

Record of Officer's Decision

The Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Date of Decision:	31 July 2023
Decision Maker (Officer):	Andy Nepean – Public Realm Operations Manger
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	Part 3, Schedule 3 – Responsibility for Executive Functions delegated to Officers paragraph 4.3 (1) – the Corporate Director has delegated authority to discharge executive functions within their respective service areas (Part 3.38). All delegations are subject to consultation where considered appropriate in the circumstances (paragraph 4.3 (4)(ii) – Part 3.39).
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Cllr N Turner & Cllr R Everett
Ward Member(s) consulted?	Yes-
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	To release S106 money for the upgrade of the paths through Crescent Gardens. Contributions received from a development located adjacent to Crescent Gardens. The S106 agreement specifies that the contribution can only be used for improvements of this area.
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	Section 106 funding request, approved by Planning Services.
Highlight any associated risks/finance/legal/equality considerations:	None
Details of any Alternative Options Considered and rejected (together with reasons):	The only other option would be return the money to the developer.

<p>Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision)</p> <p>If relevant, a note of the dispensation granted by the Monitoring Officer:</p>	n/a	
<p>Reason Decision, or supporting Report, is not published:</p> <p><i>Tick one or more of the specific exemptions,</i></p> <p><u>and</u></p> <p><i>Give more information in the final box with regards to why the exemption applies and outweighs the public interest test (which is in favour of disclosure).</i></p>	<input type="checkbox"/> Not applicable – Decision [and report] to be published	<p>If Report is not to be published – tick one of the following boxes:</p> <input type="checkbox"/> The report supporting the Decision contains confidential information <input type="checkbox"/> The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information: <input type="checkbox"/> • Relates to an individual <input type="checkbox"/> • Likely to reveal the identity of an individual <input type="checkbox"/> • Relating to financial or business affairs of a person or organisation <input type="checkbox"/> • Relates to a claim for legal professional privilege in legal proceedings <input type="checkbox"/> • Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment <input type="checkbox"/> • Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
<p><u>And</u> is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information</p> <p>Reasons: n/a</p>		

Officers

Signed:

In consultation with:

Title: Public Realm Operations Manager

Portfolio Holder Leisure and Public Realm