

EXECUTIVE DECISION RECORD

A1 Service Area	Legal & Assets
A2 Title	Community Right to Bid, Barley Mow, Stapenhill
A3 Decision Taken By	Leader
A4 Chief Officer	Please print name: Andy O'Brien Please sign name: 
A5 Leader	Please print name: Richard Grosvenor Please sign name: 
A6 Date of Decision	22nd September 2016.

Confidentiality

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.	Paragraph []

Scrutiny

A8 Which Scrutiny Committee should this decision be submitted to?	(Please tick as appropriate) ✓	
Scrutiny (Promoting Local Economic Growth) Committee	<input type="checkbox"/>	
Scrutiny (Value for Money Council Services) Committee	<input type="checkbox"/>	
Scrutiny (Protecting and Strengthening Communities) Committee	<input checked="" type="checkbox"/>	
Scrutiny (East Staffordshire Health) Committee	<input type="checkbox"/>	

B1 What is the Decision?	To approve the listing of The Barley Mow, Stapenhill as an asset of community value under Part 5 Chapter 3 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.

Financial Implications

B5 What are the financial implications?	The main financial issues arising from this decision are as follows:
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Revenue	2016/17	2017/18	2018/19
	£40.00 Land Reg fee		

Capital	2016/17	2017/18	2018/19

The finance section has been approved by the following member of the Financial Management Unit:	
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Policy Framework

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)?	NA
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

B7.2 Has it got the appropriate approvals under those provisions?	N/A
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Equalities Implications

B8 What are the Equalities implications:
B8.1 Positive (Opportunities/Benefits):
B8.2 Negative (Threats):
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.
B8.4 N/A

Risk Assessment

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 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 There are no significant legal issues arising from this decision.	
This section has been approved by the following member of the Legal Team:	Angela Wakefield

Sustainability Implications

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):
B11.3 Negative (Threats):

Health & Safety Implications

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
B12.3.1 Positive (Benefits) N/A
B12.3.2 Negative (Threats) N/A

Key Decision

B13 Is this a Key Decision?	No (<i>please delete as appropriate</i>)
<p>Note: A Key Executive Decision is one where:</p> <ol style="list-style-type: none"> 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?	NA
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?	NA

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