



**Delegated Decision Making Form
(Property Delegations 232 - 251 only - Executive Officer Decisions)**

REF NO 2188 <i>Constitutional Services Use Only</i>

Decision Type	Officer		
Department	Development		
Subject	1 Beckhampton Road, Bestwood Park, Nottingham NG5 5SP		
Decision	Subject to call-in: Yes		
	If <u>NOT</u> subject to call-in		
	Total value of decision: £see exempt appendix		
	Revenue or Capital: Revenue		
Decision taken	Release of restrictive covenant as per the terms set out in the exempt appendix.		
Exempt Decision	Yes - appendix only		
Reason for exemption (including public interest reason)	The additional information sheet attached to this decision is exempt from publication under paragraph 3 of Schedule 12A to the Local Government Act 1972 because it contains information relating to the financial or business affairs of a particular person (including the authority holding the information).		
Other options considered (with reasons for rejecting options not favoured)	<ol style="list-style-type: none"> 1. Release covenant to use land only as a garden (chosen option) 2. Continue to negotiate. This option was rejected as acceptable terms have been agreed with the applicant. 		
	The land was sold freehold some years ago to be used as a garden extension. The usual restrictive covenants were put in place to ensure the use of the land. This covenant prevents the land owner from building on the land unless we are compensated for the uplift in the land value.		
Reason for Decision			
Affected Wards Advice sought	Bestwood		
		Yes	No
	Legal	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Finance	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Human Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Equality & Community Relations Team	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Voluntary and Community Sector	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Grants Team	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Procurement	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Other (please specify)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Yes	No	Name and Date	
Details of consultations undertaken	Portfolio Holder	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
	Ward Councillors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
	Area Committee	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
	Other Council Bodies	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
	Corp. Directors Affected	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
	Trades Unions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
	Minority Group	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
	Others (Specify)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
	<u>Reasons for not consulting</u>			
	There has been no express consultation about this decision, but regular meetings take place with the Portfolio Holder and Director of Strategic Asset and Property Management on general property matters, which may include this matter. The Decision relates to a day to day business matter where further consultation is not deemed appropriate.			
Consultation outcomes	N/A			
Background to the decision	The applicant is the current landowner. They have been approached by a local builder to purchase part of their garden for use as a building plot. In order for this sale to go ahead the Council has been approached in order to agree terms. In order to remove the covenant we have negotiated terms that are financially beneficial to the Council.			
Declared interests	None			
Dispensation by Standards Committee	Date: N/A	Dispensation Reference: N/A		
Equalities	Has the equality impact of the decision been assessed?			
	NO – Not required	<input checked="" type="checkbox"/>		
	YES – equality impact assessment attached	<input type="checkbox"/>		
Social Value implications	There are no Social Value Implications that relate to this Decision.			
Crime and Disorder implications	There are no Crime and Disorder Implications that relate to this Decision			
Background Papers	There are no Background Papers which this Decision relies upon.			
Published documents	There are no Published Documents that have been relied upon to make this Decision.			

Uniform / Property Ref (if applicable)	None		
Contact Person	Jeremy Bryce Estates Surveyor jeremy.bryce@nottinghamcity.gov.uk	Contact No.	Ext: 63082
Scheme of Delegation Reference Number	246 – Release of Covenants		
Property manager Signature	Jeremy Bryce		Date: 28.09.2015
Director Signature	Kevin Shutter		Date: 28.09.2015

To be completed by Constitutional Services

Date published: 30/09/2015

Last date for Call-in: 07/10/2015