

# OFFICER DELEGATION SCHEME RECORD OF OPERATIONAL DECISION



TO BE UPLOADED TO THE E-MEETINGS MANAGER

|  |                                     |                         |                      |
|--|-------------------------------------|-------------------------|----------------------|
| <b>Date:</b> 15/12/2016  |                                     | <b>Ref No:</b> 1517     |                      |
| <b>Type of Operational Decision:</b>   |                                     |                         |                      |
| <b>Executive Decision</b>  | <input type="text" value="Yes"/>    | <b>Council Decision</b> | <input type="text"/> |
| <b>Status:</b> Not For Publication   |                                     |                         |                      |
| <b>Title/Subject matter:</b> Permission to declare the rear of 131/133 Holcombe Road Tottington as surplus to requirements to then be put forward for disposal<br><br>See attached plan  |                                     |                         |                      |
| <b>Budget/Strategy/Policy/Compliance</b> – Is the decision:  |                                     |                         |                      |
| (i)  | within an Approved Budget           |                         | Yes                  |
| (ii)   | not in conflict with Council Policy |                         | Yes                  |
| (iii)  | not raising new issues of Policy    |                         | Yes                  |
| <b>Equality Impact Assessment</b><br>[Does this decision change policy, procedure or working practice or negatively impact on a group of people?<br><b>If yes</b> – complete EIA and summarise issues identified and recommendations – forward EIA to Corporate HR]  |                                     |                         | No                   |
| <b>Details of Operational Decision Taken [with reasons]:</b><br><br>As part of our Asset Transfer Strategy, which involves self management amongst other transfer options, we are looking at all of the Council's Leisure land assets across the Borough, a Steering Group has been formed to discuss the strategy, process and sites that are identified as surplus<br><br>The process as it stands is to <ul style="list-style-type: none"> <li>• Survey all Leisure sites - Completed</li> <li>• Assessment of community use and value, size, issues etc on these sites - Completed</li> <li>• Discuss the surpluses for alternative uses, transfers, self management or possible disposal</li> <li>• Consult planning Policy for an overview of the site and area</li> <li>• Consult Local Councillors - completed</li> <li>• Consultation of Cabinet Members and Senior Management - Delegated Powers form to be completed after this consultation</li> </ul> |                                     |                         |                      |

## **Details of Operational Decision Taken (Contd/...)**

The process as it stands is to

- Survey all Leisure sites - Completed
- Assessment of community use and value, size, issues etc on these sites - Completed
- Discuss the surpluses for alternative uses, transfers, self management or possible disposal
- Consult planning Policy for an overview of the site and area
- Consult Local Councillors - completed
- Consultation of Cabinet Members and Senior Management - Delegated Powers form to be completed after this consultation

Although technically not a part of the formal process above, it has been entered into the process to maintain a record of transactions.

This is a site request to purchase Council land, from the owners of 131/133 Holcombe Road which is in your ward, attached is the site plan. They wish to create a garden space to the rear of their properties and have already gained planning permission to do so.

Planning Policy have been consulted in relation to the Greenspace Strategy, UDP and the local development framework and their comments report is attached for reference

The 3 ward Councillors have been consulted –

- Cllr Gartside enquired if it was to become a private garden (yes), were there any complaints (none received) and what the conditions of the planning permission were (which I have passed on and listed below)
- No replies have been received from the other 2 Councillors in relation to this site

### **Planning Conditions**

1 The development must be begun not later than three years beginning with the date of this permission.

Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

2 This decision relates to drawings numbered Location plan, 2015/37-01 B, 2015/37-02 C, TRI-1433-01, TRI-1433-02 and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

3 Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A, E and H of Part 1 of Schedule 2 of the Order.

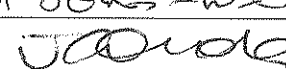
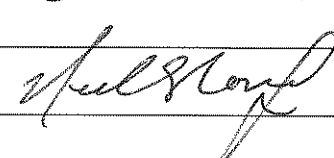

Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.

4 The beech hedge shall be planted not later than 12 months from the date the residential curtilage is first brought into use. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

**Details of Operational Decision Taken (Contd/...)**

If the income from the disposal of this site is less than £10,000 de-minimis then it is Parks and Countryside's intention to spend it within Old Kays Park.

| Decision taken by:  | Signature:   | Date:      |
|---|--|------------|
| Executive Director or Chief/Senior Officer  |  | 30/1/2017  |
| Assistant Director of Strategy, Procurement & Finance   |  | 26/11/2017 |
| Assistant Director (Operations) Communities & Wellbeing   |  | 16/12/2016 |
| <b>Members Consulted [see note 1 below]</b>   |  |            |
| Cabinet Member/Chair  |   | 16/12/2016 |
| Lead Member   |  |            |
| Opposition Spokesperson   |  |            |
| <b>Notes</b><br><br>1. It is not generally a requirement to consult with any Members on Operational Decisions but where a Chief Officer considers it necessary to consult with the appropriate Cabinet Member and/or Lead Member, they must sign the form so as to confirm that they have been consulted and that they agree with the proposed action. The signature of the Opposition Spokesperson should be obtained to confirm that he/she has been consulted.<br><br>2. <b>This form must not be used for urgent decisions. +</b> |  |            |

