

Record of Officer's Decision

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| Item: | Town and Country Planning Act 1990, Section 257 Proposed Public Path Diversion Order Footpath BJ2 in the Parish of Bartestree |
| Date of Decision | 9 August 2017 |
| Decision Maker (Officer) | Assistant Director Environment & Place |
| Authority for Delegated for Decision (Cabinet Decision or Scheme of Delegation – provide reference) | Regulations functions |
| If required, identify which Cabinet Member(s) /Portfolio Holder(s) consulted | None |
| Is it a Key Decision? | No |
| Decision made | <p>THAT:</p> <p>(a) A public path diversion order, for definitive footpath BJ2 in the parish of Bartestree, is made in accordance with section 257 of the Town and Country Planning Act 1990, as shown in the draft order and plan TCPA91/24-2 in the Appendix to this report to enable development granted planning permission to be carried out and</p> <p>(b) In the event that there are no unwithdrawn objections to the formal advertising of the order, it is then confirmed.</p> |
| Reason for Decision (if a report was produced to support the Decision, refer to and attach the same) | This application meets the tests set out in section 257 of the Town and Country Planning Act 1990 and the Council's Public Path Order Policy in that the diversion is necessary to enable development granted outline planning permission (Ref no: P140757/O) to be carried out for the erection of 50 dwellings |
| Highlight any associated risks/finance/legal/equality considerations | None |
| Details of any Alternative Options considered and rejected (together with reasons) | Under the provisions of section 257 of the Town and Country Planning Act 1990 the Council has the power to make diversion orders to enable development to take place. It has no duty to do so. The council could therefore reject the application on the grounds that it does not contribute sufficiently to the wider ambitions and priorities of the council. |

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| <p>Details of any declarations of interest (by Cabinet Member / portfolio Holder who was consulted by the officer, which related to the decision)</p> <p>If relevant, a note of the dispensation granted by the Monitoring officer:</p> | |
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Officer Name: Richard Ball

Officer Title: Assistant Director Environment & Place

Signature:

Date: 9 August 2017