



**EXECUTIVE DECISION RECORD
Cabinet Member**

REF No: 45/23

A1 Service Area	Communities & Open Spaces
A2 Title	Rolleston Allotments lease renewal
A3 Decision Taken By	Cabinet Member/ Deputy Leader
A4 Chief Officer	Please print name: Mark Rizk Please sign name: (Approval by email 27/11/2023)
A5 Leader / Deputy Leader	Please print name: Cllr Dennis Fletcher Please sign name: (Approval by email 28/11/2023)
A6 Date of Decision	6 th December 2023

Confidentiality

A7 Is this Decision confidential by containing exempt information as described in Schedule 12A of the Local Government Act 1972?	No
A7.1 If yes, please state relevant paragraph from Schedule 12A LGA 1972.	n/a

Conflict of Interest

Are there any conflicts of interest to declare? Yes/No *(please delete as appropriate)*

(If “Yes” please contact the Chief Executive before making the Decision. A note of dispensation should be attached).



Scrutiny

A8 Which Scrutiny Committee should this decision be submitted to? *(Please tick as appropriate)*

Scrutiny (Value for Money Council) Committee

Scrutiny (Regeneration Development and Market Hall) Committee

Scrutiny (Health and Wellbeing) Committee ✓

Scrutiny (Climate Change and Environment) Committee ✓

B1 What is the Decision?	Renewal of the allotment lease for Rolleston Allotments
B2 What are the reasons for the Decision? B2 Alternative options considered and rejected?	The existing lease at Rolleston Allotments expired on September 30 th 2023, this EDR seeks to renew that lease for the next three years until September 30 th 2026
B3 What are the contributions to Corporate Priorities?	Ongoing support for allotments enables residents to “grow their own” and as a result reduce their weekly food bills. Gardening is also a way for people to remain active and healthy and has been used for social prescribing purposes.
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?	The main financial issues arising from this decision are as follows:
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Revenue	2023/24	2024/25	2025/26
The Allotment Association can claim a grant of £8.32 per plot per annum			

Capital	2023/24	2024/25	2025/26

The finance section has been approved by the following member of the Financial Management Unit:	<p>Please print name: Anya Murray</p> <p>Please sign name: (Approval by email 21/09/2023)</p>
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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)?	n/a
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)?	n/a
B7.2 Has it got the appropriate approvals under those provisions?	n/a

Equalities Implications

B8 What are the Equalities implications: 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.

Risk Assessment

B9 What are the Risk Assessment implications: 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:

B10.1

The main legal issues arising from this decision are as follows:
The Council owns the land occupied by the Allotment Association which is an established allotment site. The land abuts the Rolleston on Dove Cemetery.

The allotment association's current two year lease is set to expire on September 30th 2023 and it is proposed to grant them a tenancy for a further 3 year period.

The lease has clauses whereby if the Council requires the land back for cemetery use then the Council must give the Association 12 months' notice. Otherwise 12 months' notice may be given by either party expiring on or before 6th April or 29th September of each year. In addition the Council may give 3 months' written notice if the land is to be appropriated under any statutory provisions for any purpose other than agriculture or burials. The Council may also give three months' written notice if the land is to be used for building, mining or any other industrial purpose or for roads, sewers necessary in connection with these purposes.

This section has been approved by the following member of the Legal Team

Please print name: Liz Eastaugh

Please sign name: (Approval by email 09/08/2023)

Sustainability Implications

B11 What are the Sustainability implications: n/a

Health & Safety Implications

B12 What are the Health & Safety implications: n/a

Key Decision

B13 Is this a Key Decision? No

Note: A Key Executive Decision is one where:

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 <u>seriously</u> prejudice the public interest?	No
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?	n/a

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