

Delegated Decision Notice

This form is the written record of a key, significant operational or administrative decision taken by an officer.

Decision type	<input type="checkbox"/> Key Decision	<input checked="" type="checkbox"/> Significant Operational Decision	<input type="checkbox"/> Administrative Decision
Approximate value	<input type="checkbox"/> Below £500,000 <input type="checkbox"/> £500,000 to £1,000,000 <input type="checkbox"/> over £1,000,000	<input checked="" type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000 <input type="checkbox"/> £100,000 to £500,000 <input type="checkbox"/> Over £500,000	<input type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000
Director¹	Director of City Development		
Contact person:	Martin Elliot	Telephone number: 0113 37 87634	
Subject²:	Determination of Tree Preservation Order (TPO2022_04) Modification - Burras Lane, Otley LS21		
Decision details³:	What decision has been taken? (Set out all necessary decisions to be taken by the decision taker including decisions in relation to exempt information, exemption from call in etc.) The Head of Strategic Planning has agreed to confirm a provisional Tree Preservation Order (TPO) at Burras Lane, Otley subject to modification in light of objections received. All in accordance with the report of the City Solicitor.		
	A brief statement of the reasons for the decision (Include any significant financial, procurement, legal or equalities implications, having consulted with Finance, PACS, Legal, HR and Equality colleagues as appropriate) In accordance with the report of the City Solicitor and back ground papers attached with this notice and having carefully considered the issue raised by the individual objectors, on balance it is considered that the Tree Preservation Order is warranted on the grounds of amenity and expediency; subject to modification of the Order Map, to reduce the footprint of the Area of trees covered by the Order to exclude garden land which is considered on balance to be not essential be included within it. The remaining grounds of objection have been considered by the Landscape Officer in her report, and for the reasons given in their comments, it is considered that the retained protection of the remainder remaining Area of trees within a confirmed Order, is warranted on the grounds of amenity value of the trees and expediency.		

¹ Give title of Director with delegated responsibility for function to which decision relates.

² 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


³ Simply refer to supporting report where used as these matters have been set out in detail.

	<p>Brief details of any alternative options considered and rejected by the decision maker at the time of making the decision</p> <p>The option to not modify the Order Map was discounted on the basis of neighbour objections which the Landscape Officer has had due regard to. The option to remove the TPO from the site on the basis of developer objections was discounted on the basis that the TPO will help ensure that the trees are properly considered and protected in current and future planning applications and during any associated construction works.</p>
Affected wards:	Otley and Yeadon
Details of consultation undertaken⁴:	Executive Member NA
	Ward Councillors NA
	Others Internal only
Implementation	<p>Officer accountable, and proposed timescales for implementation</p> <p>Helen Tipping</p>
List of Forthcoming Key Decisions⁵	Date Added to List:-
	If Special Urgency or General Exception a brief statement of the reason why it is impracticable to delay the decision NA
	If Special Urgency Relevant Scrutiny Chair(s) approval Signature _____ Date _____
Publication of report⁶	If not published for 5 clear working days prior to decision being taken the reason why not possible: NA
	If published late relevant Executive member's approval Signature _____ Date _____

⁴ Include details of any interest disclosed by an elected Member on consultation and the date of any relevant dispensation given.

⁵ See Executive and Decision Making Procedure Rule 2.4 - 2.6. Complete this section for key decisions only

⁶ See Executive and Decision Making Procedure Rule 3.1. Complete this section for key decisions only

Call In	Is the decision available ⁷ for call-in?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	If exempt from call-in, the reason why call-in would prejudice the interests of the council or the public:		
Approval of Decision	Authorised decision maker ⁸ Martin Elliot, Head of Strategic Planning		
	Signature 	Date 18 August 2022	

⁷ See Executive and Decision Making Procedure Rule 5.1. Significant operational decisions taken by officers are never available for call in. Key decisions are always available for call in unless they have been exempted from call in under rule 5.1.3.

⁸ Give the post title and name of the officer with appropriate delegated authority to take the decision.