

Ref:

667/16

## Executive Decision Record

Please leave blank for completion by DS officers

### A1 Service Area:

Legal

### A2 Title

Community Right to Bid, the Wyggeston, 123 Calais Road, Horninglow, Burton upon Trent

### A3 Decision Taken By

Leader

### A4 Chief Officer

*Please print name* Andy O'Brien

*Please sign*

### A5 Leader

*Please print name*

*Please sign*

### A6 Date of Decision

29/4/2016

### A7 Is this Decision confidential by containing exempt information as described in Schedule 12A of the Local Government Act 1972?

~~Yes~~/No (please delete as appropriate)

#### A7.1 If yes, please state relevant paragraph from Schedule 12A LGA 1972.

Paragraph [ ]

### A8 Which Scrutiny Committee should this decision be submitted to?

(please tick as appropriate)

Scrutiny (Promoting Local Economic Growth) Committee

Scrutiny (Value for Money Council Services) Committee

Scrutiny (Protecting and Strengthening Communities) Committee

**B1 What is the Decision?**

To approve the listing of the Wygggeston, 123 Calais Road, Horninglow, Burton upon Trent as an asset of community value under Part 5 Chapter3 of the Localism Act 2011

**B2 What are the reasons for the Decision?**

The nomination form submitted to the Council has been properly completed and the documentation included with the nomination form provides evidence of the community value of the property. The requirements for listing set out in Part 5 Chapter 3 of the Localism Act 2011 have therefore been met.

**B3 What are the contributions to Corporate Priorities?**

Protecting and strengthening communities

**B4 What are the Human Rights considerations?**

There are no Human Rights issues arising from this decision that are not provided for by the framework of the Localism Act 2011.

**B5 What are the financial implications?**

The main financial issues arising from this decision are as follows:

Revenue	2015/16	2016/17	2017/18
		£40.00	

Capital	2015/16	2016/17	2017/18

**B6 Is the Decision wholly in accordance with the Council’s policy framework?**

Yes (please delete as appropriate)

**B6.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?**

No (please delete as appropriate)

AND

**B6.2 Has it got the appropriate approvals under those provisions?**

N/A

**B7 Is the Decision wholly in accordance with the Council’s budget?**

Yes (please delete as appropriate)

**B7.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?**

No (please delete as appropriate)

AND

**B7.2 Has it got the appropriate approvals under those provisions?**

N/A

**B8 What are the Equalities implications?**

**B8.1** 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.

**B8.2** N/A

**B9 What are the Risk Assessment implications?**

**B9.1** Positive (Opportunities/Benefits):

The property in question will be identified as a property deemed to have community value.

**B9.2** Negative (Threats):

The owner of the property may dispute the nomination and ask for a listing review. To mitigate the risk, the Council will give the property owner the opportunity to make representations before a restriction is registered on the title.

**B9.3** Any financial implications to mitigate against these risks are considered above.

**B10 What are the Legal Considerations?**

**B10.1** There are no significant legal issues arising from this decision.

**B11 What are the Sustainability implications?**

**B11.1** The proposal would not result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures).

**B11.2** Positive (Opportunities/Benefits):

N/A

**B11.3** Negative (Threats):

N/A

**B12 What are the Health & Safety implications?**

**B12.1** A Risk Assessment has not been carried out and entered into Harriet for all significant hazards and risks because there are no significant hazards or risks arising from this decision.

**B12.2** N/A

**B12.3** N/A

The questions contained in this questionnaire are not to be altered in any way. If you have any queries regarding the contents of this document, please contact Andrea Davies Ext 1306 or refer to Part 3 Section 6 of the Constitution.

**B12.3.1 Positive (Benefits)**

N/A

**B12.3.2 Negative (Threats)**

N/A

**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.**

**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 seriously prejudice the public interest?**

N/A

**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?**

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, Democratic Services.**