

## RECORD OF EXECUTIVE DECISION

Monday, 15 March 2010

**Decision No:** (CAB 09/10 2630)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	Cabinet Member for Leisure, Culture and Heritage
SUBJECT:	Cenotaph Memorial Wall
AUTHOR:	Elizabeth Smith

### THE DECISION

- (i) To authorise officers of the City Council to apply to the Secretary of State under Section 38 of the Commons Act 2006 for consent to carry out works on registered common land (West Park) to place the proposed Cenotaph Memorial Wall.
- (ii) To delegate authority to the Executive Director of Neighbourhoods, in consultation with the Solicitor to the Council, to do anything necessary to support the proposals within the report.
- (iii) Subject to the successful consent of the Secretary of State to carry out the works proposed to delegate authority to the Executive Director of Neighbourhoods in consultation with the Chief Financial Officer to approve the proposed Cenotaph Memorial Wall and add to the Neighbourhoods Capital Programme.

### REASONS FOR THE DECISION

1. To authorise officers of the City Council to apply to the Secretary of State for consent to site the proposed Cenotaph Memorial Wall on common land.
2. To authorise officers of the City Council to assist others in securing external funding to enable construction work to be carried out on common land, subject to the consent of the Secretary of State.
3. To ensure the successful delivery of the proposed Cenotaph Memorial Wall by the City Council, working in partnership with Southampton and Fareham Chamber of Commerce and The Royal British Legion.

### DETAILS OF ANY ALTERNATIVE OPTIONS

1. To not apply to the Secretary of State for consent to carry out works on common land (West Park) would expose the City Council to legal challenge.
2. To not proceed would result in a failure to meet the aspirations of Cabinet and

residents.

3. To not secure additional funding could result in a greater reliance upon City Council budgets.

**OTHER RELEVANT MATTERS CONCERNING THE DECISION**

None.

**CONFLICTS OF INTEREST**

None.

**CONFIRMED AS A TRUE RECORD**

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision.

Date: 15<sup>th</sup> March 2010

Decision Maker:  
The Cabinet

Proper Officer:  
Judy Cordell

**SCRUTINY**

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny "Call-In" provisions.

Call-In Period expires on

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*