

# DECISION NOTICE



**For office use :**  
Notice and report e-  
mailed to EMT,  
Democratic  
Services, Comms  
Team and Report  
Author, on 28  
December 2016

## **NOTICE OF DECISION MADE BY PORTFOLIO HOLDER DECISION: TAYLOR 3:16**

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(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 4 D 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 G J Taylor , being the Portfolio Holder for Communities and Facilities, made the decision detailed below on Thursday 22 December 2016. This decision is not a key decision.

**This notice is published on Wednesday 28 December 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 Friday 6 January 2017 (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 concerns of the signatories

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e-mail: [cmorgan@sholland.gov.uk](mailto:cmorgan@sholland.gov.uk)

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 5<sup>th</sup> working day following publication of this notice, or 4.30pm if the 5<sup>th</sup> working day is a Friday.)

**Matter to which decision relates**

Land at Drain Bank North, Spalding – To consider renewing an option to purchase further land at Drain Bank North, Spalding (report of the Executive Director Place enclosed).

(The report of the Executive Director Place is not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 in that it contains information which relates to the financial or business affairs of any particular person (including the authority holding that information)).

***DECISION (IF URGENT PROVIDE REASONS)***

- 1) That delegated authority be given to the Environmental Services and Asset Manager to renew the option agreement in respect of the Hatched Land for a further period of 3 years.
- 2) That delegated authority be given to the Environmental Services and Asset Manager to determine any matters arising from (1) above, following discussion with the Portfolio Holder for Communities and Facilities.

***ALTERNATIVE OPTIONS CONSIDERED AND REJECTED***

Option 1 – Do nothing. The current option agreement expired on 15 November 2016. As the Council did nothing then it lost its right to call for the transfer of the Hatched Land. A further option would need to be negotiated.

Option 3 – Buy the land outside of the option agreement. The Council could, of course, negotiate a purchase of the Hatched Land without extending the option agreement. As with the land mentioned in paragraph 2.1, the council could use the land for additional site provision (subject to the granting of planning permission) or for screening of the existing site.

***REASON OR REASONS FOR THE DECISION***

To allow time for the Council to explore the possibility of obtaining planning permission for expansion of the authorised site; and

The allow the Council to purchase the Hatched Land at a specified price subject to the granting of planning permission.

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

None

## **REPORT**

- 1 Land at Drain Bank North, Spalding - To consider renewing an option to purchase further land at Drain Bank North, Spalding (report of the Executive Director Place enclosed). (Pages 1 - 8)