

ASHFIELD DISTRICT COUNCIL: OFFICER DECISION RECORD

Please use this form to record those executive decisions which are taken by officers and are **not** designated as 'Key Decisions' – or in other words those decisions which are **not** included in the Forward Plan. There is a separate form for recording Key Decisions.

You should also use this form to record decisions about those functions which are reserved to the Council or to its committees. The Constitution explains what these reserved functions are and who is responsible for them.

<p>Title / Subject Matter:</p> <p>1.</p> <p>Kirkby Leisure Centre – Disposal of land to enable s278 Works to Lindleys Lane</p> <p>To approve the disposal of land to Nottinghamshire County Council regarding a small section of de minimus land at the rear of the highway as per the attached plans.</p>
<p>Decision Reference No:</p> <p>2.</p> <p>ODR/CD/005 (RBT-COP-CB-ODR364)</p>
<p>Decision Taken:</p> <p>3.</p> <p>To dispose of the highlighted de minimis land at the rear of the footpath on Lindleys Lane to Nottinghamshire County Council to enable the completion of the necessary s278 works as per Planning Application V/2020/0201.</p>
<p>Reasons for the Decision:</p> <p>4.</p> <p>The planning approval for the leisure centre included a number of specific requirements from the County Council as the Highways Authority. These included the creation of a new bell mouth to the staff car park located off Lindleys Lane, improvements to Hodgkinson Road and the widening of the footpath on the eastern side of Lindleys Lane adjacent to the Leisure Centre.</p> <p>The existing footpath is not deemed by the County Council as being sufficiently wide to enable safe pedestrian passage. A small section of the Ashfield District Council owned site is therefore identified for use as highway – the disposal of the land to the County Council is therefore required to enable the s278 works to progress.</p>

The transfer of the land to the County Council on these terms will enable the Leisure Centre project to be completed.

As per the embedded plans the section of land that is to be disposed of to the County Council is seen as de minimis, as the land has no value as its proposed use as part of the adopted highway.



KLC-MLM-ZZ-XX-DR- KLC-MLM-ZZ-XX-DR-
C-0005-P01-LEISURE C-0002-P01-LEISURE

5. Alternative Options Considered / Rejected:

- 1) Not to dispose of the land to the County Council (Not Recommended) – should the Council decide not to dispose of the land to the County Council the s278 works will not be able to be completed and planning condition 12 will not be able to be discharged.

6. Implications

Human Resources:

There are no Human Resource implications as a result of this report.

Finance:

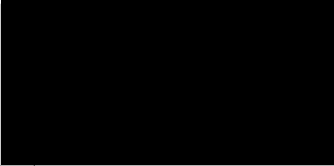
The disposal of the land is seen as de minimis therefore no value is attached to the land.

Legal:

The Council's legal team will lead the s278 legal agreement discussions with Nottinghamshire County Council. They will take necessary internal advice on the matter once instructed.

Name / Title of the officer taking the Decision:

Use your own name and title. Do not 'pp' for a more senior officer who has asked you to take the decision.



Craig Bonar, Director, Resource and Business Transformation

Date: 5 October 2021

Name / Title of the relevant Lead Cabinet Member consulted (if appropriate)

(This decision is not subject to call-in and is circulated for information only). **If a Cabinet Member has a conflict of interest relating to this decision, then this should be declared and a request for dispensation will be considered.**

Date:

Name / Title of the relevant Committee Chairman consulted (if appropriate)

(for non Executive/Council side function decisions)

Date:

The completed form should be emailed to the Democratic Services Team:

democratic.services@ashfield.gov.uk

They will arrange for it to be published on the Council's web site.

EXEMPT OR CONFIDENTIAL BACKGROUND INFORMATION IN SUPPORT OF THE DECISION

For further support or guidance please contact Ruth Dennis, Director of Legal and Governance (and Monitoring Officer) r.dennis@ashfield.gov.uk or any member of the Democratic Services Team.