



ASHFIELD DISTRICT COUNCIL: OFFICER DECISION RECORD

1	Title / Subject Matter: Garden License Rear of 15 Mattley Avenue Kirkby In Ashfield
2	Decision Reference No: ODR-10/08/16
3	<p>Decision Taken: to grant a new 2 year licence agreement for the garden rear of 15 Mattley Avenue Kirkby In Ashfield</p> <p>The licence to incorporate a mutual unconditional right to determine by 3 months written notice from either party.</p> <p>Other terms to mirror the existing document.</p> <p>Legal Costs: Each party to bear their own legal costs.</p> <p>Estates Manager to instruct the Assistant Chief Executive Governance to draw up the necessary documentation and agree with the Estates Manager including any variations to the above terms.</p>
4	Reasons for the Decision: The existing licence has expired with effect from 16/07/2016 and is now holding over. However the licensee wishes to retain the use of the land and consequently wishes the document to be renewed in her name.
5	Alternative Options Considered / Rejected: To not renew the licence and leave the position un-regularised.
6	<p>Implications</p> <p>Corporate Plan: A dynamic, productive, competitive and rewarding local economy.</p>
Human Resources: There are no direct HR implications	
<p>Legal</p> <p>Section 32 of the Housing Act 1985 gives power to a Local Authority to grant a licence of this nature.</p> <p>Where land is held for housing purposes there is a requirement to comply with Section 32 of the Housing Act 1985 and obtain Secretary of State's consent. However there is a General Consent of 2013, section A for "vacant Land"</p>	

The Shared Legal Service will provide advice and assistance to Estates to ensure the transactions are formalised by way of the correct legal documentation.

Financial: No significant financial implications

Environmental/Sustainability: The recommendations in the report have no direct implications for the council's environment or sustainability.

Diversity/Equality: There are no direct equality implications

Community Safety: There are no direct Community Safety implications

Name / Title of the officer taking the Decision:

P. K. [Signature] (S. 52. (5) 17)

Date 22.8.16

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

Date _____

(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.

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

(for non Executive/Council side function decisions)

Date _____