


Delegated Decision Notification

This form is used both to give notice of an officer's intention to make a Key decision and to record any delegated decision which has been taken. The decision set out on this form therefore reflects the decision that it is intended will be made, or that has been made.

Although set out in the past tense a decision for which notice is being given may be subject to amendment or withdrawal.

LEAD DIRECTOR ⁱ :	Director of Environment & Housing
SUBJECT ⁱⁱ :	Extinguishment of a Footpath between Chapel Yard and Chapel Street, Halton, Leeds
DECISION DETAILS ⁱⁱⁱ :	<p>The Natural Environment Manager did not to authorise the City Solicitor to make an Extinguishment Order under the Town and Country Planning Act 1990 for the footpath between Chapel Yard and Chapel Street, Halton for the following reasons:</p> <p>(a) There is no physical building work to be carried out over the line of the footpath, only gardens and fences. Public rights of way can run through gardens, therefore it is not considered necessary for the footpath to be extinguished to allow the development to be carried out.</p> <p>(b) Provision could also have been made to divert the footpath through the central courtyard and then down to and along the southern boundary of the site to join the existing footpath at the north western corner of the library. Diversions are always preferable to outright extinguishment.</p> <p>(c) The footpath provides a well-used link between the library and other local facilities for local residents including by nursery school children. The alternative route involves the use of a narrow pavement alongside a busy road where the width is reduced by a bus stop. The effects of the Order on those entitled to use it should be taken into account before confirming an Extinguishment Order.</p> <p>(d) The footpath provides the only access to an adjoining property's bin store and no attempt has been made to provide alternative access or provision. The effects of the Order on those entitled to use it should be taken into account before confirming an Extinguishment Order.</p> <p>(e) The applicant has already commenced work on site and is expected to complete the development by the end of November or beginning of December. Public Path Extinguishment Orders under the Town and Country Planning Act 1990 cannot be made or confirmed if the development is already substantially complete.</p>

TYPE OF DECISION:	<input checked="" type="checkbox"/> Council function (not subject to call-in) <input type="checkbox"/> Executive decision (Key) Is the decision eligible for call-in? ^{iv} <input type="checkbox"/> Yes <input type="checkbox"/> No Is the decision exempt from call-in? ^v <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Executive decision (Significant Operational ^{vi} – not subject to call-in) <input type="checkbox"/> Executive decision (Administrative ^{vii} – not subject to publication or call-in)											
NOTICE ^{viii} / CALL-IN (KEY DECISIONS ONLY):	Date the decision was published in the List of Forthcoming Key Decisions: If not on the List of Forthcoming Key Decisions for at least 28 clear days, the reason why it would be impracticable to delay the decision:- If exempt from call-in, the reason why call-in would prejudice the interests of the Council or the public:-											
AFFECTED WARDS:	Temple Newsam											
DETAILS OF CONSULTATION UNDERTAKEN:	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Executive Member Cllr. Dobson</td> <td style="width: 20%;">Date consulted: 13/10/14</td> <td style="width: 50%;">Interest disclosed?^{ix} <input type="checkbox"/> Yes (Date of dispensation:) <input checked="" type="checkbox"/> No</td> </tr> <tr> <td>Ward Councillor Cllrs. Cummins, Lyons & Mitchell</td> <td>Date consulted: 13/10/14</td> <td>Interest disclosed? <input type="checkbox"/> Yes (Date of dispensation:) <input checked="" type="checkbox"/> No</td> </tr> <tr> <td>Others^x User Groups, Statutory Undertakers, Adjoining Propoerties</td> <td>Date consulted: 13/10/14</td> <td>Interest disclosed? <input checked="" type="checkbox"/> Yes (Date of dispensation:) <input type="checkbox"/> No</td> </tr> </table>			Executive Member Cllr. Dobson	Date consulted: 13/10/14	Interest disclosed? ^{ix} <input type="checkbox"/> Yes (Date of dispensation:) <input checked="" type="checkbox"/> No	Ward Councillor Cllrs. Cummins, Lyons & Mitchell	Date consulted: 13/10/14	Interest disclosed? <input type="checkbox"/> Yes (Date of dispensation:) <input checked="" type="checkbox"/> No	Others ^x User Groups, Statutory Undertakers, Adjoining Propoerties	Date consulted: 13/10/14	Interest disclosed? <input checked="" type="checkbox"/> Yes (Date of dispensation:) <input type="checkbox"/> No
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CAPITAL INJECTION APPROVAL REQUIRED:	Injection approval required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If yes, you must complete the Approval box below)											
CAPITAL INJECTION APPROVAL	(Name:) (Title:)	Capital Scheme Number: XXXXX / XXX / XXX Date:										
IMPLEMENTATION (KEY DECISIONS)	Officer accountable for implementation											

ONLY)	Timescales for implementation ^{xi}	
CONTACT PERSON:	Claire Tregembo	Telephone number ^{xii} : 0113 3782875
DECISION MAKER / AUTHORISED SIGNATORY ^{xiii} :	 (Name: Glenn Gorner)	Date: 12/12/14

ⁱ The Leader of the Council may also make executive decisions and should be specified as the Lead Director where appropriate.

ⁱⁱ A brief title should be inserted here. If the decision is Key and has appeared on the List of Forthcoming Key Decisions, the title of the decision should be the same as that used in the List.

ⁱⁱⁱ Brief details of the decision should be inserted. This note must set out the substance of the decision, options considered and the reason for deciding on the chosen option, although care must be taken not to disclose any confidential or exempt information.

^{iv} See the Executive and Decision Making Procedure Rules for eligibility. The decision will not be eligible for call-in if it has already been subject to call-in i.e. considered by the relevant Scrutiny Board. This includes a decision which has been modified by the decision maker following a recommendation by a Scrutiny Board after call-in of the earlier decision.

^v If the decision is exempt from call-in a reason must be provided in the 'Notice / Call-In' box and in the report. The call-in period expires at 5pm on the 5th working day after publication. Scrutiny Support will notify decision makers of matters called-in no later than 12 noon on the 6th working day.

^{vi} If the decision would have been a Key decision but for an exception set out in Article 13.6.1, please refer to the connected Key decision in the decision details (either by the title or the reference number).

^{vii} Administrative Decisions do not need to be published on the Council's website but this form may be used for internal recording of the decision.

^{viii} All Key decisions should appear on the List of Forthcoming Key Decisions for 28 clear days before the decision can be taken. If 28 clear days' notice has not been provided, a reason must be provided here.

^{ix} No Member having a disclosable pecuniary interest or officer having an interest in any matter (whether pecuniary or otherwise required to be declared) should take a decision in relation to that matter. Other interests of a non-disqualifying nature should be recorded here. Any dispensation in place in relation to the matter should also be recorded here.

^x This may include other elected Members, officers, stakeholders and the local community.

^{xi} Please include proposed timescales for commencement and / or completion of implementation as appropriate.

^{xii} Please insert a complete telephone number whether land line or mobile, rather than an extension number so that you can be contacted from outside the Council.

^{xiii} The signatory must be duly authorised by the Lead Director to make a decision in accordance with the relevant sub-delegation scheme. It is not acceptable for the signature to be 'pp' for the authorised signatory. For Key decisions only, the date of the authorised signature signifies that, at the time, the officer was content that the decision should be taken. However, should representations be received following public availability of reports the signatory will consider the effect which such representations should have on the final decision.