

RECORD OF EXECUTIVE DECISIONS BY CABINET MEMBERS

Cabinet Member for Economic Growth	Date of Decision 11.10.2022
Title Reference: Regularisation of Covenant and Transfer area - Land to Rear of 10&12 Station Rd, BarrowHill	
Key Decision: No	Delegation Reference: G260L
Report and Background papers	Exempt
Record of Decision: *RESOLVED – <ol style="list-style-type: none">1. That the sale of land erroneously enclosed within an adjoining owner’s property together with the repurchase of land registered to the adjoining owner on the previous sale which has not been enclosed be approved. 2. That the proposed transaction authorises the modification of a covenant on the land (benefiting the Borough Council) to permit the erection of a storage shed at an agreed price / premium set out in this report. 3. That, as a requirement of the proposed transaction, authorisation be granted to vary the licence plan for the Borough Council’s adjoining playing field land, which is let out to Derbyshire County Council. This will simply involve reissuing the existing licence agreement with a revised plan to correspond with the enclosed (fenced) boundaries of the adjoining owner’s land. 4. That the Property Procurement and Contracts Law Manager be granted delegated authority to agree any late amendments to the transaction.	
Reasons for Decision: <ol style="list-style-type: none">1. To remedy a long running dispute over the boundary position and proposed use of the adjoining owner’s land.2. To legitimise the proposed use of the adjoining owner’s land in accordance with their submitted planning application to erect a storage building on it.3. The proposed transaction will realise a capital receipt together with payment of the Council’s professional fees. The receipt will be credited to the General Fund Account.	
Alternative options considered and rejected (if any)	

Notes:

The implementation of the above decision is suspended until the call-in period has expired without a call-in being validly invoked. Any Member of the Council shall be entitled to call for a decision to be suspended by giving notice to the Monitoring Officer *either by telephone, fax, email or in writing* not later than 5.00 pm on the day following the date of the decision.

Any decision so suspended shall not be capable of implementation for a period of five calendar days from the date of the meeting which will expire on 16 October, 2022.

(DURING THE CALL-IN PERIOD A REQUEST MAY BE MADE IN RESPECT OF ANY DECISION SO SUSPENDED BY NOT LESS THAN ONE QUARTER OF THE TOTAL MEMBERSHIP OF THE OVERVIEW AND PERFORMANCE SCRUTINY COMMITTEE. TO DO THIS YOU WILL NEED TO NOTIFY THE MONITORING OFFICER IN WRITING, BY FAX OR BY EMAIL BY 5.00 PM ON 16 OCTOBER, 2022 BEING FIVE DAYS FOLLOWING THE DATE OF THE DECISION.

Signed

Date: 11 October, 2022