

Record of officer decision

Decision title:	Preparation of a Cultivation Licence made under Section 142 of the Highways Act 1980.
Date of decision:	5 December 2019
Decision maker:	Engineering Manager
Authority for delegated decision:	Direct to scheme of delegation: updated 14/02/2019 directorate: Economy and Place, section 69 to act on behalf of the Council in respect of the legislation specified in the foregoing: Traffic Management Act 2004, The Highways Act 1980 Acting Assistant Director for Highways and Transport (Traffic Manager designate), Head of Transport and The Traffic Manager may in making arrangements to ensure that the authority has (a) determined specific policies or objectives in relation to different roads or classes of road in their road network: (b) monitored the effectiveness of – 117
Ward:	Backbury
Consultation:	Tarrington Parish Council who objected to the Licence due to concerns about highway safety. The location is a quiet lane with slow moving traffic therefore the Licence is permitted. If safety concerns are realised, the Licence will be revisited.
Decision made:	To authorise the issue of a Cultivation Licence for maintaining grass and plant pots located adjacent to Oakapple, Tarrington.
Reasons for decision:	To enable the Licensee to plant/cultivate and maintain the highway as specified in the Licence.
Highlight any associated risks/finance/legal/equality considerations:	Legal - the highway authority for a highway may by a licence granted under Section 142 permit the occupier or the owner of any premises adjoining the highway to plant and maintain, or to retain and maintain, trees, shrubs, plants or grass in such part of the highway as may be specified in the Licence. Risk - The licensee will not maintain the planting/cultivation to an adequate standard, in which case the Licence could be revoked.
Details of any alternative options considered and rejected:	Not to issue a Cultivation Licence and the area will not be maintained to the same standard.
Details of any declarations of interest made:	None

I am an officer delegated to make the decision

Signed:

Printed Name: Bruce Evans

Job Title: Engineering Manager