

RECORD OF OFFICER EXECUTIVE DECISION

State if decision exempt from publication (NOT EXEMPT)

Certain information may be exempt from publication if it falls under Schedule 12A of the Local Government Act 1972. However, these exemptions only apply so long as, in the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing it.

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| No. | Date of Decision: | 20/11/2023 |
| 1. | Name of Decision Maker and Job Title: | Debbie Jackson, Executive Director of Regeneration, Economy and Planning (Executive Director for Growth Planning and Housing) |
| 2. | Status of the decision (e.g. by Executive Director in consultation with Portfolio Holder under the Constitution): | <p>Formal Cabinet Member Decision (Torridon House Car Park: Appropriation of Land for Planning Purposes) was approved on (20/06/2023)</p> <p>Decision - Torridon House Car Park: Appropriation of Land for Planning Purposes Westminster City Council</p> |
| 3. | Specific Delegation from Executive (Leader, Cabinet or Cabinet Member) / Committee: | <p>That the Cabinet Member for Finance and Council Reform in consultation with the Cabinet Member for Climate Action, Regeneration and Renters and the Cabinet Member for Housing Services approves:</p> <p>3.1.4 To delegate authority to the Executive Director for Regeneration, Economy, and Planning (Executive Director for Growth Planning and Housing):</p> <p>3.1.4.1 To deal with any necessary arrangements to record the appropriation of the land required for the development for planning purposes including the transfer of the land from the Housing Revenue Account (HRA) to the General Fund account (GF) at the current red book value; and</p> <p>3.1.4.2 To negotiate and enter into agreements by deed and payment of compensation for the release of third-party rights affected by the development of the Site where this can be achieved on reasonable terms within a reasonable timescale; or</p> <p>3.1.4.3 To take all necessary steps to settle claims for compensation under section 204 of the Housing and Planning Act 2016.</p> <p>3.1.5 To delegate authority to the Executive Director of Regeneration, Economy, and Planning</p> |

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| | | <p>(Executive Director for Growth Planning and Housing):</p> <p>3.1.5.1 To appropriate the Council's land required for development of the site comprising the land described in Paragraph 3.1.2 of this report from planning purposes pursuant to section 232 of the Town and Country Planning Act 1990 to those purposes permitted under Section 17 of the Housing Act 1985 including the construction of homes; and</p> <p>3.1.5.2 To deal with any necessary arrangements to record the appropriation of the land required for development of the site for purposes permitted under Section 17 of the Housing Act 1985 including the transfer of land from the General Fund to the HRA at the current red book value.</p> <p>3.1.6 To delegate authority to the Executive Director of Regeneration, Economy, and Planning (Executive Director for Growth Planning and Housing) to deal with all necessary legal arrangements to give effect to the development, including the recommendations in this report and including where deemed necessary seek consent from the Secretary of State</p> |
| 4. | Other Consultees involved. (i.e. Director of Law & Finance): | Decision review and advice by: Harjinder Bhela, Senior Lawyer On behalf of the Director of Law and Governance Bi-Borough Legal Services Westminster City Council |
| 5. | Material considered as part of the decision making process. Include how best value achieved and equality objectives met (as appropriate): | See the EQIA |
| 6. | Decision taken: | Approve and enter into a Digital fixed line infrastructure wayleave agreement with Community Fibre Limited. |
| 7. | Reasons for the Decision: | To allow the progress of the project in line with the agreed programme and costs, as set out within the FBC Cabinet Member report. |
| 8. | Risk Analysis: | |
| 9. | Details of alternative options considered and rejected: | N/A |

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| 10. | Conflicts of interest declared by any Executive Member/ other Member or officer consulted by the decision maker which relates to the decision: | None |
| 11. | Dispensations Granted: (If any) | |

I certify that this is a true record of the executive decision in relation to the approval and entering into a Digital fixed line infrastructure wayleave agreement with Community Fibre Limited.

Signed by the Decision Maker

Dated 21/11/2023

Name Debbie Jackson



Job Title Executive Director for Regeneration, Economy & Planning (Executive Director for Growth, Planning and Housing)

Signed by (Consultee if required)

Dated

Name