

EXECUTIVE DECISION NOTICE

DELEGATED EXECUTIVE DECISIONS

A record of delegated decisions made by individual Portfolio holders or officers on Thursday, 16 December 2021.

The reports (unless exempt under Section 100(B)(2) of the Local Government Act 1972, on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12 A of the Act as amended by the Local Government (Access to Information) (Variation) Order 2006 by virtue of the Paragraphs indicated and, in all the circumstances of the case, it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing it) are available for inspection from the Solicitor to the Council, South Lakeland House, Kendal.

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FOXFIELD BUSINESS PARK, EASEMENT FOR RIGHT OF WAY

- *Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information)*

Summary

Consideration was given to the granting of a permanent easement permitting the use of the Foxfield Business Park service road.

Decision

RESOLVED – That

- (1) the grant of a permanent easement, and right to connect into adopted services, to Duddon and Furness Mountain Rescue Team (DFMRT) on the provisional terms attached at Appendix 2 be approved; and***
- (2) delegation be given to the Operational Lead for Delivery and Commercial Services in conjunction with the Lead Specialist for Legal, Governance and Democracy (Monitoring Officer), for the drafting, negotiation and completion of the deed of grant of a permanent easement and any additional documentation required.***

Reasons for Decision

The proposal contributes to the Council's priority of delivering a balanced community and economic development and culture. Approval of the proposal enables a local organisation to provide improved facilities for its volunteer members and resilience to the service they provide.

Alternative Options Considered and Rejected

To refuse the request with the result that DFMRT's new facility cannot be built in this location.

To agree a personal licence but on concessionary terms. DFMRT wants greater security and freedom than this would provide and they have rejected this option.

16.12.2021

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To grant a permanent easement but on concessionary terms with the consequence that the Council will need to find the funds to pay the clawback sum from its own resources. Such a course of action would also require Cabinet approval.