

Ref:

687/16

Please leave blank for completion by DS officers

Executive Decision Record

A1 Service Area:

Open Spaces

A2 Title

Land sale at Tintagel Close (no. 7 and 9)

A3 Decision Taken By

Deputy Leader/ Chief Officer

A4 Chief Officer

Mark P...

A5 Leader/Deputy Leader

Cllr Coli...

A6 Date of Decision

29/6/16

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

No

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

n/a

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

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.

B1 What is the Decision?

Land sale of two parcels of land to no.7 (42 sq m) and no.9 (73 sq m) Tintagel Close (see attachment for details).

B2 What are the reasons for the Decision?

Resident request to purchase land to extend gardens

B3 What are the contributions to Corporate Priorities?

Value for money services

B4 What are the Human Rights considerations?

There are no Human Rights issues arising from this decision.

B5 What are the financial implications?

The main financial issues arising from this decision are as follows

Revenue	2016/17	2017/18	2018/19
Income from land sale	£2,500		

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

Yes

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

n/a

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

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

n/a

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.

B9 What are the Risk Assessment implications?

B9.1 Positive (Opportunities/Benefits):

- Income from land sale
- Reduced need to maintain open space
- Provides greater security at the rear of these properties

B9.2 Negative (Threats):

- Small reduction in the size of open space
- Other residents may submit requests to purchase similar open space

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.

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).

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.

B13. Is this a Key Decision?

No

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.

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LAND SALE ASSESSMENT FORM**Applicant:** 7 & 9 Tintagel Close**Date submitted:** 22/1/16**Contact details:** n/a**Location:** Stretton**Size of land requested:** 42 sq m and 73 sq m**Ward and Councillor/s:** Cllr Millner, Cllr Killoran, Cllr Carlton**Map or Street view image included:** Yes**Evaluation criteria**

- Is the site one of Special Biological Importance: **No**
- Is the site part of a Green Flag awarded park/open space: **No**
- What play value is attached to the land: **Low/Medium/High**
- Is the site accessible: **No**
- Would the proposed land sale negatively impact upon the whole open space: **No**
- Would planning permission be required if the sale was to proceed: **Yes**

Additional information and comments:

The land sale at Tintagel Close has been through the process of obtaining planning permission and this was granted on April 26th (P201600240 and P201600152). During this process a number of objections had been raised each of which have been answered in the accompanying planning report. Full copies of the report can be found on eaststaffsbc.gov.uk.

Objections raised in relation to the land sale as an open space are as follows.

- The proposed extension of the properties makes the area impassable: The requested area does not have access and is fenced off. Access is only possible through the removal of a fence panel
- Reduction of the habitat: Part of the habitat would be reduced as part of the land sale and subsequent extension. However, as set out above, the land is not of special biological importance or part of a green flag site. Furthermore, part of the income from the land sale could be used to purchase trees in an alternative location.

Public consultation, which ended on June 27th 2016, on the potential land sale gathered no additional comments or objections. Therefore, it is recommended that the land sale progress at the agreed price.

Accepted for land sale: Yes**Date referred to asset management:****Officer name:****Signed:**

9 Tintagel Close
Stretton
Burton-on-Trent
DE13 0GR



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7 Tintagel Close
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