

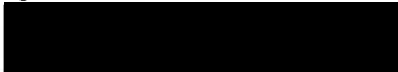
B1 What is the Decision?	To grant a lease to the Heath Community Centre for a term of 70 years at a peppercorn rent in order to allow the Heath Community Centre to develop a community garden on land at the Heath Recreation Ground, off Holly Road in Uttoxeter (plan attached).
B2 What are the reasons for the Decision?	To assist the Community Centre in developing a number of outdoor community based projects.
B3 What are the contributions to Corporate Priorities?	Environment and Health & Wellbeing
B4 What are the Human Rights considerations?	There are no Human Rights issues arising from this decision.

Financial Implications

B5 What are the financial implications?	There are no financial issues arising from this decision.
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Revenue	2019/20	2020/21	2021/22

Capital	2019/20	2020/21	2021/22

The finance section has been approved by the following member of the Financial Management Unit:	Please print name: ANYA MURRAY Please sign name: 
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Policy Framework

B6 Is the Decision wholly in accordance with the Council's policy framework?	Yes
B6.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
B6.2 Has it got the appropriate approvals under those provisions?	Yes
B7 Is the Decision wholly in accordance with the Council's budget?	Yes
B7.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
B7.2 Has it got the appropriate approvals under those provisions?	Yes


Equalities Implications

B8 What are the Equalities implications:
B8.1 Positive (Opportunities/Benefits): the land will allow the community centre to provide a broad range of engagement opportunities for the local community
B8.2 Negative (Threats): N/A
B8.3 The subject of this decision is not a policy, strategy, function or service that is new or being revised. An equality impact assessment is not required.
B8.4 The equality impact assessment identified the following actions to be carried out: N/A

Risk Assessment

B9 What are the Risk Assessment implications: N/A
B9.1 Positive (Opportunities/Benefits): N/A
B9.2 Negative (Threats): N/A
B9.3 The risks do not need to be entered in the Risk Register. Any financial implications to mitigate against these risks are considered above.

Legal Considerations

B10 What are the Legal Considerations:	
<p>B10.1 Under the Local Government Act 1972 local authorities have powers to dispose of property in any manner they wish, subject to certain constraints which may include a requirement to obtain the consent of the Secretary of State. Under Section 123 of the Local Government Act 1972 principal councils have a duty not to sell land for a consideration less than the best consideration reasonably obtainable unless the Secretary of State's consent has been obtained. However, Circular 06/03, the Local Government Act 1972: General Disposal Consent (England) 2003, gives a general consent provided that any undervalue of the interest does not exceed £2 million and the transaction is considered by the local authority to help secure the promotion or improvement of the economic, social or environmental well-being of its area.</p> <p>The disposal to Heath Community Centre falls within the scope of the General Disposal Consent both in terms of land value and of the promotion of social and environmental well-being.</p>	
This section has been approved by the following member of the Legal Team:	Please print name: ANKRA WATKINS Please sign name: 

Sustainability Implications

B11 What are the Sustainability implications: N/A
B11.1 The proposal [would/would not] result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures). The positive/negative impacts are set out below (please refer to guidance notes).

B11.2 Positive (Opportunities/Benefits): N/A
B11.3 Negative (Threats): N/A

Health & Safety Implications

B12 What are the Health & Safety implications: N/A
B12.1 A Risk Assessment has not been carried out and entered into Safety Media for all significant hazards and risks because there are no significant hazards or risks arising from this decision.
B12.2 [The significant hazards and risks have been identified in the Safety Media Risk Assessment numbered. Any financial implications to mitigate against these hazards and risks are considered above. N/A
B12.3 [Control measures and an action plan have been identified for any significant hazards and risks identified in the risk assessment. The positive/negative impacts are set out below] N/A
B12.3.1 Positive (Benefits) N/A
B12.3.2 Negative (Threats) N/A

Key Decision

B13 Is this a Key Decision?	No
Note: A Key Executive Decision is one where:	
<ol style="list-style-type: none"> 1. REVENUE – Any contract or proposal with an annual payment or saving of more than £100,000 2. CAPITAL – Any capital project with a value in excess of £150,000 3. A decision which significantly affects communities living or working in an area comprising two or more wards. 	
B13.1 If this is a Key Decision, is this an urgent decision such that a delay caused by use of the Call-in Procedure would seriously prejudice the public interest?	NA
B13.2 If yes, has the Mayor or in his/her absence the Deputy Mayor or in his/her absence the Chair of the relevant Scrutiny Committee agreed that the decision will be exempt from Call-in?	NA

NOTE: If this decision is subject to the Call-in Procedure it will come into force, and may then be implemented, on the expiry of 3 working days after publication – unless 10 Members of the Council call in the decision.

Please send the original signed document to andrea.davies@eaststaffsbc.gov.uk