

DECISION NOTICE



For office use :
Notice and report e-
mailed to EMT,
Democratic
Services, Comms
Team and Report
Author, on 29
November 2016

NOTICE OF DECISION MADE BY PORTFOLIO HOLDER DECISION: LAWTON 3.16

(To be made available at the main offices of the Council and sent to all members of the Council within 3 working days of the decision.)

The Council's Constitution (Standing Order 28 – Recording of Executive Decisions; Part 3 Section D4 – Delegations to Cabinet members; and Part 4D Access to Information Procedure Rules) requires that when any decision is made by an individual Portfolio Holder a record of the decision, including a statement of the reasons for it and any alternative options considered and rejected, must be prepared and published normally **within 3 working days**.

In accordance with this requirement notice is hereby given that Councillor C J Lawton, being the Portfolio Holder for Housing and Health, made the decision detailed below on Friday 25 November 2016. This decision is not a key decision.

This notice is published on Tuesday 29 November 2016.

In accordance with the terms of the Constitution (Part 3 Section D – Overview and Scrutiny (including Call-In Procedures)), the decision detailed below will come into force, and may then be implemented, on Wednesday 7 December 2016 (i.e. following the expiry of 5 working days following the date of publication of this notice) unless during that period a notice, where either a Ward Representative (in relation to a matter in their ward) or two members of the Performance Monitoring Panel or any three members formally request in writing (requests for Call-In must be given on a form designed for that purpose, and must be signed by each subscriber to the call-in) to the Senior Legal Officer (or such other officer as is nominated by the Senior Legal Officer) before the end of the five clear Working Day period specified above, in relation to a particular decision by the Leader, a Cabinet Member or Cabinet, a Sub-Committee of Cabinet or an officer, then that decision shall be referred to the Performance Monitoring Panel. Such request must contain a justifiable reason for the reference and one or more of the signatories to the reference must forward to the Senior Legal Officer at least five clear Working Days before the date of the Committee which is to consider the matter a brief explanation or statement as to the

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concerns of the signatories in the matter, and what alternative decision(s) that member/those members consider should be taken. (The call-in period expires at 5pm on the 5th working day following publication of this notice, or 4.30pm if the 5th working day is a Friday.)

Matter to which decision relates

Land adjacent to 44 Fishpond Lane, Holbeach – To consider a request to sell an area of Council owned land (report of the Executive Director, Place enclosed).

DECISION (IF URGENT PROVIDE REASONS)

- 1) That delegated authority be granted to the Interim Landlord Services Manager to agree the sale of land as described in this report for the sum of £17,500 (ex VAT) and subject to an overage clause;
- 2) That notice of the intended sale be advertised as required by legislation and that the Interim Landlord Services Manager give due consideration to any consultation responses before exercising the delegated authority in (1) above;
- 3) That subject to (1) and (2) above, the purchaser reimburse the Council's legal and valuation fees whether or not the matter proceeds to completion; and
- 4) That delegated authority be granted to the Interim Landlord Services Manager to deal with any issues which may arise, following consultation with the Portfolio Holder for Housing

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

To do nothing – This option would mean that the applicant's intention to construct a new dwelling would be more difficult to construct, because the new dwelling would sit almost on the boundary of the property shared with the Council's land. In addition, this option would also prevent a receipt being generated to the Council for £17,500.

REASON OR REASONS FOR THE DECISION

To generate a receipt to the Council of £17,500, and alternative use for the site not viable.

Conflicts of interest declared by an executive member, relating to the decision, and any dispensations granted

None

REPORT

- 1 Lawton 3.16 - Land adjacent to 44 Fishpond Lane, Holbeach - To consider a request to sell an area of Council owned land (report of the Executive Director Place enclosed) (Pages 1 - 4)