

**EXECUTIVE DECISION RECORD**

**REF No 375.21**

<b>A1</b> Service Area	Open Spaces
<b>A2</b> Title	Renewal of allotment lease
<b>A3</b> Decision Taken By	Cabinet/ Leader/ Deputy Leader/ Chief Officer <i>(please delete as appropriate)</i>
<b>A4</b> Chief Officer	Please print name: Mark Rizk  Please sign name: <a href="#">Approval by email 011221</a>
<b>A5</b> Leader / Deputy Leader	Please print name: Cllr Bev Ashcroft  Please sign name: <a href="#">Approval by email 301121</a>
<b>A6</b> Date of Decision	2 <sup>nd</sup> December 2021

**Confidentiality**

<b>A7</b> Is this Decision confidential by containing exempt information as described in Schedule 12A of the Local Government Act 1972?	<b>No</b> <i>(please delete as appropriate)</i>
<b>A7.1</b> If yes, please state relevant paragraph from Schedule 12A LGA 1972.	n/a

**Scrutiny**

**A8** Which Scrutiny Committee should this decision be submitted to? *(Please tick as appropriate)* ✓

Scrutiny (Audit & Value for Money Council Services) Committee

Scrutiny (Community Regeneration, Environment and Health and Well Being)

Committee ✓

<b>B1</b> What is the Decision?	Renewal of allotment lease for Rolleston Allotments
<b>B2</b> What are the reasons for the Decision?	The existing lease at Rolleston Allotments expired on September 18 <sup>th</sup> 2021, this EDR seeks to renew that lease for the next two years until September 30 <sup>th</sup> 2023
<b>B3</b> What are the contributions to Corporate Priorities?	
<b>B4</b> What are the Human Rights considerations?	There are no Human Rights issues arising from this decision

### Financial Implications

<b>B5</b> What are the financial implications?	There are no financial issues arising from this decision
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The finance section has been approved by the following member of the Financial Management Unit:	Please print name: Anya Murray  Please sign name: <a href="#">Approval by email 261121</a>
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### Policy Framework

<b>B6</b> Is the Decision wholly in accordance with the Council's policy framework?	Yes
<b>B6.1</b> If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	n/a
<b>B6.2</b> Has it got the appropriate approvals under those provisions?	Yes
<b>B7</b> Is the Decision wholly in accordance with the Council's budget?	Yes
<b>B7.1</b> If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	n/a
<b>B7.2</b> Has it got the appropriate approvals under those provisions?	n/a

## Equalities Implications

**B8** What are the Equalities implications: n/a

**B8.3** The subject of this decision is not a policy, strategy, function or service that is new or being revised. An equality impact assessment is not required/attached as Appendix.

## Risk Assessment

**B9** What are the Risk Assessment implications: n/a

**B9.3** The risks do not need to be entered in the Risk Register. Any financial implications to mitigate against these risks are considered above.

## Legal Considerations

**B10** What are the Legal Considerations:

**B10.1** The main legal issues arising from this decision are as follows:

The Council owns the land occupied by the Allotment Association which is an established allotment site. The land abuts the Rolleston on Dove Cemetery.

The allotment association's current five year lease has expired and it is proposed to grant them a tenancy for a further 2 year period.

The lease has a clause whereby if the Council requires the land back for cemetery use then the Council must give the Association 12 months' notice. Otherwise 12 months' notice may be given by either party expiring on or before 6<sup>th</sup> April or 29<sup>th</sup> September of each year.

This section has been approved by the following member of the Legal Team

Please print name: Caroline Elwood

Please sign name: [Approval by email 021221](#)

### **Sustainability Implications**

**B11** What are the Sustainability implications: n/a

### **Health & Safety Implications**

**B12** What are the Health & Safety implications: n/a

## Key Decision

**B13** Is this a Key Decision? No (*please delete as appropriate*)

**Note: A Key Executive Decision is one where:**

- 1. REVENUE – Any contract or proposal with an annual payment or saving of more than £100,000**
- 2. CAPITAL – Any capital project with a value in excess of £150,000**
- 3. A decision which significantly affects communities living or working in an area comprising two or more wards.**

<b>B13.1 If this is a Key Decision, is this an urgent decision such that a delay caused by use of the Call-in Procedure would <u>seriously</u> prejudice the public interest?</b>	No
<b>B13.2 If yes, has the Mayor or in his/her absence the Deputy Mayor or in his/her absence the Chair of the relevant Scrutiny Committee agreed that the decision will be exempt from Call-in?</b>	n/a

**NOTE: If this decision is subject to the Call-in Procedure it will come into force, and may then be implemented, on the expiry of 3 working days after publication – unless 10 Members of the Council call in the decision.**

Please send the original signed document to [andrea.davies@eaststaffsbc.gov.uk](mailto:andrea.davies@eaststaffsbc.gov.uk)