

OFFICER DECISION RECORD (ODR2)

This form records an officer decision and is published in accordance with the Openness of Local Government Bodies Regulations 2014

Date of Decision	20/02/23
Decision Taker (including Job Title)	Chris Hindle Head of Infrastructure
Specific Delegation	<p>Cheshire East Council's Constitution dated December 2022, Scheme of Officer Delegation as set out in Chapter 2, Part 5. By a delegation from the Executive Director of Place, taking effect on 19 August 2022, powers were delegated to the Director of Infrastructure and Highways. Under a LSoD, taking effect on 16 November 2022 the Director of Infrastructure and Highways delegated power in relation to: -</p> <ul style="list-style-type: none"> • Infrastructure Delivery – Major Projects • Highways Development Management <p>to the Head of Infrastructure.</p>
Brief Description of Decision	To authorise the Principal Development Engineer (C Booth) to sign and issue the Developer Final Certificate, certifying the works required to be executed pursuant to a Section 278 Agreement dated 28 th September 2015 and made between Cheshire East Borough Council and Bellway Homes Ltd are substantially complete.
Reasons for the Decision and alternatives considered	Works under a Section 278 agreement dated 28 th September 2015 and made between Cheshire East Borough Council and Bellway Homes Ltd, namely the Highway works in connection with development at Gresty Green Road, Shavington has been completed to the satisfaction of the Highway Authority. In accordance with clause 11 of the Agreement, provided also that the 12 month maintenance period has been completed and any defects have been made up to the reasonable satisfaction of the Council, the Council will issue a Developer Final Certificate. Further, upon the issue of the Developer Final Certificate, in accordance with clause 12 of the s278 Agreement, the Council

OFFICIAL

	is required to discharge the Bond secured against the obligations within the Agreement.
Member consultation and interests declared	NA
Significant Decision	NO
Legal Implications	<p>I am satisfied that this decision is being taken under the correct delegation of power and that the legal implications have been considered.</p> <p>George Barker Assistant Lawyer (Place) George.Barker@cheshireeast.gov.uk</p>
Financial Implications	<p><i>Please seek financial advice from the appropriate Finance Contact*3 before seeking approval from the Consultees. This should cover costs, budget provisions or funding source utilised, and any other financial consequences.</i></p> <p>The work involved is covered in full by fees from the Section 278 Developer. The purpose of this activity is to ensure that roads are being constructed to the required standard which will avoid the need for additional maintenance costs in future years.</p> <p>Wendy Broadhurst, Lead Finance Partner</p>
Confidential/Exempt Information	NA
Background Papers	NA

Signed 

Dated 20/02/23.....

OFFICIAL