



BRECKLAND COUNCIL

DELEGATED DECISION RECORD

This records a key or other decision taken by an Executive Member, the Cabinet or Cabinet Sub-Committee in accordance with the Council's scheme of Delegations (as set out in Section D of Part 3 of the Council's Constitution).

Unless the Leader and the Chairman of the Overview and Scrutiny Commission certify that the matter is so urgent that the normal five-day scrutiny delay on action should not apply, then this decision will come into force and may then be implemented on the expiry of five working days after the publication of the decision, unless called in under the call-in procedures as set out in Section D of Part 3 of the Council's Constitution.

Portfolio/Cabinet	Cabinet
Report Title (& Reference No.)	Localism Act 2011
Summary Background	The Localism Act was introduced in November 2011. The purpose of the report was to update Members on the work undertaken thus far to ensure the Council's full compliance with the Act and to seek agreement that a Community Asset Register was introduced in line with the aforementioned legislation.
Author/Contact Officer	Robert Walker, Assistant Director of Commissioning
Ward(s) Affected	All Wards
Urgent?	No
Key Decision?	Yes - It is significant in terms of its effect on communities living or working in an area comprising one or more wards
In Forward Plan?	Yes
Date Decision Taken	Tuesday, 18 June 2013
Date Published	Thursday, 20 June 2013
Call-In Expiry	Thursday, 27 June 2013
Exempt Information?	No
Decision (Action Agreed)	That: (1) the activity already undertaken to ensure compliance with the Localism Act 2011, and the establishment of a Community Assets Register as outlined in the report (and in particular reference to paragraphs 4.2 and 4.4 of the report) and in

	<p>compliance with the Localism Act 2011 be noted; and</p> <p>(2) a policy of no compensation payments with regards to loss of income due to the moratorium on sale imposed by registration on the Community Assets Register (i.e. compensation for delay or failure to sell as a result of registration NOT loss of property value through the sale) be agreed.</p>
<p>Reasons(s)</p>	<p>By having the Community Asset Register adjudicated and administered by officers standard practices and procedures would be developed and followed but Members' local knowledge would likely not be utilised on a case-by-case basis.</p> <p>By adjudicating for the Community Asset Register, Members would be applying their local knowledge to their work for the Council and exercising the authority of their mandate (with the assistance of officers as required) - therefore promoting local democracy, which in turn further promoted the Localism Agenda.</p> <p>By having a policy of compensation payment the Council exposes itself to financial risk. Without data over a sufficiently long period it was impossible to accurately predict the cost of a compensation policy. Central government had committed to paying any compensation in excess of £20,000 over the course of a financial year, which limited the range of costs, but this was up for review in 2015.</p> <p>By having a policy of not paying compensation, the Council would avoid exposure to the risk of up to £20,000 per year until 2015 – and an unknown level of financial risk in following years.</p>
<p>Options</p>	<p>(1) Create a Community Asset Register adjudicated and administered by officers.</p> <p>(2) Create a Community Asset Register adjudicated by Members and administered by officers.</p> <p>(3) Agree a policy for the payment of compensation to the owners of assets included on the register.</p> <p>(4) Agree a policy of not providing compensation payments.</p>
<p>Further Information</p>	<p>Localism report - chris dean v3b (2) Appendix A - Process Proposal_Localism Appendix B - Implementaion Plan_Localism Appendix C - Nomination form b_Localism</p>