


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 instruct Legal Services to negotiate and enter into an Agreement under Section 278 of the Highways Act 1980 in respect of Highway Works in connection with the development at Mobberley Riding School, Newton Hall Lane, Mobberley
Reasons for the Decision and alternatives considered	The Council is the highway authority for Cheshire East under the provisions of Section 1 of the Highways Act 1980. The Developer and the Landowner are willing to enter into this Agreement to ensure the Development permitted under the Planning Permission is carried out in all respects in the interests of the good planning of the area and to the reasonable satisfaction of the Council as the highway authority. The Council is satisfied that the construction of the Scheme which is the subject of this Agreement will be of general benefit to the public.
Member consultation and interests declared	NA
Significant Decision	NO

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Legal Implications	<p>I have reviewed the ODR and am satisfied that the decision is supportable based on the information provided.</p> <p>Vicky Fox – Planning and Highways Lawyer 15th February 2023</p>
Financial Implications	<p>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.</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 23/02/23.....