

PORTFOLIO HOLDER DECISIONS



Please refer to Guidance Notes overleaf

Forward Plan Ref. No.	2017 280 August The Mead, Holcombe	Date of decision 17/08/2017	
Name of Portfolio Holder	Cllr J.Parham		
Name of Officer	Ian Munday		
Details of Decision	In relation to a property in The Mead, Holcombe, that the Council consents to: <ol style="list-style-type: none"> 1. lift the relevant restrictive covenant 2. charge a premium for the lifting of the restrictive covenant as per the District Valuers recommendation. 		
Details of consultation carried out: Tick			
	Chief Executive/ Deputy Chief Executive	Name:	Date:
X	Legal	Name: Annette Morgan	Date:2/08/2017
	Finance	Name:	Date:
X	Group Manager	Name:Sara Skirton	Date:8/08/2017
X	Portfolio Holder	Name:Cllrs Killen and Parham	Date:16/08/2017
	Ward Member (mark NA if necessary)	Name:	Date:
Reasons for Decision	To lift the relevant restrictive covenant to permit the owners of the property in The Mead, Holcombe to deliver their approved proposals and complete the sale of the property.		
Any alternative options considered and rejected	To reject the lifting of the restrictive covenant which on this occasion could be considered unreasonable.		
Financial and personnel implications	The Council will charge a premium as per the District Valuer's recommendation.		
Any relevant personal Interest under the Code of Conduct	Please specify		
Reports and Background papers relevant to the decision	None		
Date e-mailed to Members incl Scrutiny Board Chair	Thursday, 17 August 2017		
Date of Publication of Notice	Thursday, 17 August 2017		
Date Decision comes into force (*see below)	Friday, 25 August 2017		
<p>* Please Note: The decision detailed above will come into force, and may be implemented, 5 clear working days after Publication unless subject to call-in by the Scrutiny Board.</p>			

PORTFOLIO HOLDER DECISIONS



Signature of Portfolio Holder
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Please complete and return to Democratic Services

Guidance for Officers

1. The Council's Constitution sets out some quite specific procedures to be followed when decisions are made by individual members of the Cabinet. These are based on statutory requirements and are intended to ensure that:
 - (a) such decisions are made available to the public in the same way as decisions made by the Cabinet as a whole; and
 - (b) Scrutiny Board has an opportunity to consider whether to call-in such decisions for review before they become effective.

2. The information required overleaf should be completed in relation to each decision made by a portfolio-holder. Any relevant reports and background papers should be attached as these must be available for public inspection.
Please note that, to comply with the Constitution, the form needs to confirm that various parties have been consulted and to give details of any relevant personal interest of the portfolio-holder.

3. The form and attachments should then be forwarded to Democratic Services within 2 days of the decision being made. They will add the date of publication and the date on which the decision will come into force if not called-in, and make the necessary publication arrangements. These will include:
 - publishing the decision on the Council's web-site
 - storing a copy of the form centrally on SharePoint
 - e-mailing a copy of the form to all members, including the chair of Scrutiny Board.

Other methods of publicising the decision may also be used from time to time.

4. Democratic Services will return a copy of the form to the officer submitting it giving the date of publication and the date that the decision can be implemented.
Please note: It is important to be aware that the decision cannot be implemented until it comes into force – under the current constitutional arrangements this will be 5 working days after publication, provided the decision is not called-in.

5. Decisions should only be called in under exceptional circumstances. If this happens, the procedures in paragraph 14 of the Overview and Scrutiny Rules in Part 8 of the Constitution will be followed, and the decision cannot be implemented until these procedures have been gone through as appropriate.

6. Any queries on this procedure should be addressed to Democratic Services or Donna Nolan (ext. 210).