



**EXECUTIVE DECISION RECORD
Officer**

REF No: 151.24

A1 Service Area	Legal And Assets
A2 Title	Owner Wayleave Consent relating to Plot A Robert Bakewell Way, Uttoxeter
A3 Decision Taken By	Leader
A4 Chief Officer	Please print name: John Teasdale Please sign name: (Approval via email 09/05/24)
A5 Leader / Deputy Leader consulted?	Please print name: Cllr Michael Fitzpatrick Please sign name: (Approval via email 09/05/24)
A6 Date of Decision	9 th May 2024

Confidential or Exempt Information

A7 Does this decision contain Confidential Information?	No
A7.1 Does this Decision contain Exempt Information as described in Schedule 12A of the Local Government Act 1972?	No
A7.2 If yes, please state relevant paragraph from Schedule 12A LGA 1972.	n/a

Conflict of Interest

Are there any conflicts of interest to declare? No

(If "Yes" please contact the Chief Executive before making the Decision. A note of dispensation should be attached).

Scrutiny/Audit



A8 Which Committee should this decision be submitted to? *(Please tick as appropriate)*

Scrutiny (Value for Money Council) Committee

Scrutiny (Regeneration Development and Market Hall) Committee **X**

Scrutiny (Health and Wellbeing) Committee

Scrutiny (Climate Change and Environment) Committee

Audit Committee

B1 What is the Decision?	To grant a wayleave consent across Council land off Robert Bakewell Way, Uttoxeter
B2 What are the reasons for the Decision?	National Grid has approached the Council with a request to install a new electricity supply to Unit's A & B, at the new P.M. Wrigley & Co. Ltd. Development, located off Robert Bakewell Way, Uttoxeter, up near to the Uttoxeter Public Recycling Centre. P.M. Wrigley & Co. Ltd. own the land title SF665068, which was purchased from East Staffordshire Borough Council, the original owners of the land. In order to supply Unit A, the new underground electric cable will need to be installed (35m of new underground cable) through land owned by East Staffordshire Borough Council – HM Land Registry land title SF545057. This is to be secured via a new wayleave consent. Unit B will be serviced electrically by utilising an existing deed completed in 2017, as the existing easement strip allows for the installation of additional cables.
B2 Alternative options considered and rejected?	A lease was considered and rejected because it does not give the flexibility of terminating the agreement and having the cable relocated if it impinges on the use of our land in the future. Rejecting the wayleave would still allow the utility companies to use their statutory powers to install their infrastructure if the owner does not agree.
B3 What are the contributions to Corporate Priorities?	Maintaining good business relations with utility companies and contributing to the green initiative.
B4 What are the Human Rights considerations?	There are no Human Rights issues arising from this decision.

Financial Implications

B5 What are the financial implications?	The main financial issues arising from this decision are as follows:
--	--

Revenue	2023/24	2024/25	2025/26
Annual wayleave payment	£1.15	£1.15	£1.15

Capital	2023/24	2024/25	2025/26
	-	-	-

The finance section has been approved by the following member of the Financial Management Unit:	Please print name: James Hopwood Please sign name: (Approval via email 09/05/2024)
---	---

Policy Framework

B6 Is the Decision wholly in accordance with the Council’s policy framework?	Yes
B6.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
B6.2 Has it got the appropriate approvals under those provisions?	NA
B7 Is the Decision wholly in accordance with the Council’s budget?	Yes
B7.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
B7.2 Has it got the appropriate approvals under those provisions?	NA

Equalities Implications

B8 What are the Equalities implications:
B8.1 Positive (Opportunities/Benefits): NA
B8.2 Negative (Threats): NA
B8.3 The subject of this decision is not a policy, strategy, function or service that is new or being revised. An equality impact assessment is not required.
B8.4 The equality impact assessment identified the following actions to be carried out:

Risk Assessment

B9 What are the Risk Assessment implications:
B9.1 Positive (Opportunities/Benefits): NA
B9.2 Negative (Threats): NA
B9.3 The risks do not need to be entered in the Risk Register. Any financial implications to mitigate against these risks are considered above.

Legal Considerations

B10 What are the Legal Considerations:

A wayleave agreement grants an electricity provider the right to install, use and maintain electricity apparatus over privately owned land. It does not create a permanent right over the land and will not bind future land owners. It can be terminated by either party on the appropriate notice.

B10.1 There are no significant legal issues arising from this decision.

This section has been approved by the following member of the Legal Team

Please print name: John Teasdale

Please sign name: (Approval via email 09/05/2024)

Environmental Impact

B11 What are the Environmental Impacts:

Consider impacts related to the Climate Change & Nature Strategy aims:

- Reducing greenhouse gas emissions (climate change mitigation)
- Preparing for future climate change (adaptation)
- Protecting and enhancing nature
- Using resources wisely and minimising waste and pollution

B11.1 The impacts are **not significant** and are set out below without enhanced consideration by the Council's Climate Change and Adaptation Officers.

(note – a **significant** impact will likely result from any project, policy, procurement exercise or service change that has a direct or indirect effect on energy or fuel use, water use, land use, other physical resource use, waste generation, pollution, regeneration or construction - if unsure contact the Council's Climate Change and Adaptation Officers)

B11.3 Positive Impacts (Opportunities/Benefits): n/a

B11.4 Negative Impacts (Threats/Mitigation): n/a

Health & Safety Implications

B12 What are the Health & Safety implications:

B12.1 A Risk Assessment has not been carried out and entered into Safety Media for all significant hazards and risks because there are no significant hazards or risks arising from this decision.

B12.2 [The significant hazards and risks have been identified in the Safety Media Risk Assessment numbered []. Any financial implications to mitigate against these hazards and risks are considered above.]
NA

B12.3 [Control measures and an action plan have been identified for any significant hazards and risks identified in the risk assessment. The positive/negative impacts are set out below]
NA

B12.3.1 Positive (Benefits)
NA

B12.3.2 Negative (Threats)
NA

Key Decision

B13 Is this a Key Decision? No

Note: A Key Executive Decision is one where:

1. **REVENUE** – Any contract or proposal with an annual payment or saving of more than £100,000
2. **CAPITAL** – Any capital project with a value in excess of £150,000
3. **A decision which significantly affects communities living or working in an area comprising two or more wards.**

B13.1 If this is a Key Decision, is this an urgent decision such that a delay caused by use of the Call-in Procedure would seriously prejudice the public interest?

N/A

B13.2 If yes, has the Mayor or in his/her absence the Deputy Mayor or in his/her absence the Chair of the relevant Scrutiny Committee agreed that the decision will be exempt from Call-in?

N/A

NOTE: If this decision is subject to the Call-in Procedure it will come into force, and may then be implemented, on the expiry of 3 working days after publication – unless 10 Members of the Council call in the decision.

Please send the original signed document to:

democratic.services@eaststaffsbc.gov.uk

The questions contained in this questionnaire are not to be altered in any way. If you have any queries regarding the contents of this document, please contact Democratic Services Ext 1306/1608 or refer to Part 3 Section 6 of the Constitution.