land.

However we reserve the right to challenge the inclusion of the land on the ACV list, if the Council decides to list the asset.

6 Summary of resident's comments

- 6.1 Seven site notices were placed around the Nomination area on lamp posts, railings and fences asking for a community response by the 17th July 2017. There were 20 Emails received in support and none opposing it, three were staff, others were mainly users and one was from the Milton Neighbourhood Forum. Most responses were brief, for example:

The Nursery provides a much needed service to the Community. It qualifies as an asset of community value

I write in support of the Wind the Willows nursery to become an Asset of Community Value status. [the staff] do a wonderful job for our community

- 6.2 A few gave more detail:

Without doubt the nursery is indeed meeting the needs of the community. My understanding is there is not enough childcare places to the current

demand in the local community as it is and with the additional funding proposed by the government generating a need for more places - this is really not going to help the situation in the community if this current provision was lost. I have seen wind in the willows demonstrating real community spirit by joining in with events such as picnic on the green. The grounds of the lodge host a wonderful outdoor environment for children to grow and develop, especially in a city.

- 6.3 One respondent (who also worked there part time) attached a letter giving a detailed response, including:

I have hired the facilities twice for my daughter's birthday parties; the reasonable rates meant that this was affordable and the homely feel provided a relaxed atmosphere where both children and adults could get together and celebrate, providing happy memories for all the family.

- 6.4 One of the staff also said:

It is rare to find a childcare setting in a city like Portsmouth which is so connected to nature and is a unique selling point which is favoured by children and parents alike.

7 Consideration of the social interest and social wellbeing

- 7.1 The test is formulated in the Localism Act of 2011, which states that:

88 Land of community value

- (1) For the purposes of this Chapter but subject to regulations under subsection (3), a building or other land in a local authority's area is land of community value if in the opinion of the authority -
- (a) an actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests of the local community

- 7.2 Social interests in the Localism Act in Paragraph 88(6) includes (in particular):

- (a) cultural interests, (b) recreational interests (b) and (c) sporting interests.

- 7.3 The three definitions seem quite narrow in scope, and most commentators feel the definition of social interests is actually broader, and the concept of *social well-being*, correspondingly wider still. The Government's own document '*Community Right to Bid: Non-statutory advice note for local authorities, Part 5 Chapter 3 of the Localism Act 2011 and the Assets of Community Regulations 2012*' says in its Ministerial foreword;

From local pubs and shops to village halls and community centres, the past decade has seen many communities lose local amenities and buildings that are of great importance to them. As a result they find

themselves bereft of the assets that can help to contribute to the development of vibrant and active communities.

- 7.4 The document by Locality '*The Localism Act 2011: What does the Localism Act mean for community organisations?*' states:

In neighbourhoods across the country there are buildings and amenities that are integral to the communities that use them. This could be a village shop, a pub, a community centre or a library for example. Many provide a base from which to deliver public services to the local community. The closure or sale of such buildings and amenities can create lasting damage in communities and threaten the provision of services. The Right to Bid offers greater opportunity for communities to keep such buildings in public use and ensure they remain a social hub for the community.

- 7.5 Civic Voice (a member of the Localism Alliance representing nearly 10,000 grassroots organisations) on their website list possible assets:

This could include; shops, pubs, community/village halls, **nurseries** and children's centres, health centres, surgeries and hospitals, sport, recreation and culture, parks and open green spaces, sports grounds, theatres and cinemas, swimming pools and lidos, community centres, youth centres.

- 7.6 This shows that the definition of social interest is broad, and that the concept of social well-being, broader still: a facility which is recognised as providing something valuable to a community and which promotes well-being. It is demonstrable that a facility of this nature, assisting in the development of a community's children, and able to provide care to them during periods in which their parents/guardians are unavailable, does promote the well-being of an area and those living in it. The City Council are aware of two Nurseries accepted as Assets of Community Value in Lambeth and Maidenhead. There is no national database to check on other Local Authorities.

8 Assessing the Wind in the Willows

- 8.1 There are 93 registered nurseries in Portsmouth. The Wind in the Willows is one of five nurseries in the Milton area; the other four are Jack and Jill Pre School, Little Spinnakers Pre School, Goldsmith Day Nursery and Puddleduck Nursery on Priory Crescent. The Wind in the Willows is full and has a waiting list, and the other Nurseries are also at or near capacity.
- 8.2 The Milton Electoral Ward is one of three areas in the city that cause concern for the local authority in terms of meeting their long-term statutory duty to secure sufficient childcare because of limited nursery accommodation (the other two are Eastney & Craneswater and Fratton).

- 8.3 It is worth noting that a number of applications have been submitted for conversion of existing buildings to nurseries such as the Fort Cumberland Arms PH and these have been refused (in this case on highways access). Provision of any new facilities is therefore problematic.
- 8.4 There is however a statutory requirement to provide places for the children of working parents. All three to four-year-olds in England can get 570 hours of free early education or childcare per year. It is usually taken as 15 hours a week for 38 weeks of the year. In addition, around 40% of two-year-olds are also eligible for 570 hours of free provision per year.
- 8.5 With existing facilities at capacity, and Milton taking a large amount of new housing at St James' and Langstone it would seem clear there is a need to find more nursery provision, not lose it.
- 8.6 This is also a pressing issue since the Government introduced new changes to double the free hours available to pre-schoolers starting in September 2017. Three and four year olds in England will be entitled to 30 free hours of care a week during term time - twice as many as they currently receive. A pilot for this ran in twelve locations in England, including Portsmouth. With this new entitlement comes a pressure to extend the number of week's parents' access childcare, from a traditional 38 weeks to a more flexible 52 week offer.
- 8.6 Only a third of local authorities in England expect there to be enough childcare places when the changes are introduced. Nationally more than half of councils are unsure if they will have enough childcare available.

9 Consideration of the Portsmouth City Council Policies for defining social interests / wellbeing

- 9.1 The Portsmouth City Council Policy for defining social interests / well-being states the following criteria will be assessed:

The extent to which the approval of the nominated site would enhance the social interests and social wellbeing of the local community because in its absence the local community would be deprived of land or a building that is essential to the special character of the local area

- 9.2 There is a section on the Nomination Form where the nominators must state why the property furthers the social wellbeing or social interests of the local community. They discuss its role as a Nursery with a waiting list in place, and links with local schools preparing children for the transition to full time education. They also carry out other commendable activities; however these are not fully relevant to the issue of whether it is a Community Asset and more a reflection of good practice as an organisation.
- 9.3 They do also say:

We participate in local community events such as Picnic on the Green and also hold our own events which are open to all such as our Autumn and Summer Fayre. In addition to this, we have sponsored three flower beds in the St James Field Playing Area.

We work in partnership with our local church, St James Church, where we held our nativity service. We work with Father Paul who comes into the setting to talk with the children and visit the church with the children for events such as Harvest Festival.

We support many charities, including local, national and international charities and our (sic) twinned with The Mansa-Colley Bojang School in The Gambia, with which we work closely to teach the children about the world

We take our children to visit the elderly residents of Shearwater Care Home on Moorings Way on a regular basis as wonderful of bringing the generations together; this is a valuable and enjoyed experience for the children, residents and staff

9.4 A facility of this nature, being in a unique setting, and also popular, necessarily becomes feature of the special character of an area. Being deprived of it, the community would lose a cornerstone of its ability to service its needs as a self-sustaining area, able to respond to the demands of families needing to have safe and positive places locally in which their children may be placed while they work.

9.5 The Act also asks us to assess:

88 1(b) it is realistic to think that there can continue to be a non-ancillary use of the building... which will further (whether or not in the same way) the social wellbeing or social interests of the local community.

9.6 West Lodge could possibly change use to another community facility, however looking to the current demands, and the projections as to future demands, it is realistic to think that the land will continue to be used as a nursery.

10 Purchase of the Asset

10.1 The Act does allow a moratorium period during which a sale cannot complete, and during which a community body may bid to acquire the Asset. While the Policy encourages a consideration of whether the continued or resumed use is commercially viable, at this stage we do not know whether the Wind in the Willows could raise the funds. It is considered that a business case or evidence of available funding is not needed at this time given the uncertainty around when the asset may be sold.

11 Conclusions

- 11.1 It is important to carefully consider the landowner response as part of our conclusions. However the NHS has declined to make any official response, except to say they reserve the right to challenge the inclusion of the land on the ACV list if the Council decides to list the asset. This would, if they do so decide, involve them asking for an internal Review of the decision made.
- 11.2 Section 88(2) of the Act asks if the land or building furthers the social wellbeing or social interests of the local community. That is what the Council must assess, taking into account the broad definition of social interests and social well-being.
- 11.3 The other key issue for the City Council using its own policy for defining social interests/wellbeing is whether the Wind in the Willows is essential to the character of the area. A generally agreed definition for the word 'essential' is a thing that is absolutely necessary.
- 11.4 Given the shortfall in provision of nursery spaces the Children's Services and Education branch of Portsmouth City Council have told Officers in Planning that they consider it to be 'essential.'
- 11.5 It is unfortunate that the higher values placed on residential use drives many commercial decisions; a recent attempted sale of an existing nursery in Southsea found no bidders and the property was sold for residential use.
- 11.6 Does the nomination further the social well-being or social interests of the local community? It performs a valuable role as a community nursery. Is the nominated building a recreational and sporting facility? No. Is it essential to the special character of the local area? Yes, if the facility were removed then it would affect the character of the area, as is described above (at paragraph 9.4).
- 11.7 There are competing views over the benefits of attending nurseries for children; however it does seem that cognitive abilities and interaction skills are improved by meeting and playing with other children. Parents also get a chance to interact with each other, and moreover as a facility in which parents and guardians may safely place their children performs an essential and crucial well-being role.
- 11.8 Should this particular nursery become an Asset of Community Value? There are many others in the city; however Milton has limited nursery accommodation and is one of the areas causing concern because of limited nursery accommodation.
- 11.9 Milton is also the location for a large amount of new housing, with a focus on family homes. Given this fact and the shortage of nursery spaces if it closed there would be a need to find an alternative provision that does not exist, and as stated earlier there is considerable difficulty in providing replacement

facilities. It may even be impossible according to the Children's Services and Education branch of Portsmouth City Council. The DCLG document quoted in Paragraph 7.3 stated **the past decade has seen many communities lose local amenities and buildings that are of great importance to them.**

11.10 The earlier statement from Locality in Paragraph 7.4 is worth repeating in part here: closure or sale of buildings and amenities can create lasting damage in communities **and threaten the provision of services.** The loss of this facility would threaten these services at a time when Councils are under considerable pressure from Government to actually increase provision of nursery places.

11.11 The Right to Bid therefore offers greater opportunities for communities to keep such buildings in public use and ensure they remain a social hub for the community. It can also be said that this nursery helps contribute to the development of vibrant and active communities.

12 Legal comments

12.1 Legal comments are incorporated into the body of this report.

The recommendation(s) set out above were approved/approved as amended/
deferred/ rejected by

Signed by:

Assistant Director of Culture and City Development

Appendix A - Policy for defining social interests / wellbeing

When assessing nominations for inclusion on the Register of Assets of Community Value the City Council will have regard to the following criteria:-

1. The extent to which the approval of the nominated site would enhance the social interests and social wellbeing of the local community because in its absence the local community would be deprived of land or a building that is essential to the special character of the local area, and provides:
 - i. a place to meet and socialise, or
 - ii. a place to shop, or
 - iii. a recreational, sporting or cultural facility.
2. The definition of the extent of the local community will depend on the nature of the use and each case will be considered on its merits, with particular reference to the character and heritage of the local area, its community cohesion and its sense of belonging.
3. The City Council will have regard to the realistic prospect of the continued or resumed use of the asset within the next five years, and in particular and where it is a matter relevant to that use, the commercial viability of the proposal (including the ability to raise funds) and the sustainability of that use.

Appendix B - the Nomination

List of Assets of Community Value Nomination Form

It is a legal requirement that nominations include a range of information in order for applications to be considered. This application form seeks to assist applicants in providing that information. Applicants are referred to the city council's guidance note at: www.portsmouth.gov.uk/living/planning

Please note: this form is intended to be filled out online. If filled out in hard copy, enlarge the text boxes before printing or attach additional sheets.

1A. Details of the voluntary or community body¹	
Organisation name: Wind in the Willows Portsmouth	Organisation address: West Lodge, Locksway Road, Milton, Portsmouth, Hants PO4 8JW
Lead contact person name:	Contact email address:
Contact person telephone number:	Contact person address:
Date of formation of organisation: 10/07/2014	Place of formation of organisation: Portsmouth
Please tick a box below to confirm the type of voluntary or community body ² you are:	
<input type="checkbox"/> A body designated as a neighbourhood planning forum	
<input type="checkbox"/> A parish council	
<input checked="" type="checkbox"/> An unincorporated body whose members include at least 21 individuals, and which does not distribute any surplus it makes to its members	
<input type="checkbox"/> A charity	
<input type="checkbox"/> A company limited by guarantee which does not distribute any surplus it makes to its members	
<input type="checkbox"/> An industrial and provident society which does not distribute any surplus it makes to its members	
<input type="checkbox"/> A community interest company	

¹ A voluntary or community body may make a nomination of land for inclusion in the City Council's list of assets of community value (Section 89 (2) (b) (iii) Localism Act 2011).

² A voluntary or community body is defined by Regulation 5 of the Assets of Community Value (England) Regulations 2012

1B. Further details

Please provide a full description of the applicant body, setting out name, address, lists of members (where an unincorporated body), confirmation that (where an unincorporated body, company or industrial provident society) the body does not distribute any surpluses:

Wind in the Willows is a nursery providing full day care and education to children aged 3 months – 5 years based at West Lodge, Locksway Road, Milton, Portsmouth, Hants PO4 8JW.

Wind in the Willows does not distribute any surpluses.

1C. Local connection³

Please explain how your organisation meets the requirements for “local connection”. For the definition of a “local connection” please see paragraph 5.5 of the city council’s guidance:

Wind in the Willows provides to families within the Milton area and beyond. We currently have families primarily from PO4 but also PO3, PO1, PO2, PO6 and PO11 postcode areas.

The Wind in the Willows Community Preservation Society is supported by many members of the local community with 21 signatories.

2. Description of property/land nominated

(a) A description of the property, the proposed boundaries and its current use. Please attach a site plan:

Site plan attached.

West Lodge is a lovely, listed building set on the edge of the grounds of St James’ Hospital; the building is situated on the corner of Locksway Road and Solent Drive. The building has only one floor and various rooms which are used by the tenants to provide care and learning opportunities to children aged 3 months to 5 years. The garden is very large and well maintained with grass areas, patio areas and wooded areas; in addition to this there are raised flower beds where the children can plant various plants, fruits and vegetables and a large double gate for easy and safe access when required.

(b) The name(s) of the current occupants/users of the property (if known):

Owners: Portsmouth Primary Care Trust, St James’ Hospital, Locksway Road, Portsmouth, PO4 8LD

Tenants:

³ A voluntary or community body making an application for nomination of land as an asset of community value must have a ‘local connection’ as defined in Regulation 4 Assets of Community Value (England) Regulations 2012

(c) The name(s) and current or last known addresses of all owners, i.e. those holding a freehold or leasehold in the property (if known):

3. Statement of reasons

Please provide a statement of your reasons as to why the city council should conclude that the property is an asset of community value, providing as much information as you can to support your application.

For more information on this section please paragraphs 6.1, 6.2 and 6.3 of the City Council's guidance.

(a) Please state your reasons as to why the current use of the property, or its use in the recent past, furthers the social wellbeing or social interests of the local community (social interests means cultural, recreational or sporting interests):

Wind in the Willows furthers the social wellbeing in many ways. First and foremost, we are providing a service for which there is much need within our community; we provide childcare and education to children aged 3 months to five years from 7.15am – 6pm for 51 weeks per year; unlike many preschools, we are not term-time only. We accept government funding for 2, 3 and 4 year olds including the new 30-hour funding.

We had our most recent Ofsted inspection on 19th June 2017 and were graded as “Outstanding” reflecting the amazing care and education which we offer.

Our amazing facilities and location at West Lodge support us in being able to provide these wonderful opportunities in all areas of the curriculum.

We are currently full with a waiting list in place and expect demand to increase with the new housing which has been built in the area, with more proposed nearby.

Our location allows us to create excellent links with the local schools and prepare our children as they make the transition to Primary School – we are very close by to Meon, Moorings Way, Milton Park, Wimborne and Cumberland Infants. We work closely with these schools throughout the year and in particular in the Summer Term by visiting the school and inviting teachers to come along and visit us in order to support children with the upcoming change. We also offer childcare to those children who start school on a part-time basis whose parents may still require full time care due to work commitments.

Our unique outside space allows us to provide unique learning opportunities and teach children to embrace and respect nature and the environment. In addition to this, we teach children about gardening and grow our own fruit and veg which can be used in our hot dinners or as delicious, healthy snacks. This along with the physical activities the space allows us to provide helps us to teach children to lead healthy lifestyles which helps to tackle the growing issues of childhood obesity and dental problems.

Wind in the Willows is an inclusive and welcoming setting. We have had families who are refugees, asylum seekers and families from the women’s refuge which is situated close by. In addition to this, we welcome children with additional needs and have cared for children with learning needs and physical impairments.

We participate in local community events such as Picnic on the Green and also hold our own events which are open to all such as our Autumn and Summer Fayre. In addition to this, we have sponsored three flower beds in the St James Field Playing Area.

We work in partnership with our local church, St James Church, where we held our nativity service. We work with Father Paul who comes into the setting to talk with the children and visit the church with the children for events such as Harvest Festival.

We support many charities, including local, national and international charities and our twinned with The Mansa-Colley Bojang School in The Gambia, with which we work closely to teach the children about the world.

We take our children to visit the elderly residents of Shearwater Care Home on Moorings Way on a regular basis as wonderful of bringing the generations together; this is a valuable and enjoyed experience for the children, residents and staff.

Wind in the Willows currently has 17 employees and as well as creating jobs for local people, we also support future practitioners by offering placements to volunteers and students from the local community and abroad. We work closely with local colleges and training providers to develop our staff and support trainees from other settings who require experience with an age group which they do not have in their own setting. We also work in partnership with other settings by visiting to share ideas to develop our staff's practice and bring new experiences into the setting – an example of this is how we work closely with another setting who, like Wind in the Willows, care for a child with visual impairment.

At weekends, we offer the hire of our facilities as a venue for small parties and have been used so far for a variety of events, children's birthday parties in particular. We offer our facilities at an affordable rate.

Wind in the Willows supports local businesses. The business and its employees use the local shops (such as to purchase lunch/tea) and cafes and restaurants including The Larder, Panini Junction, the chip shop on Locksway Road, Cakes by Frances, Londis and the newsagents on Locksway Road. We buy our meat from Bransbury Park Butchers and fruit and vegetables from the grocers on Milton Road. We use a local, independent trader to supply our uniforms and a local business (Vintage Pig) to supply our signage. We also use local amenities such as buses, parks, libraries, children's centres and baby and toddler groups such as Music Mad. We work with our local Tesco who have provided us with learning opportunities such as the "Farm to Fork Trail" in which children learn about where their food comes from.

We hold a "Careers Week" in our setting so that the children can learn all about different jobs and we contact local people to ask if they would like to come in and speak to the children about their job – this year we have a local Lollipop Man and Dog Groomer among others.

The opportunity to purchase the property would allow us to look at expanding and offering care to more local families. We would also be able to look into the possibility of using the premises to provide training to other local settings and practitioners, ran by our experienced staff and led by DELETED, who currently has a BA Honours Degree in Education and is looking to further this with a Masters Degree.

(b) Nominees must demonstrate that the continued (or the resumption of the) social wellbeing use, or social interests use (either current, or in the recent past), is realistic. Accordingly, where it is appropriate to the viability of that use, applicants must include a business plan projecting market demand, any necessary investment and expenditure (where appropriate), together with any information which would be a prerequisite for the use of the asset to be maintained or resumed. Although proof of purchase-funding of the asset is not necessarily required at this stage, nominees should outline how such a purchase may be financed:

Wind in the Willows is currently full to capacity with a waiting list in place showing that there is a huge demand for our service. Furthermore, the new housing which has been proposed in the local area will only increase this demand and maintain the use of our service.

Wind in the Willows is able to provide evidence of funding the purchase of the building.

4. Checklist

Please make sure you attach all of the following;

- a copy of your organisation's constitution if it has one
- if your organisation is unincorporated, the names and addresses of 21 members who are registered to vote in the electoral area of Portsmouth
- a site plan showing the property and its boundaries
- a statement of reasons, including a business plan

5. Declaration

I confirm that this application form has been fully completed and that the information is, to the best of my knowledge, accurate to enable the Council to consider the nomination in accordance with the provisions contained in the Localism Act 2011 and the Assets of Community Value (England) Regulations 2012.

Signed

Print Name

Date

Appendix C - the NHS response in full

Dear Sirs

Re: The Wind in the Willows Nursery, West Lodge, at Locksway Road, Milton, Asset of Community Value Nomination

We act on behalf of NHS Property Services in this matter, and we write further to prior correspondence below.

We write to acknowledge receipt of the nomination form, and to confirm that NHS Property Services does not intend to comment at this stage, prior to the Council's decision on whether or not to list the nominated land.

However we reserve the right to challenge the inclusion of the land on the ACV list, if the Council decides to list the asset.

We would be grateful if you could inform us of the Council's decision, and please do not hesitate to contact us if you have any queries.

Regards,

Matthew Tucker | Solicitor
for **Bevan Brittan LLP** | Lawyers for the public, private and third sectors