



DECISION TAKEN BY OFFICER UNDER PARAGRAPH 13(4) OF THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012

Name of Officer	Sue Cuerden
Position of Officer	Executive Director of Corporate Services and Assets (s.151 Officer)
Service Area	Planning and Development

Title of Decision	Implementation of Landscaping at Holme Hill, Upton Grey
Date of Decision	26/10/2023

Appendix	Appendix A – priority areas of landscape plan
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Exempt or Confidential Information

It is considered that information contained within this report and Appendix A does not contain exempt information under of Schedule 12A of the Local Government Act 1972, as amended, and therefore can be made public.

Glossary of terms

Term	Definition

Background to decision:

Planning permission for 17 dwellings was granted under application 16/03058/FUL on 9 February 2017 at this Site. The landscaping was not implemented by the developer in accordance with the plans approved under the planning permission. A breach of condition notice could not be issued to the developer requiring completion of the landscaping works. In February 2023, receivers were appointed for the developer and a Court order to wind up the developer was made on 26 April 2023. Securing compliance with the landscaping by the developer is therefore no longer possible due to their current status and the order to wind them up.

Authority to make the decision:

Section 3.14 (7)(d):

Executive Director of Finance and Resources (Section 151 Officer) Shall:

(7) Have the authority to make special payments, whether or not provision has been made in the approved estimates, in the following cases:

(d) payments made on the advice of the Chief Executive in the settlement of any action, complaint, or claim against the Council.

Reason for Decision:

Settlement of complaint made to the Council regarding the landscaping associated with this housing development.

Report/Information considered:

Legal	None
Finance	None
Property and regeneration	None
Risk Management	None

Equality, Diversity and Inclusion	None
Consultation and communication	None
Climate Change, ecological and biodiversity	None
HR	None

Alternative options considered and rejected:

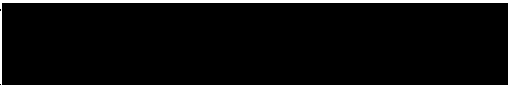
1. Complete full landscaping works;
2. Serve Breach of Condition Notices (which would be on individual property owners)
3. Do nothing.

Decision:

To authorise the payment for implementation of tree planting limited to those trees identified in areas 1 and 3 shown on the plan contained in Appendix A.

Record of any conflict of interest declared by any cabinet member who was consulted by the decision maker:

None.

Signed:	
Name:	Sue Cuerden
Job title:	Executive Director Corporate Services & Assets
Dated:	3/11/2023

